Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Richard J. Bruckner
Director

January 20, 2016

John MacNeil
2330 N. Topanga Canyon Boulevard
Topanga, CA 90290

REGARDING: **PROJECT NO. R2015-00071-(3)**
MINOR COASTAL DEVELOPMENT PERMIT NO. 201500006
622 and 624 Topanga Canyon Boulevard APNs 4444-020-006, 007, 008

Hearing Officer Ms. Natoli, by her action of **January 19, 2016,** has **APPROVED** the above-referenced project. Enclosed are the Hearing Officer's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to the Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

The applicant or any other interested persons may appeal the Hearing Officer's decision. The appeal period for this project will end at 5:00 p.m. on **Febuary 2, 2016. Appeals must be delivered in person.**

Appeals: **To file an appeal, please contact:**
Regional Planning Commission, Attn: Commission Secretary
Room 1350, Hall of Records
320 West Temple Street, Los Angeles, CA 90012
(213) 974-6409

Upon completion of the appeal period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. In addition, any applicable CEQA fees for the Department of Fish and Wildlife shall be paid, and a Notice of Determination, if applicable, must be filed with the County Clerk according to the instructions with the enclosed Affidavit of Acceptance. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

For questions or for additional information, please contact James Bell of the Land Division Research and Enforcement Section at (213) 974-6458, or by email at jbell@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

CC 060412

Sincerely,
DEPARTMENT OF REGIONAL PLANNING

Richard J. Bruckner

Gary Fountain, Supervising Regional Planner
Land Division Research and Enforcement Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion)
c: DPW (Building and Safety); Zoning Enforcement

GF:JB

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FINDINGS OF THE HEARING OFFICER
AND ORDER
COUNTY OF LOS ANGELES
PROJECT NO. R2015-00071-(3)
MINOR COASTAL DEVELOPMENT PERMIT NO. 201500006

1. The Los Angeles County ("County") Hearing Officer conducted a duly-noticed public hearing in the matter of Minor Coastal Development Permit ("Minor CDP") 201500006 on November 17, 2015 and on January 19, 2016.

2. The subject project is a lot line adjustment that starts with three legal lots of 3,397, 3,176 and 3,996 square feet in area, respectively, totaling 10,569 square feet in area; and the applicant proposes to adjust the common lot line to result in two legal lots of 5,889 and 4,680 square feet, respectively.

3. The applicant has also submitted a concurrent filing for a modification that will modify the requirements for front and rear yards of the Parcel 1, and the front and rear yards of the Parcel 2. Parcel 1 would have a front yard setback of 0 ft. and rear yard setback of 4.2 ft. Parcel 2 would have a front yard setback of 3.4 ft. and a rear yard setback of 4.2 ft.

4. The subject lots have two single family residences that were constructed with building permits in 1948 and 1957 over pre-existing lot lines established by Tract no. 6915, in May 1924.

5. The applicant has stated that the reason for the lot line adjustment is to eliminate the encroachments over lot lines by creating two larger lots, and reducing the number of lots from three that have east to west-lot-lines, to two that have a common north-to-south boundary.

6. The applicant, John Mac Neil, requests a Minor CDP to authorize a lot line adjustment for two lots located at 622 ("Parcel 1") and 624 ("Parcel 2") Topanga Canyon Boulevard and a yard modifications for both Parcel 1 and 2 in the community of Topanga Woods and in The Malibu Zoned District.

7. The project site is located in The Malibu Zoned District and is currently zoned R-C-10,000 (Rural Coastal Zone – 10,000 Square Feet Minimum Required Lot Area).

8. Surrounding Zoning within 500-foot radius includes:
   North: R-C-10,000
   South: R-C-10,000
   East: R-C-10,000
   West: R-C-10,000

9. Surrounding land uses within a 700-foot radius include:
   North: Single-family residences
   South: Single-family residences
   East: Single-family residences
   West: Single-family residences

10. Prior to the Hearing Officer's public hearing on the project, Regional Planning staff ("Staff") determined that the project qualified for a Class 5 (Minor Alteration in Land Use Limitations) Categorical Exemption from the California Environmental Quality Act ("CEQA") in accordance with Public Resources Code Section 21000, et seq., the State

CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County.

11. Pursuant to the provisions of Sections 22.44.970, 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.

12. The Hearing Officer finds that pursuant to the provisions of Sections 22.48.180 and 22.56.1755 of the Zoning Code, the proposed yard modifications for Parcel 1 (less than the required front yard and rear yard areas, and Parcel 2 (less than the required front and rear side yards) that are:

    A. The structures on the subject properties are existing; the reconfiguration of the property lines in the proposed lot line adjustment imposes new yard requirements upon these properties that are an unreasonable regulation and it is impractical to require compliance with the yard requirements for existing structures and;
    B. The yard modifications would not be materially detrimental to the use, enjoyment, or value of property of other persons which are located in the vicinity of the residential sites, as the relative position of the dwellings to the respective property lines on Parcels 1 and 2 would not change.

13. The Hearing Officer finds the project is consistent with the goals and policies of the Santa Monica Mountains Land Use Plan, a component of the Santa Monica Mountains Local Coastal Program ("LCP"). In particular, the following policies are applicable to the subject property and serve as development guidelines and the project complies with these policies:

    LU-9 Land divisions shall only be permitted if each new parcel being created contains an identified building area and any necessary access road that could be developed consistent with all policies of the LCP and without building in H1 or H2 "High Scrutiny" habitat areas, H1 habitat buffer, or removing or modifying H1 or H2 "High Scrutiny" habitat for fuel modification. In the case of subdivisions or lot line adjustments that include the creation of parcel(s) that is dedicated or restricted to open space uses(through open space easement, deed restriction, or access road outside of SERA is required for the open spaces parcel(s).

    The subject parcels are not within the H1 or H2 "High Scrutiny" habitat areas. They are within the H1 Habitat Quiet Zone and the H1 Habitat 100 ft. buffer areas. No parcels are being created by the lot line adjustment. Identified building areas and access roads exist for both new parcels, which are already developed with single-family residences.

    LU-31 Within Rural Villages, limit the mass, scale, and total square footage of structures to minimize grading, and landform alteration, and protect environmental and scenic recourses.

    No new structures or grading are proposed in conjunction with the requested lot line adjustment and yard modification.

LU-33 Require that new development be compatible with the rural character of the area and the surrounding natural environment.

The proposed lot line adjustment and yard modification would not result in a change in the rural character of the neighborhood. The lot line adjustment and yard modifications would acknowledge the present location of the existing dwellings on Parcel 1 and Parcel 2 and continue to reflect the character of the neighborhood.

CO-125 Protect public views within Scenic Areas and throughout the Coastal Zone. Places on, along, within, or visible from Scenic Routes, public parklands, public trails, beaches, and state waters that offer scenic vistas of the mountains, canyons, coastline, beaches and other unique natural features are considered Scenic Resource Areas. Scenic Resource Areas do not include areas that are largely developed such as existing, predominantly built-out residential subdivisions. Scenic Resource Areas also include the scenic resources indentified on Map 3 and consist of Scenic Elements, Significant Ridgelines, and Scenic Routes. In addition to the resources identified on Map 3, the public parkland and recreation areas identified on Map 4 are also considered Scenic Resource areas.

The subject property is located within a largely developed residential subdivision. Thus, the project site is not within a Scenic Resource Area per CO-125, and is not subject to the development standards for a Scenic Resource Area.

CO-154 Land divisions, including lot line adjustments, shall be designed to minimize impacts to visual resources by:

a. Clustering the building sites to minimize site disturbance and maximize open space.
b. Prohibiting building sites on ridgelines.
c. Minimizing the length of access roads and driveways.
d. Using shared driveways to access development on adjacent lots where feasible.
e. Reducing the maximum allowable density in steeply sloping and visually sensitive areas.
f. Minimizing grading and alteration of natural landforms.

The subject properties are developed with two existing dwellings that each will be located on its own lot. There is no development proposed.

14. The Hearing Officer finds that the proposed lot line adjustment is consistent with the Rural Village land use designation of the Santa Monica Mountains Land Use Plan.

15. The Hearing Officer finds that the proposed lot line adjustment is consistent with the neighborhood's residential character and the land uses in the community.

16. The Hearing Officer finds that Section 22.44.2140 D of the Zoning Code allows mergers and lot line adjustments in Rural Villages.

17. Pursuant to Section 22.44.850 of the Zoning Code, the Hearing Officer finds the applicants' CDP burden of proof has been met pursuant to Section 22.44.850 of the Zoning Code.

18. Pursuant to Section 22.44.680 B.1 of the Zoning Code, the Hearing Officer finds that the proposed lot line adjustment is arranged to avoid traffic congestion, provide for the safety and convenience of bicyclists and pedestrians, including children, senior citizens, and persons with disabilities, to insure the protection of public health, safety and general welfare, to prevent adverse effects on neighboring property, and conforms with good zoning practice.

19. Pursuant to Section 22.44.680 B.2 of the Zoning Code, the Hearing Officer finds that the lot design, frontage, and access are consistent with the Local Implementation Program ("LIP"), a component of the Santa Monica Mountains LCP.

20. Pursuant to Section 22.44.680 B.3 of the Zoning Code, the Hearing Officer finds that the proposed change in the lot line configuration would not result in any burden on public services or materially affect the property rights of any adjoining property owners because no development is proposed as a part of this application.

21. Pursuant to Section 22.44.680 C of the Zoning Code, the Hearing Officer finds that the existing, legally created parcels that are proposed to be reconfigured meet the requirements of Section 22.44.680 B of the Zoning Code as well as the requirements of Sections 22.44.640 A and 22.44.640 B of the Zoning Code.

22. The Hearing Officer finds that Section 22.44.680 D of the Zoning Code does not apply to the project because there is no H2 habitat area present.

23. Pursuant to Section 22.44.680 E of the Zoning Code, the Hearing Officer finds that the project will not increase the amount of landform alteration from that which would have been necessary for development on the existing parcels. The project does not include any new development.

24. Pursuant to Section 22.44.680 F of the Zoning Code, the Hearing Officer finds that the proposed project will not result in greater adverse visual impacts from a scenic road, public trail or trail easement, or public beach than what would have occurred from the development of the original parcels because no development is proposed as a part of this project.

25. Pursuant to Section 22.44.680 G of the Zoning Code, the Hearing Officer finds that the lot line adjustment between Parcels 1 and 2 may be authorized because the adjustment will not adversely impact H1 habitat, H1 habitat buffer, H2 habitat, or scenic resources. The portions of the subject parcels that are within the H1 habitat buffer and scenic resources will not be adversely impacted because no additional development is proposed on Parcel 1 and Parcel 2.

26. Pursuant to Section 22.44.640 A.2 of the Zoning Code, the Hearing Officer finds that the project is consistent will all applicable LCP policies.

27. Pursuant to Section 22.44.640 A.3 of the Zoning Code, the Hearing Officer finds that the density proposed does not exceed the maximum density allowed for the property by the LIP zoning map and complies with the other policies of the LIP. The project's density is consistent with the LIP and Title 22.

28. Pursuant to Section 22.44.640 A.4 of the Zoning Code, the Hearing Officer finds that the project does not create any parcels that are smaller than the average size of the surrounding parcels. The smallest parcel within the proposed lot line adjustment is 4,680 square feet and the average size of the surrounding parcels of private land in the tract is 4,220 square feet.

29. Pursuant to Sections 22.44.640 A.5 and 22.44.640 A.10 of the Zoning Code, Parcel 1 is developed with a single-family residence and Parcel 2 was also developed with a single-family residence. Thus, both lots contain an approved building site.

30. Pursuant to Section 22.44.640 A.6 of the Zoning Code, the Hearing Officer finds that Topanga Canyon Boulevard, Castel Top Trail and Highvale Trail are improved with an all-weather access road as required by the LIP.

31. Pursuant to Section 22.44.640 A.7 of the Zoning Code, the Hearing Officer finds that the project does not divide an existing lot entirely designated as H1 habitat, H1 habitat buffer, and/or H2 high scrutiny habitat.

32. Pursuant to Section 22.44.640 A.8 of the Zoning Code, the Hearing Officer finds that no roads or driveways would require construction in H1 habitat area, in H1 habitat buffer, in H1 Quiet Zone, on a coastal bluff, or on a beach.

33. Pursuant to Section 22.44.640 A.9 of the Zoning Code, the Hearing Officer finds that the proposed lot line adjustment results in parcels that are designed to avoid or minimize impacts to visual resources; no new construction or grading is proposed at this time.

34. The Hearing Officer finds that Section 22.44.640 B of the Zoning Code does not apply to the project because there is no H2 habitat area present.

35. The Hearing Officer finds that Parcel 1 is developed with a single-family residence (built in 1957) which has a two-car attached garage. Topanga Canyon Boulevard is a paved street. These improvements comply with the parking and access requirements of Section 22.44.2140 of the Zoning Code. Parcel 2 also has a single-family residence (built in 1947), but it does not have any covered parking. The October 2, 1962 effective date of Ordinance 8281, which established the requirement for covered parking, took place after the single-family dwellings on both lots were built.

36. The Hearing Officer finds that Section 22.44.1750 E of the Zoning Code, which provides development standards for the R-C (Rural-Coastal) Zone, requires conformance with Section 22.44.1710 E of the Zoning Code, which provides development standards for the R-1 (Single-family Residence) Zone. These development standards require that a single-family residence have a fire-proof roof that is not reflective, or glossy, or roll-formed metal. The exterior siding must be a fireproof material, not of reflective, glossy, polished and/or roll-formed metal consistent with the requirements of Section 22.44.1320 of the Zoning Code. The existing residences on Parcel 1 and Parcel 2 are exempt from the requirements of Section 22.44.1750 of the Zoning Code as they were built prior to the effective date of the code requirement.

37. The Hearing Officer finds that Section 22.44.2230 B.1.b of the Zoning Code requires the retirement of development credits when a land division creates an additional lot or allows an additional dwelling unit to be constructed. This lot line adjustment between three parcels results in two parcels. The lot line adjustment would not create a newly developable parcel, but rather, would extinguish a lot eliminating the potential for an additional dwelling. The requirement of Section 22.44.2230 B.1.b of the Zoning Code is not applicable, but it is achieved by the elimination of a developable lot.

38. The Hearing Officer finds that the project was reviewed by the Environmental Review Board ("ERB"), on May 18, 2015. No new impacts were identified with the implementation of the lot line adjustment. ERB found the project is consistent with the LCP and LIP. The ERB recommended approval of the project.

39. The Hearing Officer finds that Staff conducted a site visit on August 7, 2015.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

A. The proposed development is in conformity with the LCP;

B. Any development located between the nearest public road and the sea or shoreline of any body of water located within the Coast Zone, is also in conformity with the public access and public recreation policies of Chapter 3 of Division 20 of the California Public Resources Code;

C. That the use, development of land and/or application of development standards is in compliance with all applicable provisions of Title 22;

D. That the use, development of land and/or application of development standards, when considered on the basis of the suitability of the site for the particular use or development intended, is so arranged as to avoid traffic congestion, insure the protection of public health, safety and general welfare, prevent adverse effects on neighboring property and is in conformity with good zoning practice;

E. That the use, development of land and/or application of development standards is suitable from the standpoint of functional developmental design;

F. That the lot design, frontage, access and similar standards are consistent with applicable provisions of contained in the County Subdivision Ordinance (Title 21 of the County Code);

G. That any changes in access, lot configuration, or orientation of structures, easements or utilities to lot lines, will not, in the opinion of the Hearing Officer, result in any burden on public services or materially affect the property rights of any adjacent owners;

H. That the parcels to be adjusted are already legal lots under the provisions of the Subdivision Map Act and the County Subdivision Ordinance;

I. That the adjusted parcel configurations will be in accord with established neighborhood lot design patterns, and will not violate any statute, ordinance, regulation or good planning practice;

J. That the parcels to be adjusted are improved with structures requiring a building permit, and the applicant has provided an inspection report from the Building and Safety Division of the Los Angeles County Department of Public Works certifying that changes in lot lines will not violate any ordinances or regulations administered by that Department;

K. That the Hearing Officer has considered the locations of existing structures, access roads and driveways related to this minor coastal development permit, and has determined that their location and the location of newly proposed lot lines are in accord with all requirements of the Santa Monica Mountains Local Coastal Land Implementation Plan (LIP);

L. That the lot design, frontage, and access shall be consistent with all applicable provisions contained in the Santa Monica Mountains LIP;

M. That the proposed lot configurations are arranged to avoid traffic congestion, provide for the safety and convenience of bicyclists and pedestrians, including children, senior citizens, and persons with disabilities, to insure the protection of public health, safety and general welfare, to prevent adverse effects on neighboring property, and are in conformity with good zoning practice;

N. That the proposed reconfigured parcels will accommodate existing development in a manner that more closely conforms with the Local Coastal Program policies and standards than the current configuration of the subject parcels;

O. That the proposed lot line adjustments will not adverse affect H1 habitat, H1 habitat buffer, H2 habitat; landforms; scenic resources, including visual impacts from a scenic road, public trail or trail easement, or public beach; because related fuel areas have already been modified and all potential structures are already existing;

P. That at the end of the appeal period, if this minor coastal development permit approval is not appealed, the Director will record a certificate of compliance containing the descriptions of the parcels as they will exist after adjustment;

Q. That existing conditions create an unnecessary hardship and an unreasonable and obviously impractical regulation to require compliance with the yard requirements contained in the Zoning Ordinance related to these lot line adjustments;

R. That the proposed modification of the yard requirements contained in Title 22 would not be materially detrimental to the use, enjoyment or value of property of other persons which are located in the vicinity of the residential sites; and

S. That the locations of the proposed yard modifications are sufficiently screened so as to preclude the proposed modification from having a detrimental effect upon the surrounding area.

THERERFORE, the information submitted by the applicant, discovered during the Staff investigation process and/or presented at the public hearing substantiates the required findings for a minor coastal development permit for a lot line adjustment and a yard modificatio.

HEARING OFFICER'S ACTION:

1. The Hearing Officer finds that the project qualifies for a Class 5 Categorical Exemption.

2. In view of the findings of fact presented above, **Minor Coastal Development Permit RCDP 201500006** (Project R2015-00071-(3) is **APPROVED**.

ACTION DATE: January 19, 2016

GF:JB
1/19/16

c: Zoning Enforcement, Building and Safety

CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2015-00071-(3)
MINOR COASTAL DEVELOPMENT PERMIT NO. 201500006

PROJECT DESCRIPTION

The project is a minor coastal development permit for a lot line adjustment starting with three lots and ending with two lots, for property located at 622 and 624 Topanga Canyon Boulevard in the community of Topanga Woods, and a yard modification request for both Parcel 1 (front and rear yards) and Parcel 2 (side and rear yards) for the existing structures, 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. Notwithstanding the foregoing, this Condition No. 2 and Conditions No. 4, 5, and 9, 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 22.44.1090 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 10 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. 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. 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 Minor Coastal Development 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 90 days from the date of final approval of the grant. A single 30 day 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.

    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 such inspections shall be $200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. 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 Section 22.44.1140 of the County Code.

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

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

14. 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").

15. 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.

16. 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 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.

17. 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, **3 copies of** a modified Exhibit "A" shall be submitted to Regional Planning by **Febuary 18, 2016**.

18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **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.

19. In the event that an amendment to the approved CDP is required, the applicant shall comply with the amendment requirements of the LIP. Modifications to these conditions shall also require an amendment to the approved CDP.

20. This grant shall authorize a lot line adjustment and yard modifications as described below:
    A. A modification to the Zoning Code requirements for the front and rear yards of the Parcel 1. Parcel 1 would have a front yard setback of 0 ft. and rear yard setback of 4.2 ft. ; and
    B. Parcel 2 would have modifications to the Zoning Code requirements for side yard, street side yard, and rear yard. The side yard setback would be 4.2 ft. and a rear yard setback of 5.55 ft. and a street side yard of 3.45 ft.