



Los Angeles County  
Department of Regional Planning



*Planning for the Challenges Ahead*

October 25, 2016

Richard J. Bruckner  
Director

TO: Laura Shell, Chair  
Doug Smith, Vice Chair  
David W. Louie, Commissioner  
Curt Pedersen, Commissioner  
Pat Modugno, Commissioner

FROM: Joshua Huntington, AICP  
Zoning Permits West Section

7511

Subject: **Project No. R2015-00871-(3) / CDP No. 201500043**  
**RPC Meeting: November 9, 2016 - Agenda Item: 7**

**PROJECT DESCRIPTION**

The project is the construction of a proposed 6,840 square foot, 18-foot tall one-story single-family residence with attached three-car garage, pool, septic system, driveway, required fire dept. turnaround, and 3,450 cu. yd. of grading. The project is in an existing residential area with neighboring residences to the north, west, and southwest. The proposed residence is within a scenic resource area because of its proximity to a scenic route (Mulholland Highway) and a trail (Stokes Ridge Trail). Therefore, the height of the residence is restricted to 18 feet.

**REASONS FOR APPEAL**

The appellant stated in the appeal form that the project is inconsistent with the LCP for the following reasons: the home is too big and located on a knoll, the impacts to scenic resources and trails were not addressed, the project is too dense – zoning is 1-20 acres and this is on 1.64 acres, and the findings do not address any of the issues highlighted by the community and agencies.

**PROCEEDINGS BEFORE THE HEARING OFFICER**

There were two hearings on the project. At the June 7, 2016 Hearing Officer hearing, staff presented the case and recommended approval subject to conditions. The applicant also presented the project, including information that the project design kept the septic system as far from the stream as possible, and that there were many large houses in the area near the proposed project site. Two opponents testified and raised concerns regarding possible damage to views, the placement/orientation of the proposed house, and the large size of the proposed house. The hearing officer continued the public hearing to give the applicant time to address these concerns. The hearing officer specifically asked the applicant to re-orient the house if possible and investigate the possibility of moving the septic system so that the house can be relocated. The public hearing was continued to August 16, 2016.

At the August 16, 2016 Hearing Officer hearing, staff presented analysis from the applicant regarding the subject property's constraints regarding the placement of the septic system. In response to concerns about privacy and view from the project site, Staff proposed landscaping on the north side of the proposed house to reduce the house's visual impact and help screen it from the neighbor immediately to the north of the subject property. The applicant provided information which showed that, due to the proximity of a drainage course, setbacks, and slope easement, there is no other feasible location on the property to place the septic system. The applicant offered to screen the entry door with landscaping to minimize the impact on the view from the north. One opponent, Harvey Shapiro, the neighbor to the north, testified that the house was too big for the subject property and too big for the neighborhood. Mr. Shapiro also requested that the landscaping be no more than 18 feet in height to limit the impact on his views. The Hearing Officer clarified that there is no landscaping height limit in the Zoning Code. After careful consideration, Mr. Shapiro stated that he accepted the applicant's septic system constraints analysis and could accept a proposed house on this property as long as it was not moved any closer to his house. The Hearing Officer stated that he also agreed with the applicant's septic system constraints analysis. After hearing all testimony, the Hearing Officer closed the public hearing and approved the project subject to the attached conditions.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Pursuant to the Santa Monica Mountains Land Use Plan (LUP), the guiding principle for managing development and protecting the natural environment, resource protection has priority over development (Section B of the LUP's Conservation and Open Space Element). The proposed project is consistent with this guiding principle by conforming to policies in LUP by: taking advantage of existing fuel modification area, limiting height of the proposed house to 18 feet to minimize visual impacts, siting the proposed house within a disturbed area of H3 habitat, and avoiding sensitive H1 habitat.

Pursuant to County Code Section 22.44.1750(A)(1), a single-family residence is the principal permitted use in the R-C (Rural-Coastal) zone. Therefore, the proposed use is allowed in the zone, but requires a Minor Coastal Development Permit because of the proposed house is within 200 feet of H1 and H2 habitat and therefore required review by the Environmental Review Board. Such a review triggers at least a Minor Coastal Development Permit per Section 22.44.940(A)(2).

The proposed project is consistent with development standards of the R-C zone found in Section 22.44.1750(E) by: not proposing metal roofing or siding; complying with the yard requirements by providing a setback of 52 feet from the front property line (minimum requirement is 20 feet), a setback of 30 feet from the rear property line (minimum requirement is 15 feet), and 79 feet from the north side property line and more than 300 feet from the south side property line (minimum requirement is five feet); providing three covered parking spaces (minimum requirement is two covered spaces, and proposing a house which is greater than 750 square feet in size. required structure area.

Pursuant to Section 22.44.2000, the proposed residence is within a scenic resource area because of its proximity to (less than 200 feet from) a scenic route (Mulholland Highway) and because it is visible from a trail (Stokes Ridge Trail). Therefore, pursuant to Section 22.44.1250(C), the height of the residence is restricted to 18 feet. The proposed height of 18 feet is consistent with this requirement.

Pursuant to Section 22.44.1910, the maximum allowable building site area is 10,000 square feet. The Project includes a 6,840 square-foot home with an attached 664 square foot loggia, a 600 square foot garage, and a pool within a building site area of 9,504 square feet. Therefore, the proposed building site area is consistent with this requirement.

**ENVIRONMENTAL DOCUMENTATION**

The Project qualifies for a Categorical Exemption (Class 3 – New Construction or the Conversion of Small Structures) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The project qualifies for a Class 3 Categorical Exemption because it consists of a proposed single-family residence.

**IT IS RECOMMENDED THAT YOUR COMMISSION, AFTER THE PUBLIC HEARING:**

1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15303 of the State CEQA Guidelines (Class 3, New Construction or Conversion of Small Structure categorical exemption); and
2. Approves Coastal Development Permit No. 201500030, subject to the attached conditions.

If you need further information, please contact Joshua Huntington at (213) 974-6462 or [jhuntington@planning.lacounty.gov](mailto:jhuntington@planning.lacounty.gov). Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

MK:JH

Enclosure(s):  
Hearing Officer Hearing Package  
Additional Materials Memoranda



**Los Angeles County  
Department of Regional Planning**



*Planning for the Challenges Ahead*

Richard J. Bruckner  
Director

**REGIONAL PLANNING COMMISSION  
APPEAL FORM**

DATE: August 29, 2016



TO: Ms. Rosie Ruiz  
Regional Planning Commission Secretary  
Department of Regional Planning  
County of Los Angeles  
320 W. Temple Avenue, Room 1350  
Los Angeles, California 90012

FROM: Las Virgenes Homeowners Federation, Inc.  
Name

SUBJECT: Project Number(s): Project No. R2015-00871

Case Number(s): \_\_\_\_\_

Case Planner: Joshua Huntington

Address: 24604 Mulholland Highway, Santa Monica Mountains

APN:4455-042-  
015

Assessors Parcel Number: \_\_\_\_\_

Zoned District: Santa Monica Mountains Local Coastal Program

Entitlement Requested:

CDP NO. 201500043

Related Zoning Matters:

Tentative Tract/Parcel Map No.	
CUP, VAR or Oak Tree No.	
Change of Zone Case No.	

(Reverse)

Other	CDP NO. 201500043
-------	-------------------

I am appealing the decision of (check one and fill in the underlying information):

Decision Date:  **Director** \_\_\_\_\_ Public Hearing Date:  **Hearing Officer** Aug. 16, 2016  
Hearing Officer's Name: Bruce Durbin  
Agenda Item Number: \_\_\_\_\_

The following decision is being appealed (check all that apply):

- The Denial of this request
- The Approval of this request
- The following conditions of approval:

ALL

List conditions here

The reason for this appeal is as follows:

- Inconsistent with the SMMLCP
- Home is too big and located on a knoll
- Impacts to scenic resources and trails were not addressed
- Too dense - zoning is 1-20 acres. This is on 1.64 acres.
- Findings/report does not address any of the issues highlighted by the community and agencies

Are you the applicant for the subject case(s) (check one)?  YES  NO

Submitted herewith is a check or money order for the amount due, as indicated on the Fee Schedule on the Los Angeles County Department of Regional Planning's website.

*Lamorie for LVHF*  
Appellant (Signature)

Kim Lamorie for the LVHF  
Print Name

P. O. Box 353 Agoura Hills, CA 91301  
Address

818.231.1520  
Day Time Telephone No.



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



Richard J. Bruckner  
Director

August 18, 2016

Zeev Zanzuri  
4335 Park Verdi  
Calabasas, CA 91302

**REGARDING: PROJECT NO. R2015-00871-(3) / CDP NO. 201500043  
24604 MULHOLLAND HIGHWAY, SANTA MONICA MOUNTAINS**

Hearing Officer Bruce Durbin, by his action of **August 16, 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 other interested persons may appeal the Hearing Officer's decision. The appeal period for this project will end at 5:00 p.m. on **August 30, 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 Josh Huntington of the Zoning Permits West Section at (213) 974-6462, or by email at [jhuntington@planning.lacounty.gov](mailto:jhuntington@planning.lacounty.gov). Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,  
DEPARTMENT OF REGIONAL PLANNING  
Richard J. Bruckner



Mi Kim, Supervising Regional Planner  
Zoning Permits West Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion)

c: Board of Supervisors; DPW (Building and Safety); Zoning Enforcement

MKK:JSH

**FINDINGS OF THE HEARING OFFICER  
AND ORDER  
COUNTY OF LOS ANGELES  
PROJECT NUMBER R2015-00871-(3)  
COASTAL DEVELOPMENT PERMIT NUMBER 201500043**

1. The Los Angeles County ("County") Hearing Officer ("Hearing Officer") conducted a duly noticed public hearing in the matter of Coastal Development Permit No. 201500043 on June 7, 2016.
2. The permittee, Zeev Zanzuri ("permittee"), requests the minor Coastal Development Permit ("CDP") to authorize the construction of a single-family residence with attached three-car garage, pool, septic system, driveway, required Fire Department turnaround, landscaping, and 3,450 cu. yd. of grading ("Project") on a currently vacant property located at 24604 Mulholland Hwy (APN: 4455-042-015) ("subject property").
3. The subject property is a 1.64-acre legally created parcel on the east side of Mulholland Highway with undulating topography.
4. The subject property is located in the Malibu Zoned District, the Santa Monica Mountains Coastal Zone ("Coastal Zone"), and is zoned R-C-20 (Rural Coastal – 20 Acre Minimum Area Required).
5. With the Coastal Commission's certification of the LCP on October 10, 2014, the Hearing Officer has the authority to act on Minor CDP applications.
6. The project site is shown within the RL20 (Rural Land 20) land use category in the Santa Monica Mountains Land Use Plan ("LUP").
7. Surrounding zoning within a 700-foot radius includes:  
North: R-C-20, A-1-2 (Light Agriculture – 2 Acre Minimum Area Required),  
South: R-C-20, R-C-5 (Rural Coastal – 5 Acre Minimum Area Required)  
East: R-C-20  
West: R-C-5, R-C-20
8. Surrounding land uses include:  
North: Single-family residences on lots that are about one or two acres in size.  
South: Privately owned vacant lots and single-family residences on lots that are about one or two acres in size.  
East: Privately-owned vacant lots and single-family residences on lots that are about one or two acres in size.  
West: Single-family residences on lots that are about one or two acres in size.
9. The zoning and case history for the subject property is as follows:
  - October 11, 1998, the California Coastal Commission granted CDP No. 5-88-639 which approved Parcel Map No. 16409.

- Parcel Map No. 16409 was recorded on December 11, 1990. The subject property is Parcel No. 1 of this subdivision.
  - January 28, 2014, "Approval in Concept" Plan Plan No. RPP201301270 was approved.
  - The certification of the Santa Monica Mountains LCP on October 10, 2014 created the R-C-20 zone and rezoned this property to have the this zoning designation. Prior to the LCP's certification, the zoning on the property had been A-1-1 (Light Agriculture – 2 Acre Minimum Area Required).
10. The Exhibit "A" shows that the subject property is irregularly shaped (roughly hourglass shaped), and is 1.64 acres in size. Mulholland Highway is west of the subject property. The Exhibit "A" shows the driveway accessing the property via Mulholland Highway at the northwest corner of the property. The northern 10 feet of this driveway are on the neighboring property to the north and northeast. The neighboring property is a flag lot, and this driveway would serve as a shared driveway if and when that neighboring property is developed with a single-family residence. The driveway is approximately 235 feet long and curves to the south near the northeast corner of the property until it runs into the Fire Department turnaround.

The Exhibit "A" shows the proposed onsite wastewater treatment system ("OWTS") as being located just south of the driveway, between the driveway and the proposed house. The proposed house is located immediate south of the OWTS, 50 feet from the west property line adjacent to Mulholland Highway, 35 feet from the east property line, 74 feet from the north property line, and approximately 370 feet from the south property line.

The Exhibit "A" shows that the topography of subject property rising from the south to the north to a flat area on a hill in the northern portion of the property, and then the topography drops down toward the northwest corner of the property where the driveway would enter from Mulholland Highway. The proposed house is to be partly built into the hill on the northern portion of the property. The Exhibit "A" shows the house as being a one-story 18-foot tall structure. The front door of the house will face north, and the garage of the house will face east.

11. The Project Site is accessible via Mulholland Highway to the west. Mulholland Highway is a designated scenic route.
12. The Project includes three covered parking spaces in the garage of the proposed residence.
13. Pursuant to County Code Section 22.44.1860, the proposed Project was reviewed by the Environmental Review Board (ERB) because the Project is within 200 feet of H1 and/or H2 habitat. The ERB reviewed the Project on October 19, 2015, and found the Project to be consistent, after modifications, with the resource protection policies and provisions of the LCP. At this meeting, the ERB made four

recommendations to mitigate potential resource impacts. The applicant has already fulfilled one of the requirements by submitting an updated Spring biological survey. This survey did not find any significant or particularly sensitive species within the Project area, including the fuel modification area. The other three recommendations pertain to: landscaping with native plants, runoff retention, and bird-friendly fenestration. These recommendations have been incorporated into the CDP Conditions of Approval.

14. County Department comments and conditions were received from the Departments of Public Works, Fire, and Public Health:
  - The Department of Public Works, in its letter dated April 28, 2016, recommends approval of the Project and requires conditions regarding drainage, grading, and water supply.
  - The Fire Department, in its letter dated March 14, 2016, recommends approval of the Project.
  - The Department of Public Health, in its letter dated April 28, 2016, recommends approval of the Project.
15. The Project qualifies for a Categorical Exemption (Class 3 – New Construction or the Conversion of Small Structures) under the California Environmental Quality Act (CEQA) and the County environmental guidelines.
16. Pursuant to the provisions of Sections 22.44.970 and 22.44.990 of the County Code, the community was appropriately notified of a Public Hearing by mail, newspaper, property posting, and on the Department's website. Newspaper notices were published on May 5, 2016 and May 12, 2016 in the Malibu Times. Notices to property owners located within a 1,000-foot radius of the property boundaries were mailed on May 2, 2015. Notices were posted on the subject property on May 5, 2016 and were made available on the Department's website.
17. At the June 7, 2016 Hearing Officer hearing, staff presented the case and recommended approval subject to conditions. The applicant also presented project information, including that the project design kept the septic system as far from the stream as possible, and that there were many large houses in the area around this proposed house. Two opponents testified and raised concerns regarding possible damage to views, the placement/orientation of the proposed house, and the large size of the proposed house. The hearing officer continued the public hearing to give the applicant time to address these concerns – specifically asking the applicant to re-orient the house if possible and to further investigate the possibility of moving the septic system so that the house can be relocated. The public hearing was continued to August 16, 2016.

At the August 16, 2016 Hearing Officer hearing, staff presented the case, including a new analysis from the applicant regarding the subject property's constraints regarding the placement of the septic system. Staff proposed a requirement for landscaping on the north side of the proposed house to reduce the house's visual impact and help screen it from the neighbor immediately to the north of the subject

property. The applicant provided information which showed that, due to the proximity of a drainage course, setbacks, and a slope easement, there is no other feasible location to place the septic system on the property. The applicant offered to screen the entry door with landscaping to minimize the impact on the view from the north. One opponent, Harvey Shapiro, the neighbor to the north, testified that the house was too big for the subject property and too big for the neighborhood. Mr. Shapiro also requested that the landscaping be no more than 18 feet in height to limit the impact on his views. The Hearing Officer clarified that such a limit is not required by County Code. After careful consideration, Mr. Shapiro stated that he accepted the applicant's septic system constraints analysis and could accept a proposed house on this property as long as it was not moved any closer to his house. The Hearing Officer stated that he also agreed with the applicant's septic system constraints analysis. After hearing all testimony, the Hearing Officer closed the public hearing and approved the project subject to the attached conditions.

18. The Project is subject to the policies of the Santa Monica Mountains Land Use Plan (LUP), The Hearing Officer finds the Project to be consistent and supportive of the applicable goals and policies contained in the LUP.
19. The Project was analyzed for consistency with the LUP's allowable land uses. The subject property is located within the RL20 (Rural Land 20) land use category of the LUP, a component of the Los Angeles County General Plan ("General Plan"). Therefore, the Project is also consistent with the General Plan.
20. The project is consistent with the overriding goals of the LCP, including protecting, maintaining, and when feasible, enhancing and restoring habitat. The Project is located within a disturbed area of H3 habitat, with fuel modification of approximately 0.5 acres of H2 habitat. No H1 habitat will be impacted by this project.
21. The Hearing Officer further finds that the Project is compatible with the surrounding area in the unincorporated Santa Monica Mountains. The proposed residence is within an existing residential area and is compatible with the surrounding neighborhood. The proposed residence's height of 18 feet is equal to or less than the neighboring houses. The proposed residence's size of 6,840 square feet is larger than the houses immediate adjacent to the subject property, but there are several houses to the west of the subject property that are larger than the size of the proposed house, including a house within 500 feet of the subject property.
22. The Project complies with development standards of R-C-20 zone as well as the Community-Wide Development Standards and Area-Specific Development Standards sections of the LIP. A single-family residence is allowed as the principal permitted use in the R-C-20 zone. The permittee has requested the minor CDP for the above-mentioned development allowed in this zone.
23. The Project is consistent with the LCP's resource projection goals and policies because it is located within a disturbed area of H3 habitat, with fuel modification of

approximately 0.5 acres of H2 habitat. No H1 habitat will be impacted by this Project, and no trees will be removed as part of this Project. Therefore, the project minimizes adverse effects to nearby sensitive environmental resources.

24. The Hearing Officer finds that pursuant to the provisions of Sections 22.44.970 and 22.44.990 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, and property posting.
25. The Hearing Officer finds that the Project conditions are consistent with applicable provisions of Section 22.44.1010 of the County Code.
26. The Hearing Officer finds that the Project site is located at 24604 Mulholland Highway, an improved highway. The Hearing Officer further finds that existing utility and water service providers and public safety agencies will have the capacity to serve the Project without any significant burden and without creating deficiencies in service to adjacent residential areas.
27. The Hearing Officer finds that Project impacts to the environment and the community are limited by clustering the fuel modification of the proposed residence with those of surrounding residences.
28. The Hearing Officer finds that the proposed grading and engineering for the Project will ensure public safety during Project construction and operation because the Project Site is not located in a landslide zone or a liquefaction zone.
29. The Hearing Officer finds that the Project's design includes features to maximize fire safety. The Project will implement a fuel modification plan to minimize the risks of wildfires, establish buffer zones around the proposed structure, dictate the types of vegetation allowed within the buffer zone, and include requirements regarding the removal of brush. Furthermore, all structures within the Project site will be located along paved, all-weather and accessible driveways, including a Fire Department Turnaround, to allow easier access by fire fighting vehicles.
30. The Hearing Officer finds that the Project will comply with County development standards, including development standards in the LIP related to vegetation management and landscaping, height, grading, exterior lighting, yards, walls, fences, parking and loading facilities, construction colors and, materials, and design, visual resource protection, biological resource protection policies and provisions, and other development features. Project landscaping will be required to comply with the requirements of the LIP and the County's drought-tolerant landscaping ordinances.
31. The Hearing Officer finds that the Project Site, at 1.64 acres, is more than adequate to accommodate the Project structures and any yards, walls, fences, parking, landscaping, and other development features needed for the Project.

32. The Hearing Officer finds that the Project's proposed three covered spaces will be sufficient to address the needs of the Project.
33. The Hearing Officer finds that the LCP's Biological Resources Map shall be modified within the vicinity of the Project Site to account for the fuel modification of approximately 0.5 acres of H2 habitat. This habitat area shall now correctly be classified as H3 habitat.
34. The Hearing Officer finds the Project Site is not within a landslide zone, liquefaction zone, or FEMA flood zone. The Project, as proposed, will neither be subject to nor increase instability on or off the subject site and has been engineered to ensure structural integrity from geologic, flood, or fire hazards through project design and location. There are no alternatives that would avoid or substantially lessen impacts on site stability or structural integrity. The Project Site is within a very high fire hazard severity zone, but the existing fuel modification and brush clearance being conducted on the site mitigates this risk.
35. The Hearing Officer finds that the project, as proposed, is the least environmentally damaging alternative, and that the Project is consistent with the sensitive resource protection policies contained in the LUP. There are no other alternative locations that would result in less damage to native habitat.
36. 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 Special Projects Section, Department of Regional Planning.

**BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:**

- A. The proposed use with the attached conditions will be consistent with the adopted Santa Monica Mountains Local Coastal Program and the General Plan and that the proposed uses are not located between the nearest public road and the sea or shoreline of any body of water located within the Coastal Zone.
- 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 the LIP, or as is otherwise required to integrate said use with the uses in the surrounding area.

- D. The proposed site contains adequate parking on-site for the Project; 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.
- E. The proposed uses will not adversely affect identified biological resources and would conform with the biological resource protection policies and provisions of the LCP.

**THEREFORE, THE HEARING OFFICER:**

- 1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15303 of the State CEQA Guidelines (Class 3, New Construction or Conversion of Small Structure categorical exemption); and
- 2. Approves Coastal Development Permit No. 201500030, subject to the attached conditions.

**ACTION DATE: August 16, 2016**

**MK:JH  
8/18/2016**

**c: Zoning Enforcement, Building and Safety**

**CONDITIONS OF APPROVAL  
COUNTY OF LOS ANGELES  
PROJECT NO. R2015-00871-(3)  
COASTAL DEVELOPMENT PERMIT NO. 2015000043**

**PROJECT DESCRIPTION**

The project is the construction of a proposed 6,840 square foot, 18-foot tall, one-story single-family residence with attached three-car garage, pool, septic system, driveway, required Fire Department turnaround, and 3,450 cubic yards ("CY") of grading, 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. 8, and until all required monies have been paid pursuant to Condition No. 11. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 6, and 10 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 Los Angeles County Code ("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. Assumption of Risk, Waiver of Liability and Indemnity. By acceptance of this permit, the permittee acknowledges and agree (i) that the site may be subject to hazards from wildfire and erosion; (ii) to assume the risks to the applicants and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the County, its officers, agents, and employees

for injury or damage from such hazards; and (iv) to indemnify and hold harmless the County, its officers, agents, and employees with respect to the Hearing Officer's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

6. 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.

7. 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.
8. 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.
9. Prior to the issuance of a Coastal Development Permit, the applicant shall submit to the Director for review and approval documentation demonstrating that, after the Coastal Development Permit was issued and implemented, with all special conditions of that permit satisfied so that the reconfiguration of the lots is final, the applicant executed and recorded against the parcel governed by this permit a deed restriction, as it existed at the time of recordation, in a form and content acceptable to the Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the Special Conditions of this permit as covenants, conditions and restrictions on

the use and enjoyment of the Property. The deed restriction shall include a legal description of the entire parcel or parcels governed by this permit, consistent with 22.44.1270 (Lighting), 22.44.1920(E) (Lighting), 22.44.1920(I) (Future Improvements), 22.44.1920(J) (Open Space Requirements), and 22.44.1950 (Mitigation).

10. 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. (Delete if doesn't apply) In the case of a non-profit corporation organized to provide low-income housing for the poor or elderly, an additional one-year grant may be requested provided that an application requesting such extension is filed prior to the expiration of the first such extension.
11. 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 **\$400.00**. 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 **two 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.

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, **three copies** of a modified Exhibit "A" shall be submitted to Regional Planning by **August 7, 2016**.
18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three 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. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Director.

#### **PERMIT SPECIFIC CONDITIONS – COASTAL DEVELOPMENT PERMIT**

20. A Low Impact Development (LID) Plan as part of the drainage concept is required. Per County Code Section 12.84.460, comply with LID requirements and provide calculations in accordance with the Low Impact Development Standards Manual which can be found at <http://dpw.lacounty.gov/idd/web/>.
21. Structural Appearance. The permittee shall comply with and remain in substantial conformance with the color palette and material specifications as outlined in Section 22.44.1320 of the County Code and as approved by the this permit. The palette shall include the colors proposed for the roofs, trims, exterior surfaces, driveways, retaining walls, and other structures authorized by this permit.

Acceptable colors shall be limited to colors compatible with the surrounding environment (earth tones) including shades of green, brown and gray with no white or light shades and no bright tones. All windows shall be comprised of non-glare glass. The approved structures shall be colored with only the colors and window materials authorized pursuant to this special condition. Any substantial changes in the proposed structural appearance may be required to obtain amendment(s) to the permit(s) or new Coastal Development Permit(s).

22. **Lighting Restriction.** The permittee shall comply with the provisions for Exterior Lighting as outlined in Section 22.44.1270 of the County Code.
23. **Future Development Restriction.** This permit is only for the development described in this Coastal Development Permit. Pursuant to Title 14 California Code of Regulations section 13250(b)(6), the exemptions otherwise provided in Public Resources Code section 30610(a) shall not apply to the development governed by this Coastal Development Permit. Accordingly, any future structures, future improvements, or change of use to the permitted structures authorized by this permit, including but not limited to, any grading, clearing or other disturbance of vegetation other than as provided for herein as part of these conditions of approval, shall require an amendment to this Coastal Development Permit from the Los Angeles County or shall require an additional Coastal Development Permit from Los Angeles County or from the California Coastal Commission.
24. **Habitat Impact Mitigation.** The applicant shall submit, for the review and approval of the Director, a map delineating all areas of H1, H2-High Scrutiny, and H2 SERAs, as well as all H1 buffer areas, that will be disturbed by the proposed development, including fuel modification and brush clearance requirements on the project site and adjacent property. The habitat areas on the site and adjacent property shall be delineated on a detailed map, to scale, illustrating the subject parcel boundaries and, if the fuel modification/brush clearance zones extend onto adjacent property, adjacent parcel boundaries. The delineation map shall indicate the total acreage for all habitat areas, both on and offsite that will be impacted by the proposed development, including the fuel modification/brush, pursuant to Section 22.44.1950.
25. **Removal of Vegetation.** Removal of natural vegetation for the purpose of fuel modification within the 50 foot zone surrounding the proposed structure(s) shall not commence until the local government has issued a building or grading permit for the development approved pursuant to this permit. Vegetation thinning within the 50-200 foot fuel modification zone shall not occur until commencement of construction of the structure(s) approved pursuant to this permit.
26. **Pool and Spa Drainage and Maintenance.** By acceptance of this permit, the applicant agrees to install a no chlorine or low chlorine purification system and agrees to maintain proper pool water pH, calcium and alkalinity balance to ensure any runoff or drainage from the pool or spa will not include excessive amounts of chemicals that may adversely affect water quality or environmentally sensitive

habitat areas. In addition, the applicant agrees not to discharge chlorinated or non-chlorinated pool water into a street, storm drain, creek, canyon drainage channel, or other location where it could enter receiving waters.

27. Habitat Mitigation and Monitoring Plan. Prior to issuance of the Coastal Development Permit, the applicant shall submit, for the review and approval of the Director, two (2) sets of a revised Habitat Mitigation and Monitoring Plan (HMMP), consistent with Section 22.44.1950.
28. Archaeological Resources. By acceptance of this permit the applicant agrees to have a qualified archaeologist(s) and appropriate Native American consultant(s) present on-site during all grading, excavation and site preparation that involve earth moving operations. The number of monitors shall be adequate to observe the activities of each piece of active earth moving equipment. Specifically, the earth moving operations on the project site shall be controlled and monitored by an archaeologist(s) for the purpose of locating, recording, and collecting any archaeological materials. In the event that an area of intact buried cultural deposits are discovered during operations, grading work in this area shall be halted and an appropriate data recovery strategy shall be developed by the applicant's archaeologist and the Native American consultant and implemented subject to the review and approval of the Director.

#### **PROJECT SITE SPECIFIC CONDITIONS**

29. This grant shall authorize the the construction of a proposed 6,840 square foot, 18-foot tall, one-story single-family residence with attached three-car garage, pool, septic system, driveway, required Fire Department turnaround, and 3,450 CY of grading.
30. The permittee shall comply with all conditions set forth in the attached County Department of Public Works letter dated April 28, 2016, County Fire Department letter dated March 14, 2016, and County Department of Health letter dated April 28, 2016.
31. Fuel modification shall be accomplished using had tools only to promote native plants.
32. The permittee shall submit a Revised Exhibit "A" to Regional Planning so that staff can review the permittee's revised landscape plan. The landscape plan shall show all locally native plants of the Santa Monica Mountains appropriate for the fuel modification specifications of County Fire. The landscape plan shall also show plantings on the north side of the house to minimize the house's visual impact and help screen the hosue from the neighbors to the north.
33. Once the Revised Exhibit "A" landscape plan is approved by Regional Planning, the permittee shall submit a revised Fuel Modification Plan to the Fire Department

for final review. This is required since the house layout has changed since the last Fire Department review of the Fuel Modification Plan.

34. The applicant shall submit a Revised Exhibit "A" to Regional Planning with detailed information regarding the windows of the proposed residence. Glass used within the Project's windows shall be the least reflective and/or have frit patterns that will promote energy conservation and also prevent bird strikes when the bird mistakes a reflection of habitat for available flight space.

**Attachments:**

Department of Public Works letter dated April 28, 2016

Fire Department letter dated March 14, 2016

Department of Health letter dated April 28, 2016.

Nesting Birds: Guide to Bird-Friendly Tree and Shrub Trimming and Removal



GAIL FARBER, Director

**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>

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

April 28, 2016

IN REPLY PLEASE  
REFER TO FILE: LD-2

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

Attention Joshua Huntington

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

**COASTAL DEVELOPMENT PERMIT (CDP) NO. 201500043**  
**PROJECT NO. R2015-00871**  
**24604 MULHOLLAND HIGHWAY**  
**ASSESSOR'S MAP BOOK NO. 4455, PAGE 42, PARCEL NO. 15**  
**UNINCORPORATED COUNTY AREA OF MALIBU**

Thank you for the opportunity to review the site plan and zoning permit application for the project located at 24604 Mulholland Highway in the unincorporated County area of Malibu. The applicant is requesting authorization for a CDP to allow the construction and use of a 7,151.5-square-foot, 2-story, single-family residence. The proposed project will require 3,450 cubic yards of grading.

- 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:

### **Drainage/Grading**

1. Submit a grading plan to Public Works for review and approval. The drainage and grading plans must provide for the proper distribution of drainage and for contributory drainage from adjoining properties by eliminating any street overflow, ponding, and high-velocity scouring action to protect the adjacent lots. The plans need to call out the construction of at least all drainage devices and details and paved driveways; elevation of all pads, water quality devices, Low-Impact Development (LID) features; and any existing easements. Additionally, the applicant is required to obtain the necessary easement holder's approval for the proposed work.
2. Comply with the National Pollutant Discharge Elimination System, Storm Water Management Plan, and Water Quality requirements.
3. Per County Code Sections 12.84.440 and 12.84.460, comply with LID standards in accordance with the LID Standards Manual, which can be found at <http://dpw.lacounty.gov/idd/lib/fp/Hydrology/Low%20Impact%20Development%20Standards%20Manual.pdf> .
4. Provide a maintenance agreement/covenant for any privately maintained drainage devices.
5. An off-site drainage acceptance covenant will be required for any alteration and/or concentration of tributary flows from off-site properties.
6. Obtain soil/geology approval of the drainage/grading plan from Public Works' Geotechnical and Materials Engineering Division.
7. Comply with Public Health's setback requirements for the proposed septic system from any structure.
8. Provide permits and/or letters of non-jurisdiction from all applicable State and Federal agencies. These agencies include the State of California Regional Water Quality Control Board and the Department of Fish and Wildlife.

Mi Kim  
April 28, 2016  
Page 3

9. Provide legal access including all associated easements and respective document numbers that allow for the proposed off-site driveway and associated grading.

For questions regarding the drainage/grading conditions, please contact Rachelle Burke of Public Works' Building and Safety Division at (818) 880-4150 or [rburke@dpw.lacounty.gov](mailto:rburke@dpw.lacounty.gov).

### **Water Supply**

1. Comply with all of the requirements stipulated by the local water purveyor. The attached Will Serve letter issued by La Virgenes Municipal Water District will expire on November 5, 2016. It shall be the sole responsibility of the applicant to renew the aforementioned Will Serve letter upon expiration and abide by all requirements of the water purveyor.

For questions regarding the water supply condition, please contact Tony Khalkhali of Public Works' Land Development Division at (626) 458-4921 or [tkhalkhal@dpw.lacounty.gov](mailto:tkhalkhal@dpw.lacounty.gov).

If you have any other questions or require additional information, please contact Matthew Dubiel of Public Works' Land Development Division at (626) 458-4921 or [mdubiel@dpw.lacounty.gov](mailto:mdubiel@dpw.lacounty.gov).

MD:tb

P:\dpub\SUBPCHECK\Plan\Single\24604 Mulholland hwy\TCDP 201500043\16-3-14 TCDP 201500043 SUB\16-4-14 TCDP 201500043 DPW Rec. Conditions.docx



Dedicated to Providing Quality  
Water & Wastewater Service

**OFFICERS**

President

**Glen D. Peterson**  
Director, Division 2  
MWD Representative

Vice President

**Lee Renger**  
Director, Division 3

Secretary

**Charles P. Caspary**  
Director, Division 1

Treasurer

**Jay Lawitt**  
Director, Division 5

**Leonard E. Polan**  
Director, Division 4

**David W. Pedersen, P.E.**  
General Manager

**Wayne K. Lemieux**  
Counsel

HEADQUARTERS  
4232 Las Virgenes Road  
Calabasas, CA 91302  
(818) 251-2100  
Fax (818) 251-2109

WESTLAKE  
FILTRATION PLANT  
(818) 251-2370  
Fax (818) 251-2379

TAPIA WATER  
RECLAMATION FACILITY  
(818) 251-2300  
Fax (818) 251-2309

RANCHO LAS VIRGENES  
COMPOSTING FACILITY  
(818) 251-2340  
Fax (818) 251-2349

[www.LVMWD.com](http://www.LVMWD.com)

MEMBER AGENCY OF THE  
METROPOLITAN WATER  
DISTRICT  
OF SOUTHERN CALIFORNIA

November 5, 2015

**CONDITIONAL STATEMENT OF WATER SERVICE**

TO WHOM IT MAY CONCERN:

SUBJECT: 24604 Mulholland Hwy  
Calabasas CA, 91302  
APN: 4455-042-015

This is to advise you that the water system for the subject property will be operated by Las Virgenes Municipal Water District (LVMWD).

This project will be assured of connection to the water system of the district only if the proponent satisfies all terms and conditions for service as set forth in the district's Code.

Sincerely,

Doug Barrow  
Civil Engineering Assistant.









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

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

**ANGELO J. BELLOMO, REHS, QEP**  
Deputy Director for Health Protection

**TERRI S. WILLIAMS, REHS**  
Acting Director of Environmental Health

5050 Commerce Drive  
Baldwin Park, California 91706  
TEL (626) 430-5100 • FAX (626) 813-3000

[www.publichealth.lacounty.gov](http://www.publichealth.lacounty.gov)

**BOARD OF SUPERVISORS**

- Hide L. Solis  
First District
- Mark Ridley-Thomas  
Second District
- Shella Kuehl  
Third District
- Don Knabe  
Fourth District
- Michael D. Antonovich  
Fifth District

April 28, 2016

**TO:** Joshua Huntington  
Principal Regional Planning Assistant  
Department of Regional Planning

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

**SUBJECT: CDP CONSULTATION**  
**PROJECT NO. R2015-00871/ RCDP 201500043**  
**Single Family Residence**  
**24604 Mulholland Hwy, Calabasas**

- Public Health recommends approval of this CDP.
- Public Health does NOT recommend approval of this CDP.

The Department of Public Health has reviewed the information provided for the project identified above. The Coastal Development Permit (CDP) is for the proposed construction of a Single Family Residence. The Department recommends approval of the CDP.

**Potable Water Supply**

**The Drinking Water Program recommends approval of this CDP.**

The project will be served by a public water system (Las Virgenes Municipal Water District). The applicant has submitted a current will serve letter from the water purveyor to this Department ensuring the availability of a potable water supply for the project.

**Wastewater Disposal**

**The Land Use Program recommends approval of this CDP.**

The applicant has submitted an update to the report dated November 1, 2013 issued by Miller Geosciences, Inc. along with current site and floor plans. The conceptual approval issued by the Land Use program dated February 21, 2014 has been extended on April 27, 2016 for another year.

For question regarding the above section, please contact Michelle Tsiebos or Vicente Banada at (626) 430-5380 or at [mtsiebos@ph.lacounty.gov](mailto:mtsiebos@ph.lacounty.gov) and [ybanada@ph.lacounty.gov](mailto:ybanada@ph.lacounty.gov).

**Noise**

The applicant shall adhere to the requirements of the Los Angeles County Noise Control Ordinance, as contained in Chapter 12.08 of the Los Angeles County Code, Title 12 for construction purposes.

For question regarding the above section, please contact Evenor Masis or Robert Vasquez at (213) 738-3220 or at [emasis@ph.lacounty.gov](mailto:emasis@ph.lacounty.gov) and [rvasquez@ph.lacounty.gov](mailto:rvasquez@ph.lacounty.gov).

For any other questions regarding this report, please contact me at (626) 430-5380 or at [mtsiebos@ph.lacounty.gov](mailto:mtsiebos@ph.lacounty.gov).

Anat & Ze'ev Zanzuri  
Coastal Development Permit Application  
Proposed Residential Construction  
24604 Mulholland Highway, Calabasas CA, 91302  
APN: 4455-042-015

### **Burden of Proof**

Although the subject site is located in a rural area characterized by expansive, naturally vegetated mountains and hillsides, in a radius of about 700 feet there are about 20 existing single-family residences located to the west, north, and northeast of the project site. According to The LUP C-125 "Scenic Resource Areas do not include areas that are largely developed such as existing, predominantly built-out residential subdivisions." The project is on a parcel, designated as RL10 (Rural Lands 10) These lands tend to be located near other established clusters of estate-size residential development. Areas with this category include development along Mulholland Highway, Decker Road, and near the community of Fernwood.

The new development is located within, contiguous with, and in close proximity to, existing developed areas. With adequate public services and it will not have significant adverse effects, either individually or cumulatively, on coastal resources. The structure is sited to minimize significant disruption of habitat values, and will preserve the openness and scenic beauty of the area's natural environment.

The development on the parcel is clustered and concentrated in one building site area that conforms to 10,000 square feet.

The structure will be finished in a color consistent with the surrounding landscape, and windows will be made of non-reflective glass.

The building will be constructed so as to comply with the Universal Building Code limit for interior noise of 45 dB CNEL. The new development will limit exterior lighting, except when needed for safety, and will use best available Dark Skies technology to minimize sky glow and light trespass, thereby preserving the visibility of a natural night sky and stars and minimizing disruption of wild animal behavior, to the extent consistent with public safety.

The proposed development has an adequate water supplies served by Las Virgenes Municipal Water District (LVMWD), and private septic for sewage.

The development will minimize the apparent size of exterior wall surfaces visible from off-site by using landscaping, and the neutral resources of the site.

Biological Resources Map of the SMM LCP has designated the vast majority of the parcel as H3, H2, and buffer area. H3 and buffer zones do not constitute environmentally sensitive habitat areas.

The development will be on H3 and some H2 areas and will keep the 200 feet from H1 areas.

See Vegetation Map and Photo Points.

Historically, residential development has been granted on parcels designated as H2, given the development area was less than 10,000 SF (as this development is). This parcel does not include any scenic resources or native trees. According to the SMM LCP One Stop meeting (held on 11.19.14), the "proposed development may be exempt from CEQA review".

The vast majority of the planned developed area and approximately half of the undeveloped area consist of non-native grassland. The remaining portion of the parcel, which will not be developed) consists mainly of mixed chaparral. The planned development aims ensure the stability and geologic safety of the proposed project, the project site, and the adjacent properties. See Fuel Modification Zones.



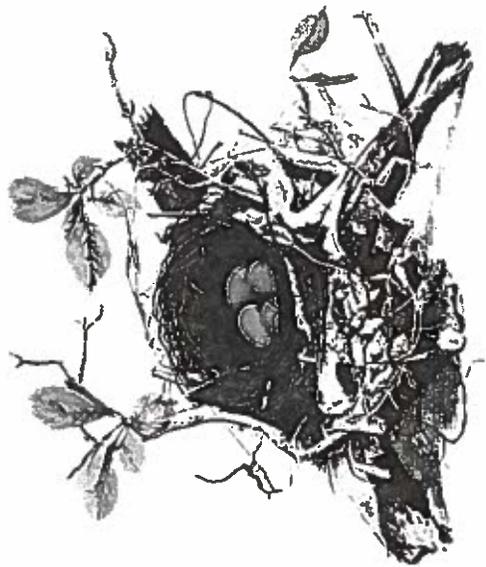
Los Angeles Audubon Society  
PO Box 931057  
Los Angeles, California 90093-1057

Telephone: 323-876-0202  
Fax: 323-876-7609  
[www.laaudubon.org](http://www.laaudubon.org)

# Guide to Bird-Friendly Tree and Shrub Trimming and Removal



*This booklet has been reviewed by the  
California Department of Fish and Game*



Printed on  
Recycled Paper Using Soy Inks

March 2009

*When one tugs at a single thing in nature, he finds it attached to the rest of the world. -- John Muir*



## **BIRDS BUILD HOMES TO RAISE YOUNG**

### **MUCH LIKE PEOPLE DO**

Birds build homes in which to raise their young just as humans do, although their site selections are more varied and often in obscure, hidden places. It is common to think of nests being in tree branches. But some birds build nests on the ground, in bushes and cavities; some build on the sides and eaves of houses, as well as on other man-made structures. They use natural substances and materials to do the job: mud, saliva, spider webs, caterpillar silk, leaf mold, twigs, grasses, and certain other plant fibers. The nest protects the bird's eggs from adverse weather and predators, and keeps eggs and nestlings warm.

## **THE BIRDS OF LOS ANGELES COUNTY: MORE THAN MEETS THE EYE!**

What comes to mind when most people think about city birds are pigeons, mockingbirds, crows, and sparrows. Yet these birds are but a small portion of the more than 120 species that reside in Los Angeles County year round. Annual migration brings in additional species to the area, including more than 60 other breeding species (such as orioles and kingbirds). In total, 350+ species live, nest, or pass through the Los Angeles Basin during any one year. Most of them rely on trees, shrubs, and brush for food, cover, nesting, and rest.

Birds generally choose lush locations, such as city parks, schools, business parks, and neighborhoods with high tree density; however, nothing 'typical' should be assumed.

During the spring and summer, many birds, including some migrants, nest in Los Angeles County. Unfortunately this is also the time of year that cities and residents tend to trim trees, prune shrubs, and clear brush. Severely cutting, trimming, and topping trees and other greenery in the spring and summer can destroy nests and may eliminate valuable nest sites.

There are laws that protect birds, their nests, eggs, and young from being removed, destroyed or harassed. A summary of these laws are contained in this booklet. It is worthwhile mentioning that violating any of these laws may result in fines and imprisonment.

Los Angeles Audubon has created these guidelines to inform city authorities, tree trimming contractors, and the general public about the impact on birds by trimming during the times of the year when they are nesting. With your help, great numbers of birds may be spared the destruction of their nests and young each year. In turn, our birds can achieve healthy populations, and continue to provide ecological and aesthetic benefits to humans. More importantly, it will ensure that future generations will be able to enjoy the bounty of birds that call Los Angeles County home.

## **IMPORTANT PHONE NUMBERS**

To report bird harassment, killing, and/or destruction of bird nests:  
**CALIFORNIA DEPARTMENT OF FISH AND GAME: 888-334-2258**  
For nesting surveys: 858-467-4201

For advice on nesting birds or referrals for nest surveys:  
**LOS ANGELES AUDUBON: 323-876-0202**  
**Monday – Thursday, 10 AM – 4 PM**

To report bird harassment, killing, and/or destruction of bird nests in county parks:

**L. A. COUNTY PARKS & RECREATION: 213-738-2961**  
Emergency After Hours: 213-974-1234

To report nest disturbance, inappropriate trimming in the City of Los Angeles:

**L. A. URBAN FORESTRY DIVISION: EMERGENCY: 311**

To report nest disturbance, inappropriate trimming in the coastal zone:  
**CALIFORNIA COASTAL COMMISSION**  
Enforcement officer: 562-590-5223

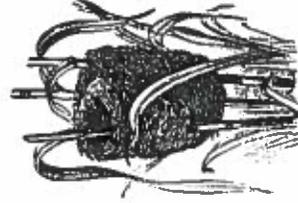
# LAWS PROTECTING BIRDS



drive any game or non-game bird or mammal or furbearing mammal. For the purposes of this section, harass is defined as an intentional act which disrupts an animal's normal behavior patterns, which includes, but is not limited to, breeding, feeding or sheltering. This section does not apply to a landowner or tenant who drives or herds birds or mammals for the purpose of preventing damage to private or public property, including aquaculture and agriculture crops.

## Federal Migratory Bird Treaty Act

**703. Taking, killing, or possessing migratory birds unlawful.**  
"...it shall be unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, kill, attempt to take, capture, or kill, possess, offer for sale, sell, offer to barter, offer to purchase, deliver for shipment, ship, export, import, cause to be shipped, exported, or imported, deliver for transportation, transport or cause to be transported, carry or cause to be carried, or receive for shipment, transportation, carriage, or export, any migratory bird, any part, nest, or eggs of any such bird, or any product, whether or not manufactured, which consists, or is composed in whole or part, of any such bird or any part, nest, or egg thereof..."



## Los Angeles County Municipal Code:

### Sec. 53.48. SONG BIRDS – KILLING

No person shall kill any song bird or destroy or rob the nest of any such bird.

### California State Code:

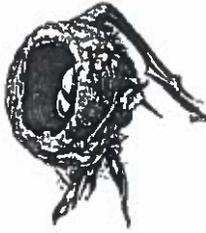
**3503.** It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto.

**3503.5.** It is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds of prey) or to take, possess or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.

### Title 14, Chapter 1, Section 251.1. Harassment of Animals

Except as otherwise authorized in these regulations or in the Fish and Game Code, no person shall harass, herd or

# IMPORTANT FACTS ABOUT NESTING BIRDS



## The Time of Year that Birds Typically Nest

Many species nest between March 1 and August 31. California Department of Fish and Game often requires surveys for raptors from January 15 to September 15. But nesting birds, especially hummingbirds, hawks and owls, may be found at any time of year, depending on the species. However there are several species that court and nest outside this time frame, for example, some herons and egrets, many raptors (birds of prey), and most hummingbirds. See Appendix B for guidance on safe times for trimming near heron and egret nests. Consult an independent qualified biologist for safe trimming times upon discovering any large nest.\*

**\*NOTE:** Certain species such as hawks, owls, herons, egrets, crows, and ravens also often re-use nests. If a large nest made of twigs is encountered, even if unoccupied, assume that it belongs to one of these birds and do not disturb it.

## Types of Birds that Nest in Los Angeles County

There are a great variety of species that call Los Angeles County home. The following is a brief list of species, but please note that it is not all-inclusive:

- herons, egrets, cormorants\*
- hawks, falcons, owls
- pigeons, doves
- hummingbirds, swallows
- woodpeckers
- crows, ravens, jays
- wrens, bushtits, mockingbirds, orioles, sparrows, finches

**\*NOTE: SEE APPENDIX B FOR SPECIAL CONSIDERATIONS FOR HERONS, EGRETS AND CORMORANTS.**

## What To Do Before Trimming

It is best to avoid the nesting season altogether and do your tree trimming between September and February. At any time the area should be carefully inspected before you begin your operation. For larger areas and sensitive habitats such as areas of native plants, dense brush, stream sides and stands of trees, it is best to hire a trained biologist to conduct the survey.\* Laypersons may attempt to conduct their own nest survey; however in most cases this is not possible or practical. Most birds conceal their nests carefully and will not be visible to the average observer; but they do give obvious clues of their whereabouts. There are several ways to detect bird nests: 1) look on the ground for concentrations of white-colored droppings, then check the vegetation above; 2) as you walk through an area, look for birds flying out of vegetation close to you and intensely scolding you; they may have a nest nearby; 3) sit quietly and watch for birds that may be bringing nest material or food repeatedly to one place. Birds tend to place their nests just on the undersides of the tree canopy and where branches join together.

\*See Appendix A for detailed nest descriptions

## When an Active Nest is Found – STOP TRIMMING!

All work that has the potential to disturb or destroy the nest should cease in the immediate vicinity (50 ft is a good rule of thumb for songbirds, 500 ft for raptors). The nest should not be touched or moved. A qualified biologist or the California Department of Fish and Game can assist in making determinations on how far away to remain from the nest and other measures to avoid disturbing or destroying it. Ideally the nest should remain undisturbed until the young have fledged (left the nest on their own) or the nest is abandoned.

## Advice on Finding Nests: Professional Nest Surveys

If you are not comfortable or able to perform a nest survey prior to your project, qualified biological consultants can be found online, or the California Department of Fish and Game may be able to assist you. Either one can perform a nest survey of the trees, shrubs, brush, or other vegetation in question. As stated previously, nests are not easy to spot or to identify. Special care needs to be taken to survey the project area if it includes trees, abandoned buildings, brush, vacant lots, and deadfall.

### ***How Finding Nests May Affect a Project***

If the nest contains unhatched eggs or young, work within 50 feet or more of the nest may need to be delayed depending on the species involved. When the species is identified California Department of Fish and Game or Los Angeles Audubon may be able to provide the amount of time until the eggs hatch and nestlings fledge. If the nest is voluntarily abandoned or depredated (and again depending on species) work probably can be continued. However, a precise determination can only be made by an expert such as a consulting biologist or the California Department of Fish and Game.

### ***Why Nests Can't be Disturbed or Moved to Another Location***

The parents choose the nest location for specific reasons: proximity to food and water sources; protection from predators and the elements. Birds may abandon their nest (which may already include eggs or young) if it is disturbed or if the parents are harassed. Moving a nest requires special permission from the U.S. Fish and Wildlife Service and is usually only granted for human health and safety reasons.

### ***What You Can Do If You Witness Tree Trimmers Disturbing or Destroying Nests***

Ask them to stop, and make them aware it is against the law. Then a call should be placed to the California Department of Fish and Game. [See "Important Phone Numbers"] *Be prepared to provide the exact location of the activity. Specifically note address and cross streets as well as a vehicle license plate number or name of the company doing the trimming.*

### ***Why We Should Care About Protecting Birds' Nests***

First and foremost, it is the law. Second, birds provide numerous beneficial activities, such as eating many thousands of insect pests, which may eliminate some of the need for toxic pesticides. They also disperse seeds over wide areas, ensuring plant health and biodiversity. Finally, many bird populations nationwide are plummeting primarily due to the impact of human activities. Birds are creatures of the earth, a family of animals with which we share this planet and its limited resources. Our positive, cumulative actions can make the difference in ensuring their long-term survival.

## **IMPORTANT FACTS TO CONSIDER WHEN PLANNING A PROJECT**

- Trimming or removal of trees can only be conducted safely outside of the breeding seasons for the bird species inhabiting the area. A qualified independent biologist or the California Department of Fish and Game should be retained by the City and/or project manager to conduct focused nest surveys prior to any work.
- All persons under contract should be made fully aware of the laws protecting birds and the proper protocols when encountering active nests.
- Hire an arborist that is ISA (International Society of Arborists) certified, a licensed landscaper, or a qualified tree trimmer who knows and cares about a tree's health. Avoid hiring 'bargain' tree trimmers or handymen, as they are generally inexperienced and may cause more harm than good to the trees.
- Most trees in Southern California are trimmed excessively and inappropriately, especially around apartment complexes and condominiums. This is not only to the detriment of the trees, but it leaves fewer habitats for birds to thrive in. Examples of unnecessary tree trimming are:
  - Thinning out pine trees and conifers to the point that you can see through them;
  - Sycamore trees—they do not need pruning because they don't drop limbs;
  - Removing dead palm fronds that drape down around the trunks of palm trees, which provide valuable nest sites for orioles and kingbirds.
- Choose tree varieties wisely. Put the right tree in the right place to prevent the need to severely trim or remove trees because they are too big, no longer 'work,' or are causing problems for plumbing, uprooting sidewalks, growing into electrical lines, etc.
- Please Remember: Trees are not ornaments; they are living organisms and will naturally become a host for other living things.

## APPENDIX A

### TYPES OF BIRD NESTS

- Birds as small as hummingbirds and as large as herons nest on tree branches; so do hawks, owls, and crows. The nests may be found at every level of the tree, from the crown to the understory; they may be near the crotch, between branch and trunk, or out toward the end of a branch. Birds may use maples, pines, junipers, oaks, sycamore, and palm trees for nesting.
- Some birds, such as some species of sparrow, use grassland and brushy areas, making the nest on the ground.
- Species such as wrens, juncos, and finches may build their nests in bushes and shrubs with dense, compact foliage, or on the ground below them.
- Some swallows and flycatchers build mud nests attached to the sides of buildings, under culverts, and the eaves of houses.
- Woodpeckers, wrens, some species of owls, sapsuckers, and swallows use cavities that they either excavate themselves or use after another has abandoned it. They will use holes found in live and dead trees, stumps, cacti, and sides of old buildings.

**The types of nests that birds construct are as varied as the birds themselves. A few of the major examples are:**

- **Scrape nests** are simple depressions in the ground (sometimes with a few stones or leaves added), or in the leaf litter. Such nests are used by shorebirds, gulls, terns, nighthawks, vultures, and other species.
- **Burrow nests** are very effective at protecting eggs and young from predators and maintaining an appropriate microclimate for eggs and young. Some birds, like Bank Swallows and Belted Kingfishers, usually construct their own burrows, while others, such as Burrowing Owls, may use the burrows constructed by other species.

- **Cavity nests** are used by numerous passerines, woodpeckers, owls, parrots, and some waterfowl. Woodpeckers construct their own cavity nests and are referred to as primary cavity nesters. Species that use natural cavities or cavities constructed by primary cavity nesters are called secondary cavity nesters.
- **Platform nests** are relatively flat nests that may be located on the ground, in a tree, or on the tops of rooted vegetation or debris in shallow water.
- **Cupped nests** are, of course, cup shaped. Such nests may be constructed of various materials and in a variety of locations. Noted ornithologist Olin Sewall Pettingill subcategorized cup nests as follows:
  - **Supported cupped nests:** nests located in the crotches and branches of trees and shrubs, supported mainly from below. Many passerines and hummingbirds build such nests.
  - **Suspended cupped nests:** nests not supported from below but from the rims, sides or both:
  - **Pensile:** nests suspended from the rims and sides; rather stiff (e.g. those of kinglets and vireos).
  - **Adherent nests:** cupped nests whose sides are attached by an adhesive substance (e.g. mud or saliva) to a vertical surface, like those of swifts and some swallows.
- **Ground nests:** cupped nests on the ground; sides are sometimes extended upward and arched over the top making a domed structure. Several passerines, particularly those that occupy open habitats like grasslands and tundra, build ground nests.

[Information on nests courtesy of Prof. Gary Ritchison, Ornithologist, Dept. of Biological Sciences Eastern Kentucky University  
[<http://people.eku.edu/ritchison/birdnests.html>]

## APPENDIX B

### **SPECIAL CONSIDERATION: HERONS & EGRETS**

(Species includes Great Blue Heron, Great Egret, Snowy Egret, Green Heron and Black-crowned Night Heron)

Heronries or nesting colonies of herons are frequently located in areas isolated from human disturbance, such as riparian corridors, marshes, and groves of trees adjacent to water bodies or on islands. However, some herons have adapted minimally to human activity and may build their nests in trees near apartment and condo complexes, ports, and harbors that have large trees planted in their greenscape.

Herons are especially vulnerable to human disturbance and habitat destruction during pair formation and the breeding season (mid-November to September of the following year) when large numbers of birds are concentrated in a rather confined area. Herons are delicate and tend to desert nests and entire colonies if disturbed during periods of pair forming (starting mid-November), nest construction (starting in January) or early egg laying (as early as January). Herons continue to be sensitive to disturbance after hatching and up until the young fledge (up to late-September). In some cases, colonies have even been deserted after destruction or alteration of their habitat during the non-nesting season. Even if herons relocate after deserting a colony, consequences of disturbance include fragmentation of breeding populations, total reproductive failure in colonies, reduced number of breeding pairs, and reduced reproductive output per pair. Ultimately this can affect the stability of the entire regional population (Bowman & Siderius, 1984).

Herons are unpredictable in their response to disruption of a colony and the severity of the response does not always correspond to the magnitude of the disturbance (seemingly innocuous activities can produce serious results). The most important factors to consider when evaluating these effects are the timing of the disturbance in relation to critical periods of the nesting season and the degree to which the birds are able to adjust to human activities (degree of exposure-induced habituation). Herons are sensitive to humans and mammals moving around under their nesting trees.

When conducting surveys or inventories, individuals should take caution to avoid walking into heronries, especially under nesting trees (indicated by the ring of white guano around the base of the tree). Should they find themselves within a heronry, one should quietly and quickly leave by the same route they entered.

Density of vegetation within and surrounding the colony can influence the impact of disturbances. The removal of vegetation near a colony can open paths into the heronry that would not only enable intrusion by humans and predators, but would result in an increased number of exposed nests. Maintaining the vegetation, including trees and shrubs, around a colony provides alternate nest sites and a buffer against disturbance. Furthermore, tree trimming should generally not remove more than the minimum of foliage necessary for human health and safety, and should be done, where it is permitted, in a manner that does not unnecessarily discourage herons and egrets from returning to their altered (trimmed) habitat during the next breeding cycle.

### **HERON & EGRET BREEDING ACTIVITY:**

**Great Blue Heron:** Mid-November to end of September\*

**Great Egret:** Late February to end of August\*

**Snowy Egret:** Early April to late July\*

**Green Heron:** Early April to early August\*

**Black-crowned Night Heron:** Mid-January to end of September\*

### **SPECIAL CONSIDERATION: CORMORANTS**

The Double-crested Cormorant, another colonial nesting species, occupies similar habitat and nesting areas as herons. They also need the protection of buffer zones while nesting, but they appear to be less sensitive to human disturbance than herons.

### **CORMORANT BREEDING ACTIVITY:**

Late March to mid-October (especially in Marina del Rey) \*

\*Information on breeding activity from *Los Angeles County Breeding Bird Atlas and from breeding bird atlas records from San Diego, Orange Counties, and the Salton Sea.*

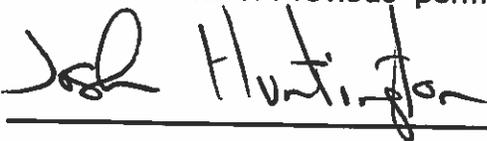
[PLEASE NOTE: Some of the information on herons and cormorants is adapted from "Special Management Practices for Herons," courtesy of the government of Nova Scotia. Although the information below was provided by biologists in Nova Scotia, it is relevant to these species in most locales. For purposes of these guidelines, local biologists and ornithologists were consulted and relevant dates modified to fit conditions in Los Angeles County. The PDF document in its entirety can be found at: (<http://www.gov.ns.ca/natr/wildlife/Thp/heronsmp.pdf>)

# Hearing Officer Transmittal Checklist

Hearing Date 06/07/2016
Agenda Item No. 10

Project Number: R2015-00871-(3)  
Case(s): Coastal Development Permit No. 201500043  
Planner: Joshua Huntington, AICP

- 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 (ND / MND / EIR)
- Correspondence
- Photographs
- Aerial Image(s)
- Land Use/Zoning Map
- Tentative Tract / Parcel Map
- Site Plan / Floor Plans / Elevations
- Exhibit Map
- Landscaping Plans
- Findings and conditions of Previous permit

Reviewed By: 



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

**PROJECT NUMBER**

R2015-00871-(3)

**HEARING DATE**

June 7, 2016

**REQUESTED ENTITLEMENTS**

Coastal Development Permit No. 201500043

Environmental Assessment No. 201500069

# PROJECT SUMMARY

**OWNER / APPLICANT**

Anat Zanzuri / Zeev Zanzuri

**MAP/EXHIBIT DATE**

April 26, 2016

**PROJECT OVERVIEW**

To authorize construction of a proposed 6,840 square foot, 18-foot tall, one-story single-family residence with attached three-car garage, pool, septic system, driveway, required fire dept. turnaround, and 3,450 cu. yd. of grading. The project is in an existing residential area with neighboring residences to the north, west, and southwest. The proposed residence is within a scenic resource area because of its proximity to a scenic route (Mulholland Highway) and a trail (Stokes Ridge Trail). Therefore, the height of the residence is restricted to 18 feet.

**LOCATION**

24604 Mulholland Highway, Unincorporated Santa Monica Mountains Coastal Zone

**ACCESS**

Mulholland Highway

**ASSESSORS PARCEL NUMBER(S)**

4455-042-015

**SITE AREA**

1.64 Acres

**GENERAL PLAN / LOCAL PLAN**

Santa Monica Mountains Land Use Plan

**ZONED DISTRICT**

The Malibu

**LAND USE DESIGNATION**

RL20 (Rural Lands 20)

**ZONE**

R-C-20 (Rural-Coastal – 20 Acre Minimum Required Lot Area)

**PROPOSED UNITS**

One

**MAX DENSITY/UNITS**

One

**COMMUNITY STANDARDS DISTRICT**

N/A

**ENVIRONMENTAL DETERMINATION (CEQA)**

Class 3 Categorical Exemption – New Construction or Conversion of Small Structures

**KEY ISSUES**

- Consistency with the Santa Monica Mountains Land Use Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
  - 22.44.1750 (R-C Zone-Specific Development Standards)
  - 22.44.1800 et seq. (Santa Monica Mountains Coastal Zone Area-Specific Biological Resources Standards)
  - 22.44.1990 et seq. (Santa Monica Mountains Coastal Zone Area-Specific Scenic Resources Standards)

**CASE PLANNER:**

Joshua Huntington, AICP

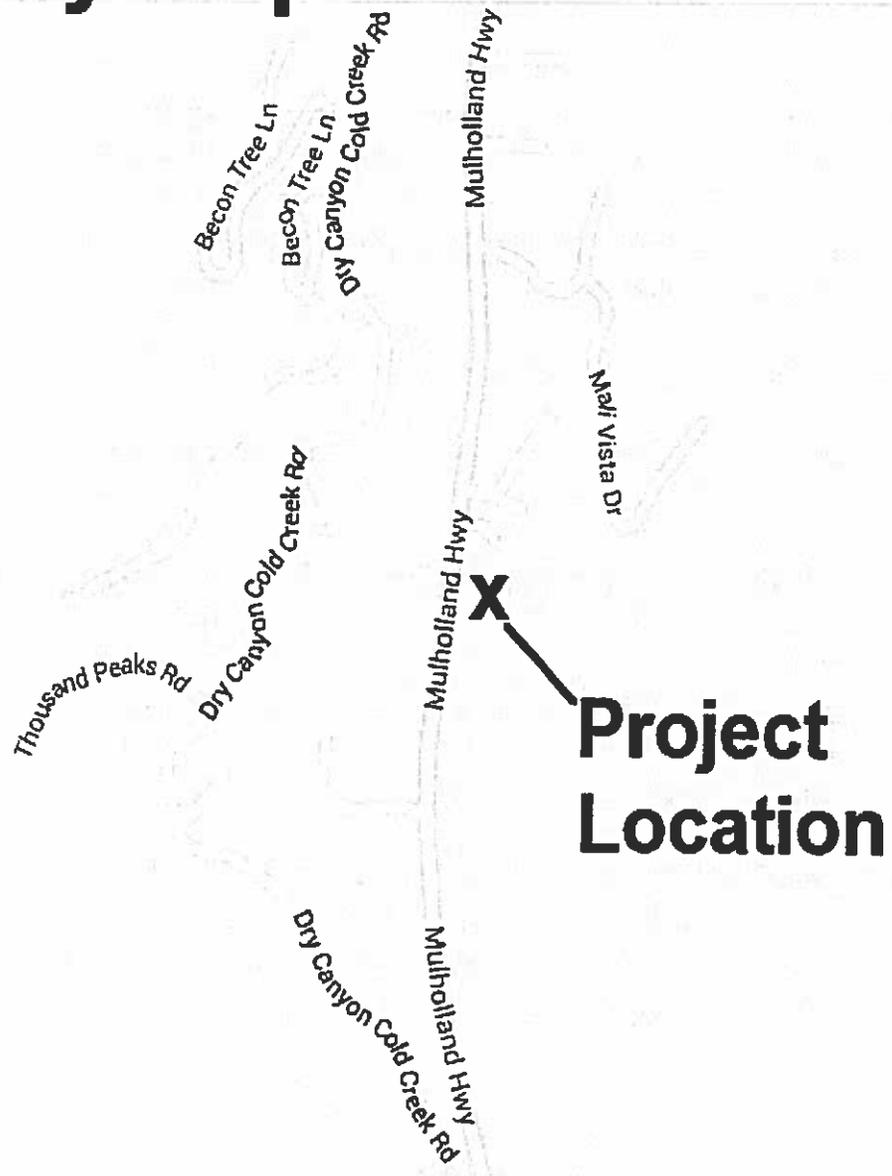
**PHONE NUMBER:**

(213) 974 - 6462

**E-MAIL ADDRESS:**

[jhuntington@planning.lacounty.gov](mailto:jhuntington@planning.lacounty.gov)

# Vicinity Map



# LOS ANGELES COUNTY DEPARTMENT OF REGIONAL PLANNING

## NOTICE OF PUBLIC HEARING

The Los Angeles County Hearing Officer will conduct a public hearing to consider the project described below in the Coastal Zone segment of the unincorporated Santa Monica Mountains. You will have an opportunity to testify, or you can submit written comments to the planner below or at the public hearing. If the final decision on this proposal is appealed or challenged in court, testimony may be limited to issues raised before or at the public hearing.

**Hearing Date and Time:** Tuesday, June 7, 2016 at 9:00 a.m.

**Hearing Location:** 320 West Temple St., Hall of Records, Rm. 150, Los Angeles, CA 90012

**Project & Permit(s):** Project No R2015-00871-(3), Coastal Development Permit No. 201500043

**Project Location:** 24604 Mulholland Hwy within the Malibu Zoned District

**CEQA Categorical Exemption:** Class 3

**Project Description:** Construction of a proposed 6,840 SF, 18-foot tall one-story single-family residence with attached three-car garage, pool, septic system, driveway, required fire dept. turnaround, and 3,450 cu. yd. of grading pursuant to section(s) 22.44.1750 of the Los Angeles County Code.

For more information regarding this application, contact **Josh Huntington**, Los Angeles County Department of Regional Planning (DRP), 320 W. Temple St., Los Angeles, CA 90012. Telephone: (213) 974-6462, Fax: (213) 626-0434, E-mail: [jhuntington@planning.lacounty.gov](mailto:jhuntington@planning.lacounty.gov). Case materials are available online at <http://planning.lacounty.gov/case> or at Topanga Library, 122 N. Topanga Canyon Blvd. All correspondence received by DRP shall be considered a public record.

If you need reasonable accommodations or auxiliary aids, contact the Americans with Disabilities Act (ADA) Coordinator at (213) 974-6488 (Voice) or (213) 617-2292 (TDD) with at least 3 business days' notice. **Si necesita más información por favor llame al (213) 974-6466.**

### **ENTITLEMENT REQUESTED**

- Minor Coastal Development Permit ("CDP") No. 201500043 to authorize the construction of a proposed 6,840 square foot, 18-foot tall, one-story single-family residence with attached three-car garage, pool, septic system, driveway, required Fire Department turnaround, and 3,450 cubic yards ("CY") of grading.

### **PROJECT DESCRIPTION**

The applicant, Zeev Zanzuri, requests a minor CDP pursuant to the Santa Monica Mountains Local Coastal Program ("LCP") for the development of a single-family residence with attached three-car garage, pool, septic system, driveway, required Fire Department turnaround, landscaping, and 3,450 cu. yd. of grading ("Project") on a currently vacant property located at 24604 Mulholland Hwy (APN: 4455-042-015).

The Project includes a 6,840 square-foot home with an attached 664 square foot loggia, a 600 square foot garage, and a pool within a building site area of 9,504 square feet. The project requires that approximately 100 CY of the Project's grading be done on the neighboring property to the northeast (APN: 4455-042-016).

The Project will not require the removal of any trees. The Fire Department has approved a Fuel Modification Plan for the Project. It shows no required fuel modification outside of the subject property. Furthermore, the Project includes no fuel modification within the southern portion of the property. This portion of the property will remain undisturbed in perpetuity.

The subject property is located within the Santa Monica Mountains Coastal Zone. Access to the property is provided by Mulholland Highway, an LCP designated Scenic Route, to the west of the property. The property is also visible from Stokes Ridge Trail.

### **SITE PLAN DESCRIPTION**

The Exhibit "A" shows that the subject property is irregularly shaped (roughly hourglass shaped), and is 1.64 acres in size. Mulholland Highway is west of the subject property. The Exhibit "A" shows the driveway accessing the property via Mulholland Highway at the northwest corner of the property. The northern 10 feet of this driveway are on the neighboring property to the north and northeast. The neighboring property is a flag lot, and this driveway would serve as a shared driveway if and when that neighboring property is developed with a single-family residence. The driveway is approximately 235 feet long and curves to the south near the northeast corner of the property until it runs into the Fire Department turnaround.

The Exhibit "A" shows the proposed onsite wastewater treatment system ("OWTS") as being located just south of the driveway, between the driveway and the proposed house. The proposed house is located immediate south of the OWTS, 50 feet from the west property line adjacent to Mulholland Highway, 35 feet from the east property line, 74 feet from the north property line, and approximately 370 feet from the south property line.

The Exhibit "A" shows that the topography of subject property rising from the south to the north to a flat area on a hill in the northern portion of the property, and then the topography drops down toward the northwest corner of the property where the driveway would enter from Mulholland Highway. The proposed house is to be partly built into the hill on the northern portion of the property. The Exhibit "A" shows the house as being a one-story 18-foot tall structure. The front door of the house will face north, and the garage of the house will face east.

#### **EXISTING ZONING**

The subject property is zoned R-C-20 (Rural Coastal – 20 Acre Minimum Area Required).

Surrounding properties are zoned as follows:

- North: R-C-20, A-1-2 (Light Agriculture – 2 Acre Minimum Area Required),
- South: R-C-20, R-C-5 (Rural Coastal – 5 Acre Minimum Area Required)
- East: R-C-20
- West: R-C-5, R-C-20

#### **EXISTING LAND USES**

The northern portion of the subject property contains a large cleared area where brush clearance is being done for the houses to the north. The rest of the property is vacant. Surrounding properties are developed as follows:

- North: Single-family residences on lots that are about one or two acres in size.
- South: Privately owned vacant lots and single-family residences on lots that are about one or two acres in size.
- East: Privately-owned vacant lots and single-family residences on lots that are about one or two acres in size.
- West: Single-family residences on lots that are about one or two acres in size.

#### **PREVIOUS CASES/ZONING HISTORY**

The subject property is Parcel 1 of Parcel Map No. 16409. On October 11, 1998, the California Coastal Commission granted CDP No. 5-88-639 which approved Parcel Map

No. 16409. This subdivision divided a 23.96-acre parcel of land into four single-family residential lots. Parcel Map No. 16409 was recorded on December 11, 1990. CDP No. 5-88-693 required the dedication of the Stokes Ridge Trail to the east and south of the subject property. CDP No. 5-88-693 also required the dedication of Conservation and Open Space Easements within the subdivision. The proposed Project does not include development within these easement areas. Parcel Map No. 16409 shows a 20-foot wide reciprocal ingress and egress easement within the southern portion of the subject property. This easement benefits the property to the east, APN: 4455-042-017. The conditions of approval of CDP No. 5-88-639 still apply to the subject property.

On January 28, 2014, "Approval in Concept" Plan Plan No. RPP201301270 was approved. The applicant received this approval from Regional Planning, but did not receive a CDP form from the Coastal Commission prior to the certification of the Santa Monica Mountains LCP on October 10, 2014. Therefore, the applicant applied for this CDP with Regional Planning. "Approval in Concept" Plan Plan No. RPP201301270 approval a two-story residence, but the standards of the LCP required the applicant to redesign the residence to be a maximum of 18 feet tall. Therefore, the current proposal is for a one-story residence.

The certification of the Santa Monica Mountains LCP on October 10, 2014 created the R-C-20 zone and rezoned this property to have the this zoning designation. Prior to the LCP's certification, the zoning on the property had been A-1-1 (Light Agriculture – 2 Acre Minimum Area Required).

#### **ENVIRONMENTAL DETERMINATION**

Los Angeles County staff ("staff") is of the opinion that this project qualifies for a Categorical Exemption (Class 3 – New Construction or the Conversion of Small Structures) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. Therefore, staff recommends that the Hearing Officer determine that the project to be categorically exempt from CEQA.

#### **STAFF EVALUATION**

##### **LUP Consistency**

The Project is consistent with the LUP, and is specifically supported by the following policies:

- *Policy CO-10: Limit grading, soil compaction and removal of locally-indigenous vegetation to the minimum footprint needed to create a building site, allow access,*

*and provide fire protection for the proposed development. Monitor grading projects to ensure that grading conforms to approved plans.*

The Project is limited only to the northern portion of the subject property where the proposed house can take advantage of the overlapping fuel modification zones of houses to the southwest, west, northwest, north, and northeast. The majority of the proposed building site area is cleared annually to protect these houses from wildfires.

- *Policy CO-41: New non-resource-dependent development shall be prohibited in H1 habitat areas in order to protect these most sensitive environmental resource areas from disruption of habitat values. The only exception is that two uses may be approved in H1 habitat other than wetlands in very limited circumstances, as follows: (1) public works projects required to repair or protect existing public roads when there is no feasible alternative, as long as impacts to H1 habitat are avoided to the maximum extent feasible, and unavoidable impacts are minimized and mitigated; and (2) an access road to a lawfully-permitted use outside H1 habitat when there is no other feasible alternative to provide access to public recreation areas or development on a legal parcel, as long as impacts to H1 habitat are avoided to the maximum extent feasible, and unavoidable impacts are minimized and mitigated. Any new development approved for one of these two uses within woodland or savannah habitat shall protect native trees in accordance with Policy CO-99.*

The applicant has designed the project to avoid impacts to native habitats where feasible. In order to minimize grading and cluster the Project within the previously disturbed portions of the property, the Project would be located within the northern portion of the property only. The Project's proposed development area is designated as H3 habitat with fuel modification of approximately half an acre of H2 habitat. The Project would not impact H1 habitat. The Project would comply with all federal, state, regional, and county requirements relating to biological resources, including those set forth in the Clean Water Act, the federal Endangered Species Act, the California Endangered Species Act, and the California Fish and Game Code.

- *Policy CO-43: New development shall be sited in a manner that avoids the most biologically-sensitive habitat onsite where feasible, while not conflicting with other LCP policies, in the following order of priority: H1, H2 High Scrutiny, H2, and H3. Priority shall be given to siting development in H3 habitat, but outside of areas that contain undisturbed native vegetation that is not part of a larger contiguous habitat area. If infeasible, priority shall be given to siting new development in such H3*

*habitat. If it is infeasible to site development in H3 habitat areas, development may be sited in H2 habitat if it is consistent with the specific limitations and standards for development in H2 habitat and all other provisions of the LCP. New development is prohibited in H1 habitat unless otherwise provided in Policy*

The Project would not impact H1 habitat or H2 High Scrutiny habitat. The majority of the Project is located within an H3 habitat area where brush is routinely cleared for fuel modification purposes, therefore avoiding the most biologically-sensitive habitat on the Project site. The Project does include fuel modification of approximately half an acre of H2 habitat.

- *Policy CO-54: Use primarily locally-indigenous plant species in landscape areas within Fuel Modification Zones A and B of structure(s) requiring fuel modification. Non-locally-indigenous plants and gardens are allowed in Fuel Modification Zones A and B, with associated irrigation, provided that all efforts are made to conserve water. Invasive plants are strictly prohibited.*

The Environmental Review Board ("ERB") recommended that the Project's landscaping include only locally native plants of the Santa Monica Mountains. This recommendation has been included in the Project's Conditions of Approval.

- *Policy CO- 124: The Santa Monica Mountains contain scenic resources of regional and national importance. The scenic and visual qualities of these resources shall be protected and, where feasible, enhanced.*

The proposed residence has a maximum height of 18 feet. Because of this, and because of the location of the hill within the northern portion of the subject property, the house will only briefly be visible from Mulholland Highway at the location of the driveway. Furthermore, because of the low height and the existing development around the subject property, the Project will not significantly impact the views from the Stokes Ridge Trail.

- *Policy SN-20: Design and site new development in a manner that minimizes the threat of loss from wildland fires while avoiding the need for excessive vegetation clearance.*

The Project site is located in an area subject to high fire severity hazard; however, the Project's is located in an area of overlapping fuel modification zones. Therefore,

the Project is clustering its fuel modification with that of the surrounding residences, and the environmental impact of the required fuel modification is minimized.

- *Land Use Policy Map: The Project Site is designated RL20 (Rural Land 20).*

The principal permitted use in the RL20 land use category is a single-family home. Therefore, the Projects proposed use is consistent with the RL20 plan category.

- *Policy LU-2: Retain the area's natural setting, rural and semi-rural character, and scenic features.*

The Project would not significantly impact the area's scenic resources, and the Project is consistent with the surrounding neighborhood and setting. Therefore, the Project would be consistent with this Policy.

#### **Zoning Ordinance, LIP, and Development Standards Compliance**

The Project is required to comply with all applicable requirements of Los Angeles County's Zoning Ordinance, including the requirements of the LIP. Specifically, the Project complies with the development standards of the IT zone, as well as the standards and requirements of the LIP related to the following sections:

Vegetation Management and Landscaping (22.44.1240); Height Limits (22.44.1250); Grading (22.44.1260); Construction Colors, Materials, and Design (22.44.1320); Water Resources (22.44.1340); Hillside Management (22.44.1350); Visual Resource Protection (22.44.1440); Low Impact Development and Hydromodification (22.44.1510 et. Seq.); and the Area-Specific Development Standards for biological resources (22.44.1800 et. seq.) and Scenic Resource Areas (22.44.1990 et. seq.), and Hazards Area (22.44.2050 et. seq.).

#### **RC-20 Zone**

Pursuant to County Code Section 22.44.1750, the RC-20 zone permits single-family residences as the principal permitted use in this zone. Therefore the Project's proposed land use is consistent with the RC-20 zone.

The development standards of the RC-20 zone can be found in Section 22.44.1710. This Section includes requirements regarding roofing, siding, yard setbacks, parking, and minimum required area of residence. The Project is consistent with these requirements. Therefore, the Project complies with the development standards of the RC-20 zone.

### Environmental Review Board Compliance

Pursuant to County Code Section 22.44.1860, the proposed Project was reviewed by the ERB because the Project is within 200 feet of H1 and/or H2 habitat. The ERB reviewed the Project on October 19, 2015, and found the Project to be consistent, after modifications, with the resource protection policies and provisions of the LCP. At this meeting, the ERB made four recommendations to mitigate potential resource impacts. The applicant has already fulfilled one of the requirements by submitting an updated Spring biological survey. This survey did not find any significant or particularly sensitive species within the Project area, including the fuel modification area. The other three recommendations pertain to: landscaping with native plants, runoff retention, and bird-friendly fenestration. These recommendations have been incorporated into the CDP Conditions of Approval. The ERB minutes from the October 19, 2015 meeting are attached to this staff report.

### **Project Impacts**

The Project site is located in an existing residential area with neighboring residences located to the north, west, and southwest.

The grading plan shows 3,213 CY of cut grading, 237 CY of fill grading, and 2976 CY of export. The grading plan states that the Project's total disturbed area will be 0.65 acres. The grading plan also shows a proposed berm and catch basin that would retain runoff on the subject property.

The majority of the area that will be directly impacted by the project is H3 habitat that has been routinely cleared over the years for fuel modification purposes. The Project's fuel modification area will include approximately half an acre of H2 habitat. No trees will be removed as part of this project.

### **Coastal Development Permit Burden of Proof**

The applicant is required to meet the CDP Burden of Proof. According to County Code Section 22.44.850, in addition to the information required in the permit application. The applicant's Burden of Proof statement is attached.

Staff concludes and is of the opinion that the burden of proof for a CDP has been met by the applicant, subject to compliance with the attached conditions.

**Neighborhood Impact/Land Use Compatibility**

The proposed residence is within an existing residential area and is compatible with the surrounding neighborhood. The proposed residence's height of 18 feet is equal to or less than the neighboring houses. The proposed residence's size of 6,840 square feet is larger than the houses immediate adjacent to the subject property, but there are several houses to the west of the subject property that are larger than the size of the proposed house, including a house within 500 feet of the subject property. The proposed residence's finishes will comply with County Code Section 22.44.1320 (Construction Colors, Materials, and Design).

Staff is of the opinion that the CDP conditions adequately address the use authorized by the CDP. The above 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.

**COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS**

County Department comments and conditions were received from the Departments of Public Works, Fire, and Public Health (attachment).

- The Department of Public Works, in its letter dated April 28, 2016, recommends approval of the Project and requires conditions regarding drainage, grading, and water supply.
- The Fire Department, in its letter dated March 14, 2016, recommends approval of the Project.
- The Department of Public Health, in its letter dated April 28, 2016, recommends approval of the Project.

**LEGAL NOTIFICATION AND PUBLIC OUTREACH**

Pursuant to the provisions of Sections 22.44.970 and 22.44.990 of the County Code, the community was appropriately notified of a Public Hearing by mail, newspaper, property posting, and on the Department's website. Newspaper notices were published on May 5, 2016 and May 12, 2016 in the Malibu Times. Notices to property owners located within a 1,000-foot radius of the property boundaries were mailed on May 2, 2015. Notices were posted on the subject property on May 5, 2016 and were made available on the Department's website.

**PUBLIC COMMENTS**

Staff has received a letter from the Santa Monica Mountains Conservancy regarding the proposed project. That letter is attached.

**FEES/DEPOSITS**

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

**STAFF RECOMMENDATION**

Staff recommends approval of Project No. R2015-00871-(3), Coastal Development Permit No. 201500043, subject to the attached conditions.

**SUGGESTED APPROVAL MOTION**

**"I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING AND FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES."**

**"I MOVE THAT THE REGIONAL PLANNING COMMISSION CLOSE THE PUBLIC HEARING AND APPROVE COASTAL DEVELOPMENT PERMIT NO. 201500043 WITH THE ATTACHED FINDINGS AND CONDITIONS."**

Prepared by: Joshua Huntington, AICP, Principal Regional Planner

**Attachments:**

- CDP Findings
- CDP Conditions
- Departmental Reports
- Applicant's CDP Burden of Proof
- Exhibit Maps
- ERB Minutes
- Correspondence Received

JSH

5/26/16

**DRAFT FINDINGS OF THE HEARING OFFICER  
AND ORDER  
COUNTY OF LOS ANGELES  
PROJECT NUMBER R2015-00871-(3)  
COASTAL DEVELOPMENT PERMIT NUMBER 201500043**

1. The Los Angeles County ("County") Hearing Officer ("Hearing Officer") conducted a duly noticed public hearing in the matter of Coastal Development Permit No. 201500043 on June 7, 2016.
2. The permittee, Zeev Zanzuri ("permittee"), requests the minor Coastal Development Permit ("CDP") to authorize the construction of a single-family residence with attached three-car garage, pool, septic system, driveway, required Fire Department turnaround, landscaping, and 3,450 cu. yd. of grading ("Project") on a currently vacant property located at 24604 Mulholland Hwy (APN: 4455-042-015) ("subject property").
3. The subject property is a 1.64-acre legally created parcel on the east side of Mulholland Highway with undulating topography.
4. The subject property is located in the Malibu Zoned District, the Santa Monica Mountains Coastal Zone ("Coastal Zone"), and is zoned R-C-20 (Rural Coastal – 20 Acre Minimum Area Required).
5. With the Coastal Commission's certification of the LCP on October 10, 2014, the Hearing Officer has the authority to act on Minor CDP applications.
6. The project site is shown within the RL20 (Rural Land 20) land use category in the Santa Monica Mountains Land Use Plan ("LUP").
7. Surrounding zoning within a 700-foot radius includes:  
North: R-C-20, A-1-2 (Light Agriculture – 2 Acre Minimum Area Required),  
South: R-C-20, R-C-5 (Rural Coastal – 5 Acre Minimum Area Required)  
East: R-C-20  
West: R-C-5, R-C-20
8. Surrounding land uses include:  
North: Single-family residences on lots that are about one or two acres in size.  
South: Privately owned vacant lots and single-family residences on lots that are about one or two acres in size.  
East: Privately-owned vacant lots and single-family residences on lots that are about one or two acres in size.  
West: Single-family residences on lots that are about one or two acres in size.
9. The zoning and case history for the subject property is as follows:
  - October 11, 1998, the California Coastal Commission granted CDP No. 5-88-639 which approved Parcel Map No. 16409.

- Parcel Map No. 16409 was recorded on December 11, 1990. The subject property is Parcel No. 1 of this subdivision.
  - January 28, 2014, "Approval in Concept" Plan Plan No. RPP201301270 was approved.
  - The certification of the Santa Monica Mountains LCP on October 10, 2014 created the R-C-20 zone and rezoned this property to have the this zoning designation. Prior to the LCP's certification, the zoning on the property had been A-1-1 (Light Agriculture – 2 Acre Minimum Area Required).
10. The Exhibit "A" shows that the subject property is irregularly shaped (roughly hourglass shaped), and is 1.64 acres in size. Mulholland Highway is west of the subject property. The Exhibit "A" shows the driveway accessing the property via Mulholland Highway at the northwest corner of the property. The northern 10 feet of this driveway are on the neighboring property to the north and northeast. The neighboring property is a flag lot, and this driveway would serve as a shared driveway if and when that neighboring property is developed with a single-family residence. The driveway is approximately 235 feet long and curves to the south near the northeast corner of the property until it runs into the Fire Department turnaround.

The Exhibit "A" shows the proposed onsite wastewater treatment system ("OWTS") as being located just south of the driveway, between the driveway and the proposed house. The proposed house is located immediate south of the OWTS, 50 feet from the west property line adjacent to Mulholland Highway, 35 feet from the east property line, 74 feet from the north property line, and approximately 370 feet from the south property line.

The Exhibit "A" shows that the topography of subject property rising from the south to the north to a flat area on a hill in the northern portion of the property, and then the topography drops down toward the northwest corner of the property where the driveway would enter from Mulholland Highway. The proposed house is to be partly built into the hill on the northern portion of the property. The Exhibit "A" shows the house as being a one-story 18-foot tall structure. The front door of the house will face north, and the garage of the house will face east.

11. The Project Site is accessible via Mulholland Highway to the west. Mulholland Highway is a designated scenic route.
12. The Project includes three covered parking spaces in the garage of the proposed residence.
13. Pursuant to County Code Section 22.44.1860, the proposed Project was reviewed by the Environmental Review Board (ERB) because the Project is within 200 feet of H1 and/or H2 habitat. The ERB reviewed the Project on October 19, 2015, and found the Project to be consistent, after modifications, with the resource protection policies and provisions of the LCP. At this meeting, the ERB made four

recommendations to mitigate potential resource impacts. The applicant has already fulfilled one of the requirements by submitting an updated Spring biological survey. This survey did not find any significant or particularly sensitive species within the Project area, including the fuel modification area. The other three recommendations pertain to: landscaping with native plants, runoff retention, and bird-friendly fenestration. These recommendations have been incorporated into the CDP Conditions of Approval.

14. County Department comments and conditions were received from the Departments of Public Works, Fire, and Public Health:
  - The Department of Public Works, in its letter dated April 28, 2016, recommends approval of the Project and requires conditions regarding drainage, grading, and water supply.
  - The Fire Department, in its letter dated March 14, 2016, recommends approval of the Project.
  - The Department of Public Health, in its letter dated April 28, 2016, recommends approval of the Project.
15. The Project qualifies for a Categorical Exemption (Class 3 – New Construction or the Conversion of Small Structures) under the California Environmental Quality Act (CEQA) and the County environmental guidelines.
16. Pursuant to the provisions of Sections 22.44.970 and 22.44.990 of the County Code, the community was appropriately notified of a Public Hearing by mail, newspaper, property posting, and on the Department's website. Newspaper notices were published on May 5, 2016 and May 12, 2016 in the Malibu Times. Notices to property owners located within a 1,000-foot radius of the property boundaries were mailed on May 2, 2015. Notices were posted on the subject property on May 5, 2016 and were made available on the Department's website.
17. [Summarize events of June 7, 2016 public hearing]
18. The Project is subject to the policies of the Santa Monica Mountains Land Use Plan (LUP), The Hearing Officer finds the Project to be consistent and supportive of the applicable goals and policies contained in the LUP.
19. The Project was analyzed for consistency with the LUP's allowable land uses. The subject property is located within the RL20 (Rural Land 20) land use category of the LUP, a component of the Los Angeles County General Plan ("General Plan"). Therefore, the Project is also consistent with the General Plan.
20. The project is consistent with the overriding goals of the LCP, including protecting, maintaining, and when feasible, enhancing and restoring habitat. The Project is located within a disturbed area of H3 habitat, with fuel modification of approximately 0.5 acres of H2 habitat. No H1 habitat will be impacted by this project.

21. The Hearing Officer further finds that the Project is compatible with the surrounding area in the unincorporated Santa Monica Mountains. The proposed residence is within an existing residential area and is compatible with the surrounding neighborhood. The proposed residence's height of 18 feet is equal to or less than the neighboring houses. The proposed residence's size of 6,840 square feet is larger than the houses immediate adjacent to the subject property, but there are several houses to the west of the subject property that are larger than the size of the proposed house, including a house within 500 feet of the subject property.
22. The Project complies with development standards of R-C-20 zone as well as the Community-Wide Development Standards and Area-Specific Development Standards sections of the LIP. A single-family residence is allowed as the principal permitted use in the R-C-20 zone. The permittee has requested the minor CDP for the above-mentioned development allowed in this zone.
23. The Project is consistent with the LCP's resource projection goals and policies because it is located within a disturbed area of H3 habitat, with fuel modification of approximately 0.5 acres of H2 habitat. No H1 habitat will be impacted by this Project, and no trees will be removed as part of this Project. Therefore, the project minimizes adverse effects to nearby sensitive environmental resources.
24. The Hearing Officer finds that pursuant to the provisions of Sections 22.44.970 and 22.44.990 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, and property posting.
25. The Hearing Officer finds that the Project conditions are consistent with applicable provisions of Section 22.44.1010 of the County Code.
26. The Hearing Officer finds that the Project site is located at 24604 Mulholland Highway, an improved highway. The Hearing Officer further finds that existing utility and water service providers and public safety agencies will have the capacity to serve the Project without any significant burden and without creating deficiencies in service to adjacent residential areas.
27. The Hearing Officer finds that Project impacts to the environment and the community are limited by clustering the fuel modification of the proposed residence with those of surrounding residences.
28. The Hearing Officer finds that the proposed grading and engineering for the Project will ensure public safety during Project construction and operation because the Project Site is not located in a landslide zone or a liquefaction zone.
29. The Hearing Officer finds that the Project's design includes features to maximize fire safety. The Project will implement a fuel modification plan to minimize the risks of wildfires, establish buffer zones around the proposed structure, dictate the types of vegetation allowed within the buffer zone, and include requirements regarding

the removal of brush. Furthermore, all structures within the Project site will be located along paved, all-weather and accessible driveways, including a Fire Department Turnaround, to allow easier access by fire fighting vehicles.

30. The Hearing Officer finds that the Project will comply with County development standards, including development standards in the LIP related to vegetation management and landscaping, height, grading, exterior lighting, yards, walls, fences, parking and loading facilities, construction colors and, materials, and design, visual resource protection, biological resource protection policies and provisions, and other development features. Project landscaping will be required to comply with the requirements of the LIP and the County's drought-tolerant landscaping ordinances.
31. The Hearing Officer finds that the Project Site, at 1.64 acres, is more than adequate to accommodate the Project structures and any yards, walls, fences, parking, landscaping, and other development features needed for the Project.
32. The Hearing Officer finds that the Project's proposed three covered spaces will be sufficient to address the needs of the Project.
33. The Hearing Officer finds that the LCP's Biological Resources Map shall be modified within the vicinity of the Project Site to account for the fuel modification of approximately 0.5 acres of H2 habitat. This habitat area shall now correctly be classified as H3 habitat.
34. The Hearing Officer finds the Project Site is not within a landslide zone, liquefaction zone, or FEMA flood zone. The Project, as proposed, will neither be subject to nor increase instability on or off the subject site and has been engineered to ensure structural integrity from geologic, flood, or fire hazards through project design and location. There are no alternatives that would avoid or substantially lessen impacts on site stability or structural integrity. The Project Site is within a very high fire hazard severity zone, but the existing fuel modification and brush clearance being conducted on the site mitigates this risk.
35. The Hearing Officer finds that the project, as proposed, is the least environmentally damaging alternative, and that the Project is consistent with the sensitive resource protection policies contained in the LUP. There are no other alternative locations that would result in less damage to native habitat.
36. 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 Special Projects Section, Department of Regional Planning.

**BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:**

- A. The proposed use with the attached conditions will be consistent with the adopted Santa Monica Mountains Local Coastal Program and the General Plan and that the proposed uses are not located between the nearest public road and the sea or shoreline of any body of water located within the Coastal Zone.
- 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 the LIP, or as is otherwise required to integrate said use with the uses in the surrounding area.
- D. The proposed site contains adequate parking on-site for the Project; 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.
- E. The proposed uses will not adversely affect identified biological resources and would conform with the biological resource protection policies and provisions of the LCP.

**THEREFORE, THE REGIONAL PLANNING COMMISSION:**

1. Approves Coastal Development Permit No. 201500030, subject to the attached conditions.

**ACTION DATE: June 7, 2016**

**JSH  
5/26/16**

**c: Hearing Officer, Zoning Enforcement, Building and Safety**

**DRAFT CONDITIONS OF APPROVAL  
COUNTY OF LOS ANGELES  
PROJECT NO. R2015-00871-(3)  
COASTAL DEVELOPMENT PERMIT NO. 2015000043**

**PROJECT DESCRIPTION**

The project is the construction of a proposed 6,840 square foot, 18-foot tall, one-story single-family residence with attached three-car garage, pool, septic system, driveway, required Fire Department turnaround, and 3,450 cubic yards ("CY") of grading, 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. 8, and until all required monies have been paid pursuant to Condition No. 11. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 6, and 10 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 Los Angeles County Code ("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. Assumption of Risk, Waiver of Liability and Indemnity. By acceptance of this permit, the permittee acknowledges and agree (i) that the site may be subject to hazards from wildfire and erosion; (ii) to assume the risks to the applicants and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the County, its officers, agents, and employees

for injury or damage from such hazards; and (iv) to indemnify and hold harmless the County, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

6. 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.

7. 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.
8. 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.
9. Prior to the issuance of a Coastal Development Permit, the applicant shall submit to the Director for review and approval documentation demonstrating that, after the Coastal Development Permit was issued and implemented, with all special conditions of that permit satisfied so that the reconfiguration of the lots is final, the applicant executed and recorded against the parcel governed by this permit a deed restriction, as it existed at the time of recordation, in a form and content acceptable to the Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal

description of the entire parcel or parcels governed by this permit, consistent with 22.44.1270 (Lighting), 22.44.1920(E) (Lighting), 22.44.1920(I) (Future Improvements), 22.44.1920(J) (Open Space Requirements), and 22.44.1950 (Mitigation).

10. 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. (Delete if doesn't apply) In the case of a non-profit corporation organized to provide low-income housing for the poor or elderly, an additional one-year grant may be requested provided that an application requesting such extension is filed prior to the expiration of the first such extension.
11. 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 **\$400.00**. 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 **two 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.
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, **three copies of a modified Exhibit "A"** shall be submitted to Regional Planning by **August 7, 2016**.
18. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three 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. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Director.

#### **PERMIT SPECIFIC CONDITIONS – COASTAL DEVELOPMENT PERMIT**

20. A Low Impact Development (LID) Plan as part of the drainage concept is required. Per County Code Section 12.84.460, comply with LID requirements and provide calculations in accordance with the Low Impact Development Standards Manual which can be found at <http://dpw.lacounty.gov/idd/web/>.
21. Structural Appearance. The permittee shall comply with and remain in substantial conformance with the color palette and material specifications as outlined in Section 22.44.1320 of the County Code and as approved by the this permit. The palette shall include the colors proposed for the roofs, trims, exterior surfaces, driveways, retaining walls, and other structures authorized by this permit. Acceptable colors shall be limited to colors compatible with the surrounding environment (earth tones) including shades of green, brown and gray with no white

or light shades and no bright tones. All windows shall be comprised of non-glare glass. The approved structures shall be colored with only the colors and window materials authorized pursuant to this special condition. Any substantial changes in the proposed structural appearance may be required to obtain amendment(s) to the permit(s) or new Coastal Development Permit(s).

22. **Lighting Restriction.** The permittee shall comply with the provisions for Exterior Lighting as outlined in Section 22.44.1270 of the County Code.
23. **Future Development Restriction.** This permit is only for the development described in this Coastal Development Permit. Pursuant to Title 14 California Code of Regulations section 13250(b)(6), the exemptions otherwise provided in Public Resources Code section 30610(a) shall not apply to the development governed by this Coastal Development Permit. Accordingly, any future structures, future improvements, or change of use to the permitted structures authorized by this permit, including but not limited to, any grading, clearing or other disturbance of vegetation other than as provided for in the approved landscape plan prepared pursuant to **Special Condition 5, Landscaping and Fuel Modification Plans**, shall require an amendment to this Coastal Development Permit from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.
24. **Habitat Impact Mitigation.** The applicant shall submit, for the review and approval of the Director, a map delineating all areas of H1, H2-High Scrutiny, and H2 SERAs, as well as all H1 buffer areas, that will be disturbed by the proposed development, including fuel modification and brush clearance requirements on the project site and adjacent property. The habitat areas on the site and adjacent property shall be delineated on a detailed map, to scale, illustrating the subject parcel boundaries and, if the fuel modification/brush clearance zones extend onto adjacent property, adjacent parcel boundaries. The delineation map shall indicate the total acreage for all habitat areas, both on and offsite that will be impacted by the proposed development, including the fuel modification/brush, pursuant to Section 22.44.1950.
25. **Removal of Vegetation.** Removal of natural vegetation for the purpose of fuel modification within the 50 foot zone surrounding the proposed structure(s) shall not commence until the local government has issued a building or grading permit for the development approved pursuant to this permit. Vegetation thinning within the 50-200 foot fuel modification zone shall not occur until commencement of construction of the structure(s) approved pursuant to this permit.
26. **Pool and Spa Drainage and Maintenance.** By acceptance of this permit, the applicant agrees to install a no chlorine or low chlorine purification system and agrees to maintain proper pool water pH, calcium and alkalinity balance to ensure any runoff or drainage from the pool or spa will not include excessive amounts of chemicals that may adversely affect water quality or environmentally sensitive habitat areas. In addition, the applicant agrees not to discharge chlorinated or non-

chlorinated pool water into a street, storm drain, creek, canyon drainage channel, or other location where it could enter receiving waters.

27. **Habitat Mitigation and Monitoring Plan.** Prior to issuance of the Coastal Development Permit, the applicant shall submit, for the review and approval of the Director, two (2) sets of a revised Habitat Mitigation and Monitoring Plan (HMMP), consistent with Section 22.44.1950.
28. **Archaeological Resources.** By acceptance of this permit the applicant agrees to have a qualified archaeologist(s) and appropriate Native American consultant(s) present on-site during all grading, excavation and site preparation that involve earth moving operations. The number of monitors shall be adequate to observe the activities of each piece of active earth moving equipment. Specifically, the earth moving operations on the project site shall be controlled and monitored by an archaeologist(s) for the purpose of locating, recording, and collecting any archaeological materials. In the event that an area of intact buried cultural deposits are discovered during operations, grading work in this area shall be halted and an appropriate data recovery strategy shall be developed by the applicant's archaeologist and the Native American consultant and implemented subject to the review and approval of the Director.

#### **PROJECT SITE SPECIFIC CONDITIONS**

29. This grant shall authorize the the construction of a proposed 6,840 square foot, 18-foot tall, one-story single-family residence with attached three-car garage, pool, septic system, driveway, required Fire Department turnaround, and 3,450 CY of grading.
30. The permittee shall comply with all conditions set forth in the attached County Department of Public Works letter dated April 28, 2016, County Fire Department letter dated March 14, 2016, and County Department of Health letter dated April 28, 2016.
31. Fuel modification shall be accomplished using had tools only to promote native plants.
32. The permittee shall submit a Revised Exhibit "A" to Regional Planning so that staff can review the permittee's revised landscape plan. The landscape plan shall show all locally native plants of the Santa Monica Mountains appropriate for the fuel modification specifications of County Fire.
33. Once the Revised Exhibit "A" landscape plan is approved by Regional Planning, the permittee shall submit a revised Fuel Modification Plan to the Fire Department for final review. This is required since the house layout has changed since the last Fire Department review of the Fuel Modification Plan.

34. The applicant shall submit a Revised Exhibit "A" to Regional Planning with detailed information regarding the windows of the proposed residence. Glass used within the Project's windows shall be the least reflective and/or have frit patterns that will promote energy conservation and also prevent bird strikes when the bird mistakes a reflection of habitat for available flight space.

**Attachments:**

Department of Public Works letter dated April 28, 2016

Fire Department letter dated March 14, 2016

Department of Health letter dated April 28, 2016.

Nesting Birds: Guide to Bird-Friendly Tree and Shrub Trimming and Removal



GAIL FARBER, Director

**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>

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

April 28, 2016

IN REPLY PLEASE  
REFER TO FILE: LD-2

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

Attention Joshua Huntington

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

**COASTAL DEVELOPMENT PERMIT (CDP) NO. 201500043**  
**PROJECT NO. R2015-00871**  
**24604 MULHOLLAND HIGHWAY**  
**ASSESSOR'S MAP BOOK NO. 4455, PAGE 42, PARCEL NO. 15**  
**UNINCORPORATED COUNTY AREA OF MALIBU**

Thank you for the opportunity to review the site plan and zoning permit application for the project located at 24604 Mulholland Highway in the unincorporated County area of Malibu. The applicant is requesting authorization for a CDP to allow the construction and use of a 7,151.5-square-foot, 2-story, single-family residence. The proposed project will require 3,450 cubic yards of grading.

- 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:

**Drainage/Grading**

1. Submit a grading plan to Public Works for review and approval. The drainage and grading plans must provide for the proper distribution of drainage and for contributory drainage from adjoining properties by eliminating any street overflow, ponding, and high-velocity scouring action to protect the adjacent lots. The plans need to call out the construction of at least all drainage devices and details and paved driveways; elevation of all pads, water quality devices, Low-Impact Development (LID) features; and any existing easements. Additionally, the applicant is required to obtain the necessary easement holder's approval for the proposed work.
2. Comply with the National Pollutant Discharge Elimination System, Storm Water Management Plan, and Water Quality requirements.
3. Per County Code Sections 12.84.440 and 12.84.460, comply with LID standards in accordance with the LID Standards Manual, which can be found at <http://dpw.lacounty.gov/idd/lib/fp/Hydrology/Low%20Impact%20Development%20Standards%20Manual.pdf> .
4. Provide a maintenance agreement/covenant for any privately maintained drainage devices.
5. An off-site drainage acceptance covenant will be required for any alteration and/or concentration of tributary flows from off-site properties.
6. Obtain soil/geology approval of the drainage/grading plan from Public Works' Geotechnical and Materials Engineering Division.
7. Comply with Public Health's setback requirements for the proposed septic system from any structure.
8. Provide permits and/or letters of non-jurisdiction from all applicable State and Federal agencies. These agencies include the State of California Regional Water Quality Control Board and the Department of Fish and Wildlife.

Mi Kim  
April 28, 2016  
Page 3

9. Provide legal access including all associated easements and respective document numbers that allow for the proposed off-site driveway and associated grading.

For questions regarding the drainage/grading conditions, please contact Rachelle Burke of Public Works' Building and Safety Division at (818) 880-4150 or [rburke@dpw.lacounty.gov](mailto:rburke@dpw.lacounty.gov).

### **Water Supply**

1. Comply with all of the requirements stipulated by the local water purveyor. The attached Will Serve letter issued by La Virgenes Municipal Water District will expire on November 5, 2016. It shall be the sole responsibility of the applicant to renew the aforementioned Will Serve letter upon expiration and abide by all requirements of the water purveyor.

For questions regarding the water supply condition, please contact Tony Khalkhali of Public Works' Land Development Division at (626) 458-4921 or [tkhalkhal@dpw.lacounty.gov](mailto:tkhalkhal@dpw.lacounty.gov).

If you have any other questions or require additional information, please contact Matthew Dubiel of Public Works' Land Development Division at (626) 458-4921 or [mdubiel@dpw.lacounty.gov](mailto:mdubiel@dpw.lacounty.gov).

MD:tb

P:\dpub\SUBPCHECK\Plan\Single\24604 Mutholland hwy\TCDP 201500043\16-3-14 TCDP 201500043 SUB\16-4-14 TCDP 201500043 DPW Rec. Conditions.docx



Dedicated to Providing Quality  
Water & Wastewater Service

**OFFICERS**

President

**Glen D. Peterson**  
Director, Division 2  
MWD Representative

Vice President

**Lee Renger**  
Director, Division 3

Secretary

**Charles P. Caspary**  
Director, Division 1

Treasurer

**Jay Lewitt**  
Director, Division 5

**Leonard E. Polan**  
Director, Division 4

**David W. Pedersen, P. E.**  
General Manager

**Wayne K. Lemieux**  
Counsel

HEADQUARTERS  
4232 Las Virgenes Road  
Calabasas, CA 91302  
(818) 251-2100  
Fax (818) 251-2109

WESTLAKE  
FILTRATION PLANT  
(818) 251-2370  
Fax (818) 251-2379

TAPIA WATER  
RECLAMATION FACILITY  
(818) 251-2300  
Fax (818) 251-2309

RANCHO LAS VIRGENES  
COMPOSTING FACILITY  
(818) 251-2340  
Fax (818) 251-2349

[www.LVMWD.com](http://www.LVMWD.com)

MEMBER AGENCY OF THE  
METROPOLITAN WATER  
DISTRICT  
OF SOUTHERN CALIFORNIA

November 5, 2015

**CONDITIONAL STATEMENT OF WATER SERVICE**

TO WHOM IT MAY CONCERN:

**SUBJECT: 24604 Mulholland Hwy  
Calabasas CA, 91302  
APN: 4455-042-015**

This is to advise you that the water system for the subject property will be operated by Las Virgenes Municipal Water District (LVMWD).

This project will be assured of connection to the water system of the district only if the proponent satisfies all terms and conditions for service as set forth in the district's Code.

Sincerely,

**Doug Barrow**  
Civil Engineering Assistant.









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

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

**ANGELO J. BELLOMO, REHS, QEP**  
Deputy Director for Health Protection

**TERRI S. WILLIAMS, REHS**  
Acting Director of Environmental Health

5050 Commerce Drive  
Baldwin Park, California 91706  
TEL (626) 430-5100 • FAX (626) 813-3000

[www.publichealth.lacounty.gov](http://www.publichealth.lacounty.gov)

**BOARD OF SUPERVISORS**

**Hilda L. Solis**  
First District

**Mark Ridley-Thomas**  
Second District

**Shella Kuehl**  
Third District

**Don Knabe**  
Fourth District

**Michael D. Antonovich**  
Fifth District

April 28, 2016

**TO:** Joshua Huntington  
Principal Regional Planning Assistant  
Department of Regional Planning

**FROM:** Michelle Tsiebos, REHS, DPA  
Environmental Health Division  
Department of Public Health

M.T.

**SUBJECT: CDP CONSULTATION  
PROJECT NO. R2015-00871/ RCDP 201500043  
Single Family Residence  
24604 Mulholland Hwy, Calabasas**

- Public Health recommends approval of this CDP.
- Public Health does NOT recommend approval of this CDP.

The Department of Public Health has reviewed the information provided for the project identified above. The Coastal Development Permit (CDP) is for the proposed construction of a Single Family Residence. The Department recommends approval of the CDP.

**Potable Water Supply**

**The Drinking Water Program recommends approval of this CDP.**

The project will be served by a public water system (Las Virgenes Municipal Water District). The applicant has submitted a current will serve letter from the water purveyor to this Department ensuring the availability of a potable water supply for the project.

**Wastewater Disposal**

**The Land Use Program recommends approval of this CDP.**

The applicant has submitted an update to the report dated November 1, 2013 issued by Miller Geosciences, Inc. along with current site and floor plans. The conceptual approval issued by the Land Use program dated February 21, 2014 has been extended on April 27, 2016 for another year.

For question regarding the above section, please contact Michelle Tsiebos or Vicente Banada at (626) 430-5380 or at [mtsiebos@ph.lacounty.gov](mailto:mtsiebos@ph.lacounty.gov) and [ybanada@ph.lacounty.gov](mailto:ybanada@ph.lacounty.gov).

**Noise**

The applicant shall adhere to the requirements of the Los Angeles County Noise Control Ordinance, as contained in Chapter 12.08 of the Los Angeles County Code, Title 12 for construction purposes.

For question regarding the above section, please contact Evenor Masis or Robert Vasquez at (213) 738-3220 or at [emasis@ph.lacounty.gov](mailto:emasis@ph.lacounty.gov) and [rvasquez@ph.lacounty.gov](mailto:rvasquez@ph.lacounty.gov).

For any other questions regarding this report, please contact me at (626) 430-5380 or at [mtsiebos@ph.lacounty.gov](mailto:mtsiebos@ph.lacounty.gov).

### **Burden of Proof**

Although the subject site is located in a rural area characterized by expansive, naturally vegetated mountains and hillsides, in a radius of about 700 feet there are about 20 existing single-family residences located to the west, north, and northeast of the project site. According to The LUP C-125 "Scenic Resource Areas do not include areas that are largely developed such as existing, predominantly built-out residential subdivisions." The project is on a parcel, designated as RL10 (Rural Lands 10) These lands tend to be located near other established clusters of estate-size residential development. Areas with this category include development along Mulholland Highway, Decker Road, and near the community of Fernwood.

The new development is located within, contiguous with, and in close proximity to, existing developed areas. With adequate public services and it will not have significant adverse effects, either individually or cumulatively, on coastal resources. The structure is sited to minimize significant disruption of habitat values, and will preserve the openness and scenic beauty of the area's natural environment.

The development on the parcel is clustered and concentrated in one building site area that conforms to 10,000 square feet.

The structure will be finished in a color consistent with the surrounding landscape, and windows will be made of non-reflective glass.

The building will be constructed so as to comply with the Universal Building Code limit for interior noise of 45 dB CNEL. The new development will limit exterior lighting, except when needed for safety, and will use best available Dark Skies technology to minimize sky glow and light trespass, thereby preserving the visibility of a natural night sky and stars and minimizing disruption of wild animal behavior, to the extent consistent with public safety.

The proposed development has an adequate water supplies served by Las Virgenes Municipal Water District (LVMWD), and private septic for sewage.

The development will minimize the apparent size of exterior wall surfaces visible from off-site by using landscaping, and the neutral resources of the site.

Biological Resources Map of the SMM LCP has designated the vast majority of the parcel as H3, H2, and buffer area. H3 and buffer zones do not constitute environmentally sensitive habitat areas.

The development will be on H3 and some H2 eras and will keep the 200feet from H1 eras.

See Vegetation Map and Photo Points.

Historically, residential development has been granted on parcels designated as H2, given the development area was less than 10,000 SF (as this development is). This parcel does not include any scenic resources or native trees. According to the SMM LCP One Stop meeting (held on 11.19.14), the "proposed development may be exempt from CEQA review".

The vast majority of the planned developed area and approximately half of the undeveloped area consist of non-native grassland. The remaining portion of the parcel, which will not be developed) consists mainly of mixed chaparral. The planned development aims ensure the stability and geologic safety of the proposed project, the project site, and the adjacent properties. See Fuel Modification Zones.



**MINUTES OF THE ENVIRONMENTAL REVIEW BOARD (ERB)  
Unincorporated Coastal Zone, Santa Monica Mountains, Los Angeles County  
Meeting of 19 October 2015**

(Approved, 25 January 2016)

**Persons in Attendance**

**ERB Members**

Rosi Dagit  
Ron Durbin  
Margot Griswold, Ph.D.  
David Magney  
Andrew Nickerson  
Katherine Pease, Ph.D.

**Regional Planning Staff**

Adrine Arakelian, Planner  
Joseph Decruyenaere, Biologist  
Joshua Huntington, Planner  
Shirley Imsand, Ph.D, Biologist  
Marie Pavlovic, Planner, ERB Coordinator

**Mouzaya SFR Project, R2015-01161, 22390 Swenson Drive, Topanga**

Bruce Bolander  
Charisse Mouzaya  
Youssef Mouzaya  
Jackie Bowland Worden

**Zanzuri SFR Project, R2015-00871, RCDP 201500043, RENV 201500069, Calabasas**

Andrew Forde  
Zeev Zanzuri

**Public**

Dyan Hofflander

**Pagination**

**Mouzaya SFR Project, R2015-01161, 22390 Swenson Drive, Topanga, p.2**  
**Zanzuri SFR Project, R2015-00871, RCDP 201500043, RENV 201500069, Calabasas, p.4**

Bold type indicates ERB comments or recommendations.

---

**MINUTES**

**ANNOUNCEMENTS**

There was a query about changing the day of the meeting in order to retain the venue of Room 1385. Two members were unable to attend a Thursday meeting day. In January 2016 meetings will move to the commission hearing room in Room 150, and the meeting time of the third Monday of the month will continue. The record will be of the members during discussion and not of the materials as they are discussed. The advantage is transparency through the video record of members during discussion, which will be posted on the webpage for public review. The disadvantages are that there is no space to record discussion as the committee reviews maps and similar plans around a common table, and the video record will no longer be of the materials as they are discussed. The display of materials will be behind the members, who will be seated in the commission chairs.

---

Hard copies of the Santa Monica Mountains Local Coastal Use Plan and Local Implementation Plan were distributed to the members who were absent at the last meeting.

Draft copies of advice to biologists on reports for ERB review were handed out.

### **OLD BUSINESS**

- A. Minutes of 21 September 2015 meeting were approved.**  
Motion to approve: Ron Durbin, 2<sup>nd</sup> Katherine Pease, Ayes: Unanimous

### **NEW BUSINESS**

**B. Mouzaya Single Family Residence, Topanga**

**Project No. R2015-01161**  
**Permit No. RCDP201500052**  
**APN: 4448-023-011**  
**Location: 22390 Swenson Drive, Las Flores Watershed**  
**Planner: Adrine Arakelian**  
**Applicant: Bruce Bolander Architect**  
**Biologist: Jacqueline Worden, Impact Sciences**  
**USGS Quad: Malibu Beach**

**Proposal:** A Coastal Development Permit request to construct a 3016 SF (1708 SF lower level, 1308 SF upper level) single family residence with 400 SF attached garage. The height of the single family residence will be 26 feet. There will also be a new fire department turnaround, onsite wastewater treatment system, draft hydrant, and water tanks on site. The 3.17 acre land (APN 4448-023-011) is located on 22390 Swenson Drive, Topanga, CA. The proposed development is located within areas that are mapped H3 habitat and within 200 feet of mapped H2 habitat to the northwest, northeast, and southeast of the property. The new fuel modification zone will overlap with existing neighboring fuel modification zones to the north, south, and southeast.

**Biological Resources:** The project parcel is entirely in the H3 habitat category, but has possible elements of H1 (grassland and rock outcrops), elements of H2, and sub-drainages that have signs of wildlife use for movement. A substantial flow is indicated by a 2-ft. diameter culvert in the southeastern corner of the driveway junction with Swenson Drive. The drainages feed to Little Las Flores and are part of the Las Flores Canyon watershed. The project appears to have generalized rainwater flow across the mutual driveway with 22380 Swenson into the lowest elevation of the parcel, across and through rock slab crevices with lichen encrustation and potential for bryophytes. The house is to be located in a grassland area next to the driveway. As yet there has been no springtime assessment of the potential sensitive H1-type habitat elements within the H3 mapped area. The landscape plan has a conceptual plan with *Agave attenuata* and coast live-oaks approved by County Fire (but not Dept. of Regional Planning) and a more detailed landscape plan with no locally native plants. Fuel modification will extend into new areas of H2 habitat and is partially overlain by fuel modification for houses to the east and south (Fig.5 of Biological Assessment). Santa Monica Mountains Conservancy land is 670-ft. to the west. The grassland was not analyzed in spring, so the relative cover of native grasses and forbs is not known, and sensitivity cannot be determined. The evident native cover was chiefly forbs. The objective for ERB will be to have sensitive elements in the H3 habitat identified, and recommend house siting to most avoid the sensitive elements.

**Project request:** Analyze the biological report for sufficiency, and analyze the project plan for least impact to biological resources and consistency with the 2014\_Santa Monica Mountains Local Coastal Program (SMM LCP). Provide recommendations to be used as guidelines for the Director's Review, which will also require a Coastal Development Permit (CDP). This is part of necessary environmental review of the project under the California Environmental Quality Act (CEQA). Projects normally exempt from CEQA are subject to environmental review when in sensitive locations [PRC §15300.2(a)].

**Applicant presentation:** Fuel modification is already partially overlaid by fuel mod of 3 existing structures. The house site is as far as possible from the rock outcrop area and in the least environmentally sensitive area. Moving the site south into the chaparral would necessitate a longer driveway. The grassland would then be in fuel modification and still have some of the driveway. Moving the house to the west would impact more of the grassland area. The house will be located in 0.6 acres not currently in fuel modification. The house has an elongate design due to topography and to have the best arrangement to daylight the house. Moving to the east would necessitate elongation of the driveway to 1000-ft. and more retaining walls because of the steep aspect in that area.

**ERB COMMENTS:**

- 1. This project illustrates the principle that all development will be removing some habitat or habitat function, often causing fragmentation for remaining habitat.
- 2. ERB appreciates that the house is a modest design and size for the property.
- 3. A spring survey would be needed to properly assess the grassland for native vs. non-native cover.
- 4. To minimize impacts, the house footprint could be made smaller, but the house site seems best for the proposed structure.
- 5. The County Fire ERB member stated that in this site, 200-ft. fuel modification will be required.
- 6. The approved landscape has a native oak and a non-native agave. The detailed landscape has to still go to County Fire for approval.
- 7. Least damaging impacts would be thinning or removal of the *Ceanothus* spp. in the chaparral areas.
- 8. Joseph Decruyenaere stated he would be sending the biologist his data on Santa Susana tarplant in the vicinity rock outcrops, so that she could be aware of its possibility on future project biological studies.

**ERB RECOMMENDATIONS:**

1. The landscape plan should use all locally native plants because of its position near the head of the Las Flores Watershed. The planting plan should be revised to have locally native plants compatible with fuel modification zone requirements. Agaves should have a substitute.

Approval: Recommendation/2nd: Rosi Dagit/Ron Durbin, Ayes: Unanimous

2. Move the structure to have it be 50-ft. from the property line and incorporate more of the fuel modification on the applicant's parcel.

Approval: Recommendation/2nd: Ron Durbin/David Magney, Ayes: Unanimous

3. Springtime/summertime surveys should be done to design grading to miss bloom times and fuel modification to miss bloom times of sensitive elements that remain. This will also detect endangered species, for which plan may need to be redesigned. *Navarettia ojalensis* is a possibility on this site.

Approval: Recommendation/2nd: David Magney/Margot Griswold, Ayes: Unanimous

4. The house should employ capture of rainfall in cisterns to use for fire-fighting, which will make the house safer.

Approval: Recommendation/2nd: Rosi Dagit/David Magney, Ayes: Unanimous

5. Glass should be least reflective and/or have frit patterns that will promote energy conservation and also prevent bird strikes when the bird mistakes a reflection of habitat for available flight space.

Approval: Recommendation/2nd: Rosi Dagit/Andrew Nickerson, Ayes: Unanimous

6. Minimize irrigation to prevent incursion of Argentine ants into the natural areas of the project space. Use of native plants will facilitate this. Use no irrigation beyond 100-ft. from structures. Minimize irrigation in Zone B, 20-100-ft. from structures

Approval: Recommendation/2nd: Rosi Dagit/Margot Griswold, Ayes: Unanimous

7. The biological report is adequate for the LIP requirements after supplement with the results of the springtime/summertime surveys.

Approval: Recommendation/2nd: David Magney/Margot Griswold, Ayes: Unanimous

8. The project is consistent with the biological resources protection policies and development standards of the Local Coastal Program and Local Implementation Program after incorporation of ERB recommendations.

Recommendation/2nd: David Magney/Ron Durbin, Ayes: Unanimous

---

ERB Evaluation:	<input type="checkbox"/> Consistent	<input checked="" type="checkbox"/> Consistent after Modifications
	<input type="checkbox"/> Inconsistent	<input type="checkbox"/> No decision

---



---

Staff Biologist Recommendation:	<input type="checkbox"/> Consistent	<input checked="" type="checkbox"/> Consistent after Modifications
	<input type="checkbox"/> Inconsistent	<input type="checkbox"/> No decision

---

### **C.Zanzuri Single Family Residence, Calabasas**

**Project No.** R2015-00871  
**Permit No.** RCDP 201500043, RENV 201500069  
**APN:** 4455-042-015  
**Location:** 24604 Mulholland Highway, Cold Canyon Watershed  
**Planner:** Joshua Huntington  
**Applicant:** Zeev Zanzuri  
**Biologist:** Andrew Forde  
**USGS Quad:** Malibu Beach

**Proposal:** A minor Coastal Development Permit request to construct a 7,151 sq.ft. house that is 31.25 feet tall (two stories). The house proposed footprint is 3,926.5 sq.ft. An 807 sq.ft. three-car garage, pool, septic system, driveway, and fire department turnaround are also proposed. The total development footprint is approximately 10,000 sq.ft. The vacant, 1.64 acre subject property is located in areas mapped as H3 and H2 habitat. The proposed development is also within the Quiet Zone buffer that results from mapped H1 habitat areas to the east and west of the proposed development. The proposed fuel modification will overlap with existing fuel modification zones which protect existing houses to the southwest, west, northwest, north, and northeast.

**Biological Resources:** The project parcel has H3 habitat category on the north and west where it has fuel modification of adjacent houses, but has a possible element of H1 (grassland) on the knoll where the house is sited. The southern part of the parcel has an H1 category drainage with riparian habitat that includes willows, a part of the Cold Canyon watershed. Much of the parcel, and in part of the house site, is mapped as H2 and is chamise-dominated chaparral. The house is to be located in a grassland area of H2. As yet there has been no springtime assessment of the potential sensitive H1-type habitat element grassland mapped as H2. The knoll area has a pebbly substrate with different plants than the nearby chaparral. The landscape plan has an approval by County Fire (but not Dept. of Regional Planning), has no locally native plants, and includes the LA County invasive plant *Pittosporum tobira*. Fuel modification will extend into new areas of H2 habitat and is partially overlain by fuel modification for houses to the north and west (Exhibit O of Biological Assessment). Mountains Recreation and Conservation Authority land is about 650-ft. to the east of the property in view of the scenic Mulholland Highway and Stokes Ridge Trail. There is a small stand of the invasive plant Tree-of-Heaven (*Ailanthus altissima*), that should be dug out including roots and taken to a landfill. There are riparian plants (*Baccharis salicifolia*, *Baccharis pilularis*) growing next to the northern neighbor's wall.

**Project request:** Analyze the biological report for sufficiency, and analyze the project plan for least impact to biological resources and consistency with the 2014 Santa Monica Mountains Local Coastal Program (SMM LCP). Provide recommendations to be used as guidelines for the Director's Review, which will also require a Coastal Development Permit (CDP). This is part of necessary environmental review of the project under the California Environmental Quality Act (CEQA). Projects normally exempt from CEQA are subject to environmental review when in sensitive locations [PRC §15300.2(a)].

**Applicant Presentation:** There is a 10-ft. easement between the neighbor's wall with the *Baccharis* spp. and the driveway pavement. This area will remain intact with paving of the driveway. The first biology report was done in spring, but addressed brush clearance only (and did not analyze biological resources such as sensitive plants). If County requires clearing the subdivision area for fuel modification, the contractor uses a tractor and disc set, whereas Mr. Zanzuri uses hand tools to preserve native plants. The neighboring parcel to the northeast is usually cleared by County. Mr. Zanzuri hired the engineer who had designed a house for the site in 1990 during review by California Coastal Commission (CCC), and siting on the knoll was determined to be the best area for the house. Administration of Coastal Development Permits changed since then, so Mr. Zanzuri is going through the development process anew with DRP with the same plans. Any repositioning of the house will result in more fuel modification and perhaps extend into unmodified H1 habitat. Grading of the knoll was originally planned, but is subsequently reduced by 5000 cu.yd. to 3100 cu.yd. The septic system is planned for the front (north) of the house, and the required future septic will be in the same area. No deed restriction for conserving natural land was required by CCC review. There is a 40-acre conservation area involved with the lots of this subdivision, and a fairly wide easement along Mulholland Drive in case it should need to be widened. House placement is constrained by Fire hammerhead and septic placement and H1 habitat. The project has a letter of release from CDFW that the stream does not have sensitive elements, and that the project will not be causing streambed impacts. Grading and construction will be delayed until completion of the spring survey and will be outside of the rainy season. The house is to have shutters on windows that can promote energy conservation. The applicant is interested in using grey water for irrigation, and possibly having a septic system that has components for this.

### **ERB COMMENTS:**

ERB Minutes, 19 October 2015, Zanzuri SFR, R2015-00871

1. ERB approves of fuel modification using hand tools to preserve native plants and communities of organisms (as Mr. Zanzuri is doing), and does not approve of removal of most biota by using tractor and disc sets.
2. ERB wants to see plant maps in the Biological Assessment using the plant alliance system of Sawyer, et al. 2009. *Manual of California Vegetation*, 2<sup>nd</sup> edition.
3. All grasslands, including non-native grasslands, have functional value to biological resources. ERB uses the term "ruderal" in the sense of "human disturbed," and grasslands may be both ruderal and have functional value.
4. The site seems highly constrained, and probably cannot observe the CA state fire restriction of 30-ft. setback from all property lines. The size seems modest and probably cannot be much smaller.
5. In case a sensitive species is encountered there are several options that can be pursued. If an endangered species is encountered, the applicant should be able to get a take permit from CDFW with performance of appropriate mitigation. One can usually obtain a deviation on required fuel modification to avoid taking a sensitive species in a location where it is known to occur For Lyon's pentachaeta (*Pentachaeta lyonii*, a small plant with yellow flowers, usually blooming March-June) one could plan to always do fuel modification at a time when the action would miss the blooms and seeds of this plant.
6. ERB recommends looking at the website of [www.oasisdesign.net](http://www.oasisdesign.net) for ideas on cisterns, water catchment, grey water, and uses of captured water.

**ERB RECOMMENDATIONS:**

1. Landscape plants need to be changed to all locally native plants of the Santa Monica Mountains appropriate for the fuel modification specifications of County Fire. Native trees on the site will need to have the lower branches ("fire ladders") pruned off.  
Approval: Recommendation/2nd: David Magney/Ron Durbin, Ayes: Unanimous
2. Observe the requirement for a spring survey prior to grading or land disturbance on the site. The planner should apply conditions appropriate to preserving any biological resource discovered by the survey.  
Approval: Recommendation/2nd: David Magney/Andrew Nickerson, Ayes: Unanimous
3. Retain as much runoff from hardscape as possible onsite using cisterns that can be tapped for both irrigation and fire fighting. An initial plan for retention of all runoff from a 3/4-in. storm is a good start.  
Approval: Recommendation/2nd: Rosie Dagit/Katherine Pease, Ayes: Unanimous
4. Glass should be least reflective and/or have frit patterns that will promote energy conservation and also prevent bird strikes when the bird mistakes a reflection of habitat for available flight space.  
Approval: Recommendation/2nd: Rosi Dagit/Margot Griswold, Ayes: Unanimous
5. The biological report is adequate for the LIP requirements after supplement with the results of the springtime/summertime surveys.  
Approval: Recommendation/2nd: David Magney/Margot Griswold, Ayes: Unanimous
6. The project is consistent with the biological resources protection policies and development standards of the Local Coastal Program and Local Implementation Program after incorporation of ERB recommendations.  
Recommendation/2nd: David Magney/Ron Durbin, Ayes: Unanimous

---

ERB Evaluation:       Consistent               Consistent after Modifications  
                                   Inconsistent               No decision

---



---

Staff Biologist               Consistent               Consistent after Modifications  
 Recommendation:               Inconsistent               No decision

---

Staff biologist additional recommendations:

Riparian plants (*Baccharis salicifolia*, *Baccharis pilulosa*) growing next to the northern neighbor's wall  
 ERB Minutes, 19 October 2015, Zanzuri SFR, R2015-00871

should be left as native landscaping when the communal driveway for other nearby parcels is constructed. Other landscaping for this setback zone should also be native plants.

The stand of the invasive plant Tree-of-Heaven (*Ailanthus altissima*) should be dug out including roots and all parts should be taken to a landfill.

Handtools are preferred for future fuel modification on the property. If discing for fuel modification is used in the future, the contractor should be required to pressure wash the underside and wheel wells of the tractor and all parts of the discing equipment before transport to the site and before discing on the property.

- D. **Public comment pursuant to Section 54954.3 of the Government Code.**  
No Public Comment was made.

**SANTA MONICA MOUNTAINS CONSERVANCY**

RAMIREZ CANYON PARK  
5750 RAMIREZ CANYON ROAD  
MALIBU, CALIFORNIA 90265  
PHONE (310) 589-3200  
FAX (310) 589-3207  
WWW.SMMC.CA.GOV



May 23, 2016

Joshua Huntington, AICP  
County of Los Angeles  
Department of Regional Planning  
320 West Temple Street  
Los Angeles, California 90012

**Coastal Development Permit No. 201500043**  
**Project No. R2015-00871-(3)**  
**Single-Family Development at 24604 Mulholland Highway**

Dear Mr. Huntington:

The Conservancy offers the following comments regarding the proposed residential development project located in the Mulholland Scenic Corridor in the Cold Creek watershed (APN 4455-042-015). The project is one of four lots in a Parcel Map that was apparently approved by the California Coastal Commission in 1990 with no houses being built to date. Did the Coastal Development Permit for the Parcel Map include any conditions that pertain to the siting and scale of the proposed house and appurtenant structures?

The subject lot is located within a designated scenic resource area so any approved house location and height should maximize the protection of public scenic resources. The subject lot is also just several feet from a public trail that was presumably required as part of the Parcel Map approval. The subject lot is also just feet away from H1 habitat in a drainage bottom as defined by the Santa Monica Mountains Local Coastal Program (LCP), which includes streams and plant communities that function as riparian habitats and as habitats for rare, threatened, or endangered species.

The application proposes a house on the southern edge of a large cleared area. The southern edge of the large cleared area is also on the high point of an onsite knoll. To avoid or reduce multiple adverse visual and biological impacts the house should not be sited on top of the knoll which is also at the highest elevation on the lot. The house should be moved 50 feet to the north to significantly reduce such impacts. The attached figure shows how moving the house 50 feet to the north eliminates 0.25 acres of permanent fuel modification in H2 habitat and a smaller portion of H1 habitat. The proposed hammerhead turnaround can remain in place because its presence does not require pushing out the fuel modification zone. Likewise the applicant's pool and yard area could be on the south side of the house because such uses also do not require pushing out the fuel modification zone.

Joshua Huntington, County of Los Angeles  
Coastal Development Permit No. 201500043  
May 23, 2016  
Page 2

### **Need to Reduce Adverse Visual Impacts to Scenic Highway and Stokes Ridge Trail**

A section of the Stokes Ridge Trail begins at Mulholland Highway just south of the subject lot. As proposed the 6,840-square-foot home would be located at the property high point approximately 100 feet in elevation above where the trail begins at Mulholland Highway. Because the proposed pad site is on top of this knoll, even with a house height limitation of 18 feet, the house would be in plain sight both from Mulholland Highway traveling in both directions and from many sections of the established public trail.

View impacts to both the trail and the scenic highway are substantial but can be reduced. Significant view impact reduction can be obtained by moving the proposed house (all habitable structures) 50 feet to the north. With the revised house plan, the knoll would partially shield the house and all of its associated lighting from both the highway and the trail.

### **Avoidable Impacts to Sensitive Biological Resources from Adjusting the House Site**

As proposed, the house would create an approximately 0.43 acre of permanent fuel modification impact zone based a 200-foot horizontal measurement. If the house is moved 50 feet northward, the permanent loss of H2 habitat and H1 habitat buffer would be reduced by approximately 0.25 acre. All of that area potentially removed from the permanent fuel modification zone is also visible from the trail and highway. So a reduction of the fuel modification impact zone reduces visual impacts too.

Because all of new proposed fuel modification—both for the current house location and a location 50 feet to the north— is within designated H2 habitat in the Malibu-Cold Creek watershed, mitigation measures 1, 2, 3, and 11 in the biological assessment dated August 27, 2015 must be incorporated as conditions of approval.

There is no certainty that a house will be built on the lot to the south (APN 4455-042-017) or where it would be located. So dismissing some of the above described potential impacts to habitat from fuel modification based on potential future development is not valid.

### **Need for Permanent Land Protection Mechanism**

Permanent protection of the remaining habitat onsite cannot be guaranteed without mitigation in the form of a conservation easement or open space deed restriction. The Conservancy recommends that the County require a permanent open space deed restriction on all portions

Joshua Huntington, County of Los Angeles  
Coastal Development Permit No. 201500043  
May 23, 2016  
Page 3

of the property located south of approved development. To provide effective habitat protection the deed restriction must include every square inch of land that is not already contained within the existing driveway easement to APN 4455-042-017 or the slope easement along Mulholland Highway.

The deed restriction must prohibit all future development, fencing, grading, walls, lighting, accessory structures, equestrian facilities, signage, non-native plants, and vineyards. The deed restriction should allow Fire Department-required fuel modification and native plant restoration.

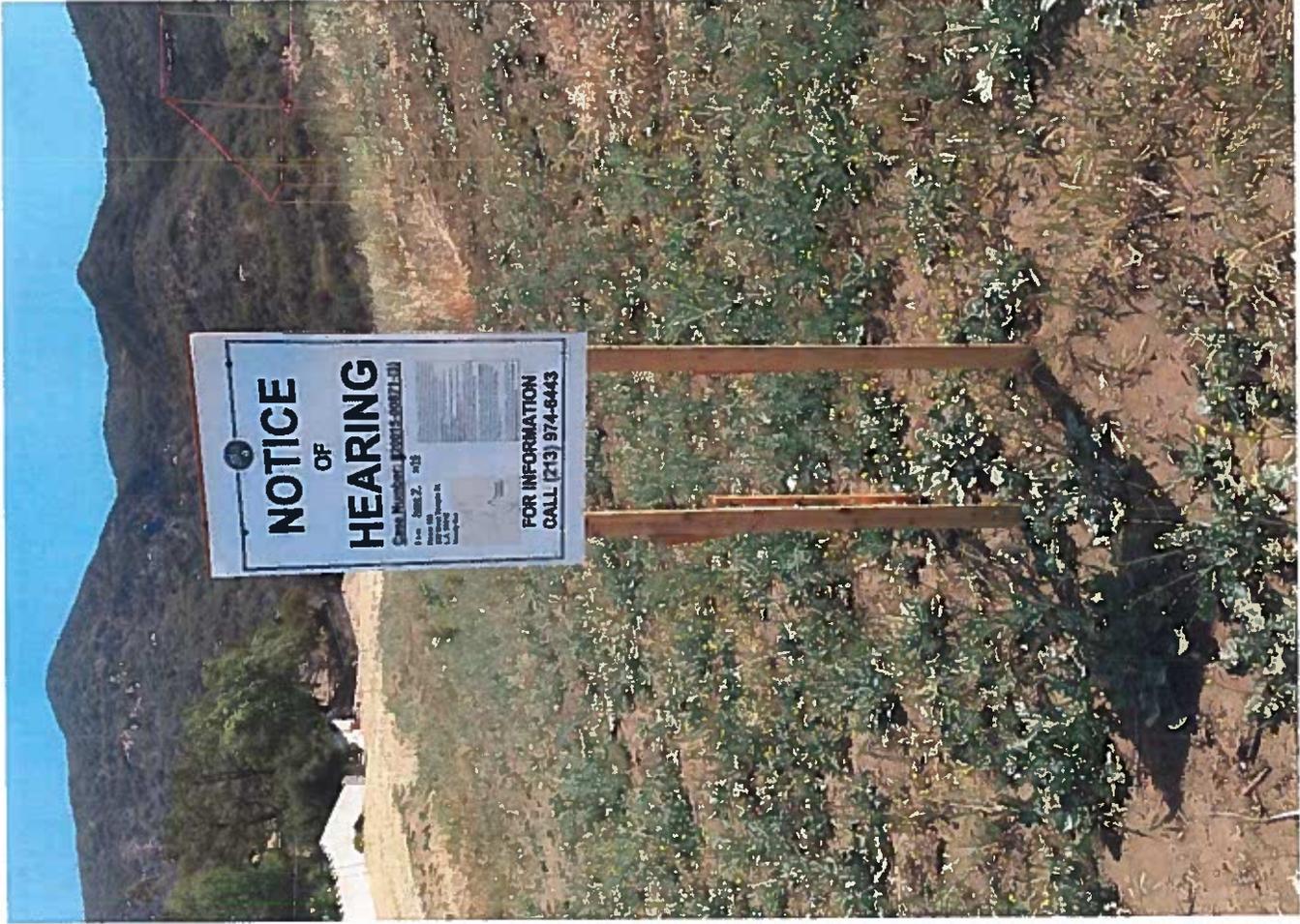
If you have any questions, please contact Paul Edelman, Deputy Director for Natural Resources and Planning, by phone at (310) 589-3200, extension 128, or by email at [edelman@smmc.ca.gov](mailto:edelman@smmc.ca.gov).

Sincerely,



IRMA MUÑOZ  
Chairperson





# LAND USE

## LAND USE 700 FOOT RADIUS MAP

Proj. R2015-00871 (3)  
RCDP 2015-00043

### Legend

- SINGLE-FAMILY RESIDENCE
- ⊙ MULTI-FAMILY RESIDENCE
- SINGLE-FAMILY RESIDENCE
- VACANT

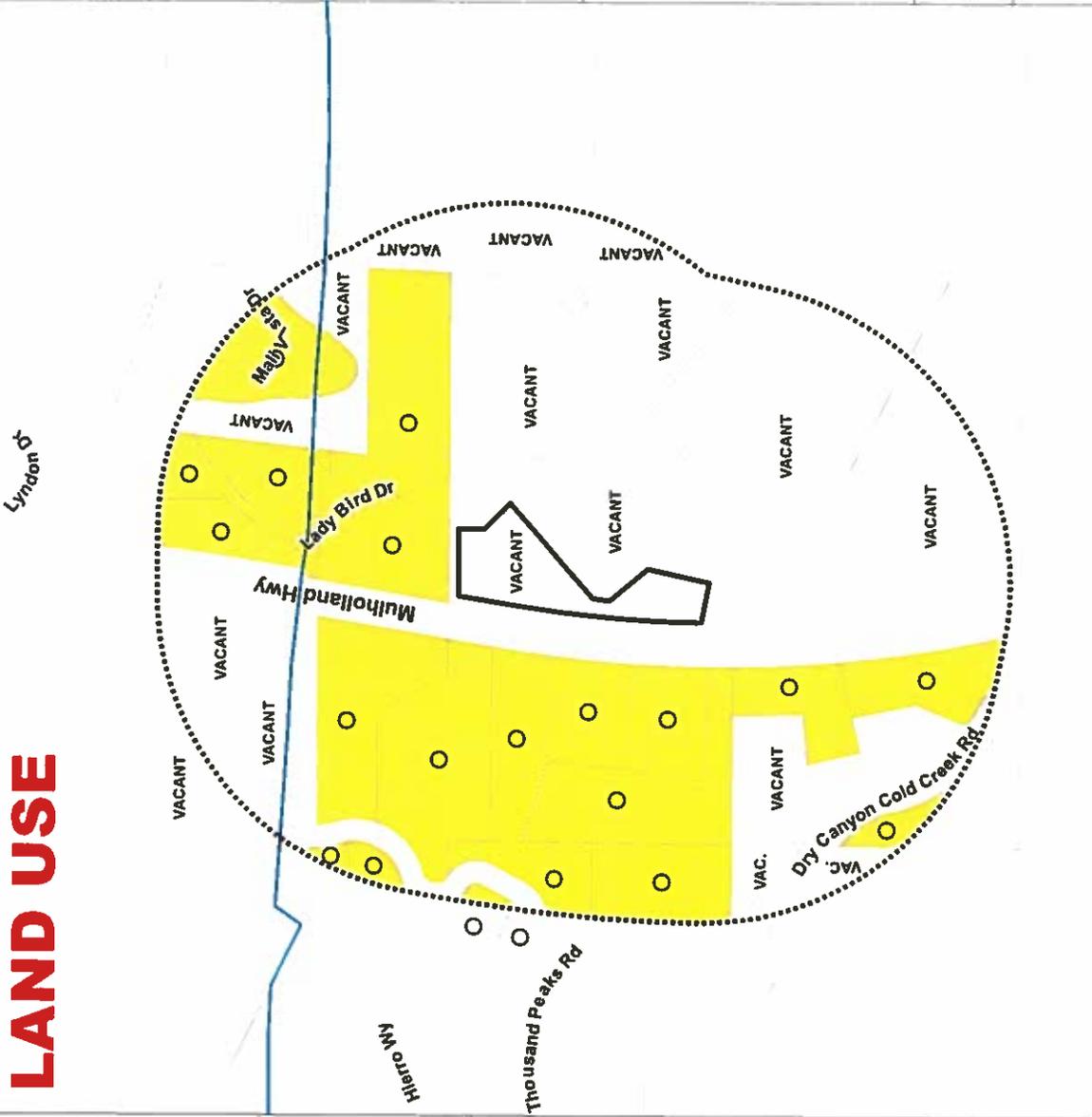
### VICINITY MAP



0 50 100 200 300 400  
Feet



LOS ANGELES COUNTY  
Department of Regional Planning  
200 W. Temple St.  
Los Angeles, CA 90012



# ZONING

## ZONING 700 FOOT RADIUS MAP Proj. R2015-00871 (3) RCDP 2015-00043

### Legend

- R-C - Rural Coastal
- A-1 - Light Agricultural

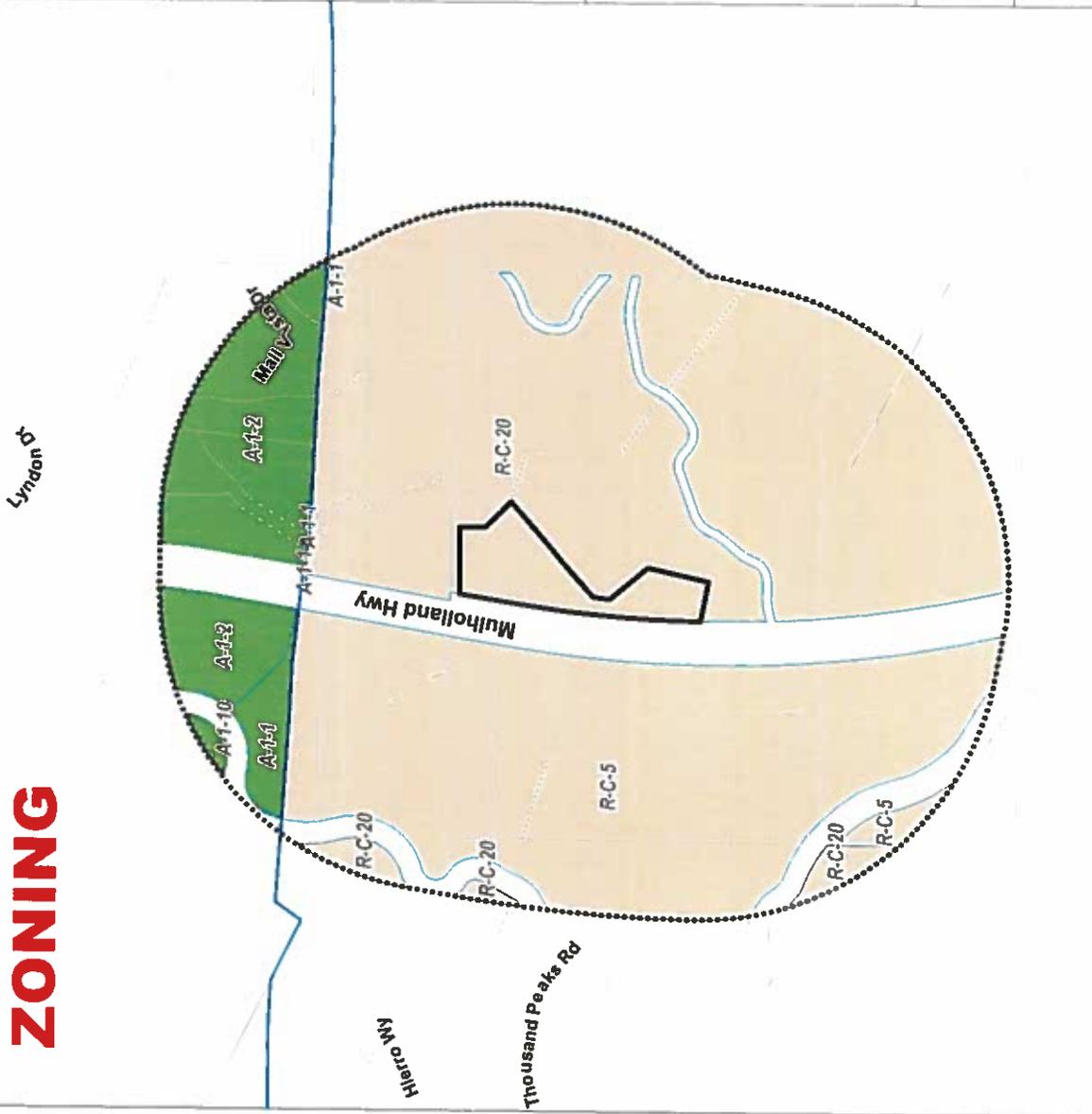
### VICINITY MAP



0 50 100 200 300 400 Feet



LOS ANGELES COUNTY  
Department of Regional Planning  
200 W. Temple St.  
Los Angeles, CA 90012





Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



Richard J. Bruckner  
Director

June 2, 2016

TO: Hearing Officer

FROM: Joshua Huntington *A54*  
Zoning Permits West Section

SUBJECT: Project No. R2015-00871-(3)  
Coastal Development Permit No. 201500043  
HO Meeting: 06/07/2016  
Agenda Item: 10

The above-mentioned item is a request to authorize to authorize construction of a proposed 6,840 square foot, 18-foot tall, one-story single-family residence with attached three-car garage, pool, septic system, driveway, required fire dept. turnaround, and 3,450 cu. yd. of grading. The project is in an existing residential area with neighboring residences to the north, west, and southwest. The proposed residence is within a scenic resource area because of its proximity to a scenic route (Mulholland Highway) and a trail (Stokes Ridge Trail). Therefore, the height of the residence is restricted to 18 feet.

Please find enclosed eight letters in opposition to the proposed project and a response from the applicant for the above referenced item, that were received subsequent to hearing package submittal to the Hearing Officer.

If you need further information, please contact Joshua Huntington at (213) 974-6462 or [jhuntington@planning.lacounty.gov](mailto:jhuntington@planning.lacounty.gov). Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

MK:JH

Enclosure(s): Correspondence

Harvey M. Shapiro  
24592 Mulholland Hwy.  
Calabasas, CA 91302

Los Angeles County Dept. Of Regional Planning  
320 W. Temple Street  
Los Angeles, CA 90012

June 7, 2016

Re: Project No. R2015-00871-(3), Coastal Development Permit No. 201500043

Dear Los Angeles County Hearing Officer:

My name is Harvey Shapiro. I own, and reside at, 24592 Mulholland Hwy in Calabasas. I have lived at this location since 2002. My property is directly north of the lot and proposed structure in question.

My home is 4,600 square feet. The proposed house is going to be almost 6,900 square feet. From everywhere on my acre and a half property, I can see the proposed house as designated by the "story posts" currently in place. The view I currently have from my property looking south will be significantly impaired. Maintaining the structure to the mentioned 18" in height as a single story is a good first step, but it is my belief that the house in question should be reduced in size as it will significantly change the scale of the surrounding area. This proposal requires that at least 3,450 cubic feet of hill be eliminated in order to build such a large structure. I strongly believe this proposed design is much too big for the site.

The area where this proposed construction would be is a key area on the Mulholland Highway corridor. There is approximately a mile of undeveloped land from my property south. What you decide here will set a precedent for the rest of this environmentally sensitive area to the south. To the best of my knowledge, there are no homes on the valley floor nearly as big as this proposed house in the area impacted. While there may be homes of this size on the hillsides, these homes do not impede the view or impose restricted sight lines for others.

Because of the proposed home's size, a huge amount of grading will be needed to remove the hill in its entirety. This grading will damage the sensitive flower, fauna and Live Oaks of this beautiful valley. In the property's own selling piece, it states there are seasonal streams. These streams or stream could be damaged by excessive grading or the flow diverted by dirt being moved. It could also cause severe flooding in the area if grading of this magnitude is allowed to happen. Flooding could affect my property, my neighbor's property and those near the river bottom.

I am confused about the initial purchase of this lot. Records indicate that a purchase of 5.6 acres was completed in October, 2015 with an address of 24632 Mulholland Hwy. The proposed structure is now on usable acreage of 1.01 acres with an address of 26404 Mulholland Hwy. In addition, approximately 1 month prior to the current story post installation, there was a fully staked out story post installation north and east of the current staking. One weekend, this prior staking disappeared and the current one was enacted. As I was told by Mr. Josh Huntington of the LA County Department of Regional Planning, the lot has major restrictions based on native flower and fauna, and natural streams/drainage, which prevents building on much of the original acreage.

This leads me to believe that the lack of usable acreage on the original parcel mandated that the house be built on the current smaller parcel. Rather than creating new architectural designs for a smaller house, it was simply moved to the new position. With all due respect, this seems to me to be an attempt to make a silk purse out of a sow's ear. Lastly, by steadfastly maintaining this 7,000 square foot design on a very limited sized parcel, the formal entrance will directly face my home rather than Mulholland Hwy. which runs counter to every other house in the area. This condition eliminates all privacy for them and myself.

Along with my very strong recommendation that the size of the proposed house be radically reduced, to no more than 4,800 square feet. I would hope that the commission will also commit to stipulate that no plants taller than six (6) feet at maturity be planted anywhere on the property. This is the existing height of my boundary wall. This will further prevent my view from being spoiled by the overdevelopment of a structure on this property.

I want to be a good neighbor, and so should whoever is proposing to build this house. Being a good neighbor means protecting the view of your neighbors, protecting the native environment and area immediately impacted.

Thank you for your thoughtful consideration.

Sincerely,

Harvey M. Shapiro

**Joshua Huntington**

---

**Subject:** online material

---

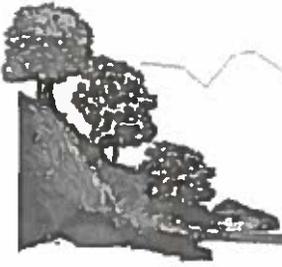
**From:** Harvey Shapiro [<mailto:harvey@sculpturesbysiro.com>]  
**Sent:** Wednesday, June 01, 2016 12:02 PM  
**To:** Joshua Huntington  
**Cc:** 'Karen Gmunder'  
**Subject:** RE: online material

Hello Josh:

First, I want to thank you for keeping me abreast of the situation. Like you, I strongly disagree with the idea of moving an almost 7,000 sq. ft. house any closer than proposed. Such a move will greatly impact my substantial investment in a negative way. The truth is the only place to build on that lot is near where they had the original stakeout. Having been rejected with that idea they are trying anything they can to build on that lot. Making the proposed move will only exacerbate an already bad decision. I believe the house should be no larger than 4,800 sq. ft. If they kept the density at around that level more amenable options would probably open up to them. I also hate the idea of such a monstrously large house staring right at my house.

I suggest they donate the property to the Santa Monica Conservancy for posterity.

Regards,  
Harvey



# Las Virgenes Homeowners Federation, Inc.

Post Office Box 353, Agoura Hills, California 91301



*The Voice and Conscience of the Santa Monica Mountains Since 1968*

May 26, 2016

Joshua Huntington-Principal Planner, Bruce Durbin-Hearing Officer  
Los Angeles County Department of Regional Planning  
320 W. Temple Street  
Los Angeles CA 90012

Dear Josh and Bruce:

**Re: Coastal Development Permit (CDP) No. 201500043 Project No. R2015-00871-(3) - Single-Family Development at 24604 Mulholland Highway**

On behalf of the Las Virgenes Homeowners Federation, Inc., and our thousands of stakeholders in the Santa Monica Mountains and environs we ask that you deny the CDP for the above referenced project as submitted. The proposed megamansion is inconsistent with the Santa Monica Mountains Local Coastal Program's (LCP) guiding principal that, "resource protection has priority over development."

The property is located within a designated scenic resource area -- literally on top of a designated scenic route -- and in the viewshed of a prominent public trail. So, any approved house location and height must maximize the protection of the public's scenic resources first, which this proposed development does not do.

Because the home as proposed is so large (7000 square feet) and situated on the high point of an onsite prominent knoll -- moving the structure as far north on the property as possible and re-locating the onsite wastewater treatment system onto the knoll will significantly reduce the negative visual impacts, including lighting.

As you know, the LCP requires that development must be analyzed for any impacts to trails, including visual and any obstacles to trail accessibility, before that development is approved.

Also, by shifting the megamansion north and off the knoll, the impacts to H1 and H2 will be reduced. The impact of removing 0.25 acres of permanent fuel modification in H2 habitat will be eliminated. The lot is just feet away from H1 habitat in a drainage bottom which includes streams and plant communities that function as riparian habitats and as habitats for rare, threatened, and endangered species. Because H1 and H2 areas contain the highest value habitat in the Santa Monica Mountains, any loss of this habitat severely and irreplaceably depreciates the biological resources of the area.

There is a history in the Santa Monica Mountains of unscrupulous developers eradicating native habitat under the guise of brush clearance in particular to gain further development rights. In keeping with the goal of preventing unpermitted activities from facilitating additional development potential, the LCP treats areas that have been illegally disturbed as if the original habitat were still in place. That is clearly what has transpired on this lot – much has been previously illegally disced to bare earth – native vegetation has been stripped bare – yet, this has not yet been factored into the application.

Stakeholders collaborated with the county and CCC for more than a decade to see the LCP come to fruition. Thank you in advance for strictly adhering to, administering, and enforcing the policies in the LCP.

It is not incumbent upon the county or residents to enable the biggest and most impactful development project(s) - but it is incumbent upon the county to uphold the integrity and resource protection policies in our LCP first and foremost.

Please deny the CDP -- revise and re-site the Mulholland megamansion project so that protection of our biological and scenic resources trumps development and is consistent with the LCP.

Sincerely,

Kim Lamorie  
President

Las Virgenes Homeowners Federation, Inc., of the Santa Monica Mountains

[www.lvhf.org](http://www.lvhf.org)

[www.rimofthevalleycoalition.com](http://www.rimofthevalleycoalition.com)

**Joshua Huntington**

---

**From:** Rothenberg, Nancy [NRothenberg@plpn.com]  
**Sent:** Wednesday, June 01, 2016 3:47 PM  
**To:** Joshua Huntington  
**Cc:** Bruce Durbin  
**Subject:** Deny Coastal Development Permit (CDP) No. 201500043 Project No. R2015-00871-(3)

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Other

Joshua Huntington, Principal Planner and Bruce Durbin, Hearing Officer  
Los Angeles County Department of Regional Planning  
320 West Temple Street  
Los Angeles, CA 90012

**Re: Deny Coastal Development Permit (CDP) No. 201500043 Project No. R2015-00871-(3) - Single-Family Development at 24604 Mulholland Highway**

Dear Mr. Huntington and Mr. Durbin:

Please accept this email as being in opposition to the granting of a CDP for this project as it is currently submitted. The proposed mansion does not comply with the requirements of the Santa Monica Mountains Local Coastal Program's (LCP) guiding principal that, "resource protection has priority over development."

The property is located within a designated scenic resource area so any approved house location and height must maximize the protection of the public's scenic resources first – which this proposed development does not. The project is too large (7000 square feet), and is situated on the high point of an onsite prominent knoll, and in the view shed of a prominent public trail. It needs to be re-sited off the knoll and moved to the northernmost portion of the property. The septic system should be re-located onto the knoll. This will significantly reduce the visual impacts to the public's scenic resources.

Shifting the main structure to the north also reduces the impacts to H1 and H2. It directly reduces the need for fuel modification in H2. The subject lot is just feet away from H1 habitat in a drainage bottom, which includes streams and plant communities that function as riparian habitats and habitats for rare, threatened, and endangered species.

Our HOA is always concerned with projects meeting all the requirements of the location in which it is to be placed, and not setting precedents for other projects. Please deny this CDP, and send the project back to be revised, re-sited and to be consistent with the LCP's resource preservation priorities -- the protection of our biological and scenic resources over development.

Sincerely,

**Nancy Rothenberg  
President, Calabasas Highlands HOA**

**Joshua Huntington**

---

**From:** Debbie Larson [debbleatlakeside@gmail.com]  
**Sent:** Thursday, June 02, 2016 10:19 AM  
**To:** Joshua Huntington  
**Cc:** Bruce Durbin  
**Subject:** DENY CDP FOR 24604 MULHOLLAND HWY PROJECT

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Other

Joshua Huntington, Principal Planner and Bruce Durbin, Hearing Officer  
Los Angeles County Department of Regional Planning  
320 West Temple Street  
Los Angeles, CA 90012

Dear Josh and Bruce:

**DENY**  
**Re: Coastal Development Permit (CDP) No. 201500043 Project No. R2015-00871-(3) - Single-Family  
Development at 24604 Mulholland Highway**

I am opposed to the granting of a CDP for this project as it is currently submitted. The proposed megamansion does not comply with the requirements of the Santa Monica Mountains Local Coastal Program's (LCP) guiding principal that, "resource protection has priority over development."

The property is located within a designated scenic resource area so any approved house location and height must maximize the protection of the public's scenic resources first -- which this proposed development does not. The project is too large (7000 square feet), and is situated on the high point of an onsite prominent knoll, and in the viewshed of a prominent public trail. It needs to be re-sited off the knoll and moved to the northernmost portion of the property. The septic system should be re-located onto the knoll. This will significantly reduce the visual impacts to the public's scenic resources.

Shifting the main structure to the north also reduces the impacts to H1 and H2. It directly reduces the need for fuel modification in H2. The subject lot is just feet away from H1 habitat in a drainage bottom, which includes streams and plant communities that function as riparian habitats and habitats for rare, threatened, and endangered species.

Please deny the CDP, and send the megamansion back to be revised, re-sited and to be consistent with the LCP's resource preservation priorities -- the protection of our biological and scenic resources over development.

Sincerely,  
*Debbie Larson*

June 2, 2016

**Josh Huntington**

**Los Angeles County Department of Regional Planning**

**Re: Project No R2015-00871 –(3)**

**Coastal Development Permit No 20150043**

**24604 Mulholland Hwy**

**Mr. Huntington,**

**I urge denial of this permit as the project is designed. This is a nearly 7000 square foot residence located at the highest point of a prominent knoll in a designated scenic resource area. Construction in this area, with its required grading, fuel modification, and lighting, will severely impact not only the scenic resources but the riparian habitats and biological resources. It is my understanding that relocation of the building on the site could limit the visual impacts considerably.**

**Many of us in the Santa Monica Mountains area have worked for decades with the County on the North Area Plan and the Local Coastal Plan for the purpose of protecting the unique resource of the mountains in the urban Los Angeles area. Now, instead of carrying out the mandates of these plans, we find the County not doing their part to uphold those provisions we worked so hard to include. The Santa Monica Mountain Recreational Area has been set aside for all County residents to enjoy with its hiking trails, scenic vistas, and natural animal habitat. Any development in the area should be planned with these goals in mind.**

**Please deny this permit and suggest a redesign of the project.**

**Joan Yacovone**

**27328 Country Glen, Agoura Hills, CA 91301**

**(818) 889 1286**

Joshua Huntington, Principal Planner and Bruce Durbin, Hearing Officer  
Los Angeles County Department of Regional Planning  
320 West Temple Street  
Los Angeles, CA 90012

Dear Josh and Bruce:

**DENY**

**Re: Coastal Development Permit (CDP) No. 201500043 Project No. R2015-00871-(3) - Single-Family Development at 24604 Mulholland Highway**

I am opposed to the granting of a CDP for this project as it is currently submitted. The proposed megamansion does not comply with the requirements of the Santa Monica Mountains Local Coastal Program's (LCP) guiding principal that, "resource protection has priority over development."

The property is located within a designated scenic resource area so any approved house location and height must maximize the protection of the public's scenic resources first -- which this proposed development does not. The project is too large (7000 square feet), and is situated on the high point of an onsite prominent knoll, and in the viewshed of a prominent public trail. It needs to be re-sited off the knoll and moved to the northernmost portion of the property. The septic system should be re-located onto the knoll. This will significantly reduce the visual impacts to the public's scenic resources.

Shifting the main structure to the north also reduces the impacts to H1 and H2. It directly reduces the need for fuel modification in H2. The subject lot is just feet away from H1 habitat in a drainage bottom, which includes streams and plant communities that function as riparian habitats and habitats for rare, threatened, and endangered species.

Please deny the CDP, and send the megamansion back to be revised, re-sited and to be consistent with the LCP's resource preservation priorities -- the protection of our biological and scenic resources over development.

Sincerely,  
*Carrie Baltin MNVCA President*

Joshua Huntington

---

**From:** Robert Lancet [rlancet@sbcglobal.net]  
**Sent:** Thursday, June 02, 2016 2:41 PM  
**To:** Joshua Huntington  
**Cc:** Bruce Durbin  
**Subject:** DENY CDP FOR 24604 MULHOLLAND HWY PROJECT

Joshua Huntington, Principal Planner and Bruce Durbin, Hearing Officer  
Los Angeles County Department of Regional Planning  
320 West Temple Street  
Los Angeles, CA 90012

Dear Josh and Bruce:

**DENY**

**Re: Coastal Development Permit (CDP) No. 201500043 Project No. R2015-00871-(3) - Single-Family Development at 24604 Mulholland Highway**

I am opposed to the granting of a CDP for this project as it is currently submitted. The proposed megamansion does not comply with the requirements of the Santa Monica Mountains Local Coastal Program's (LCP) guiding principal that, "resource protection has priority over development."

The property is located within a designated scenic resource area so any approved house location and height must maximize the protection of the public's scenic resources first -- which this proposed development does not. The project is too large (7000 square feet), and is situated on the high point of an onsite prominent knoll, and in the viewshed of a prominent public trail. It needs to be re-sited off the knoll and moved to the northernmost portion of the property. The septic system should be re-located onto the knoll. This will significantly reduce the visual impacts to the public's scenic resources.

Shifting the main structure to the north also reduces the impacts to H1 and H2. It directly reduces the need for fuel modification in H2. The subject lot is just feet away from H1 habitat in a drainage bottom, which includes streams and plant communities that function as riparian habitats and habitats for rare, threatened, and endangered species.

Please deny the CDP, and send the megamansion back to be revised, resited and to be consistent with the LCP's resource preservation priorities -- the protection of our biological and scenic resources over development.

Sincerely,

Robert T. Lancet  
Member of the Board  
Westhills Homeowners Association

Joshua Huntington

---

**From:** Jody Thomas [jodythomas@gmail.com]  
**Sent:** Thursday, June 02, 2016 3:44 PM  
**To:** Joshua Huntington  
**Cc:** Bruce Durbin  
**Subject:** DENY CDP FOR 24604 MULHOLLAND HWY PROJECT

Joshua Huntington, Principal Planner and Bruce Durbin, Hearing Officer  
Los Angeles County Department of Regional Planning  
320 West Temple Street  
Los Angeles, CA 90012

Dear Josh and Bruce:

**DENY**

**Re: Coastal Development Permit (CDP) No. 201500043 Project No. R2015-00871-(3) - Single-Family Development at 24604 Mulholland Highway**

As president of the Old Topanga Homeowners Association, we are opposed to the granting of a CDP for this project as it is currently submitted. The proposed mega-mansion does not comply with the requirements of the Santa Monica Mountains Local Coastal Program's (LCP) guiding principal that, "resource protection has priority over development."

The property is located within a designated scenic resource area so any approved house location and height must maximize the protection of the public's scenic resources first -- which this proposed development does not. The project is too large (7000 square feet), and is situated on the high point of an onsite prominent knoll, and in the viewshed of a prominent public trail. It needs to be re-sited off the knoll and moved to the northernmost portion of the property. The septic system should be re-located onto the knoll. This will significantly reduce the visual impacts to the public's scenic resources.

Shifting the main structure to the north also reduces the impacts to H1 and H2. It directly reduces the need for fuel modification in H2. The subject lot is just feet away from H1 habitat in a drainage bottom, which includes streams and plant communities that function as riparian habitats and habitats for rare, threatened, and endangered species.

Please deny the CDP, and send the mega-mansion back to be revised, resited and to be consistent with the LCP's resource preservation priorities -- the protection of our biological and scenic resources over development.

Sincerely,

Jody Thomas  
President, Old Topanga Homeowners

Joshua Huntington

---

**From:** Zeev Zanzuri [zzanzuri@gmail.com]  
**Sent:** Thursday, June 02, 2016 2:03 PM  
**To:** Joshua Huntington  
**Cc:** Richard Bruckner  
**Subject:** 24604 Mulholland Hwy.

This letter is in response to the concerns that have arise by Calabasas Highlands HOA, Mr. harvey Shapiro and LVHF.

The proposed development is on a land that was originally subdivided by coastal back around 1990.

When the lot in question was originally sub-divided, several conditions were placed upon the owner by the relevant regulatory bodies, two of which stated that: the owner must give slope easement at the west side of the lot in favor of LA county (in case they wanted to widen Mulholland Highway), in addition to a large portion of the land to be dedicated as open space.

The original grading proposal for the lots, had the above parcel to be graded 5342 Cubic Yards. The California Coastal Commission did not approve that and reduced the amount of grading to the proposed current grading.

The proposed building pad of the project is identical to the grading plans that was approved by Coastal Commission in 1990.

The proposed project is located at a dead-end lot, and that requires a fire turn-around.

The only place available for the turn-around is at the proposed location.

Moving the house 50' to North is not possible due to the following important points:

- The area that is just north of the house will require a large amount of additional fill in order to create a building pad.

- It will also require very long retaining walls to support the fill, in different sides of the pad including the west side that will be completely viewable from Mulholland Hwy.

- Due to the fire turn around that is just at the neutral grade, as well as on the final grade line of 1196', the grading pad will have to either be on the same hight, or an additional large retraining wall will have to be constructed, also due to that the pad will be larger than the one proposed regardless of the size of the house itself.

Just these points alone will cause several conflicts with the intentions of the California Coastal Commission and the LIP. Significant land form alteration will occur and retaining walls. By changing the proposed pad from mainly cut to cut and fill in that scale of landform alteration is conflicting the guidelines of the LIP and is quite out of place in Mulholland Highway.

Another concern involves the visual resource impact that would be generated from such a change.

The topography of the property in question.

a) With the exception of the opening driveway, there is a 16-foot tall natural wall along Mulholland Highway. This 16-foot tall wall occurs between 0 and 20 feet immediately east of Mulholland Highway. On top of this natural wall, there is thick California brush that serves to partially conceal the house from Mulholland Highway. Continuing east, there is an additional eight-foot tall slope that occurs between 20 and 45 feet (from Mulholland Highway). Following the eight-foot tall slope (measuring 25 in distance) is an additional 40 feet (with no slope). Therefore, in total, there is approximately 85 feet between Mulholland Highway and the beginning of the planned building.

b) The current plan includes building the house upon a knoll that would be graded (in compliance with the previous cubic-yard restriction). In this case, the height reduction from the grading would be approximately 12 to 15 feet; this grading would translate into a house that stands a mere 2'-3' feet above natural grade from the pick of the knoll. This unique combination of grading, the natural walling, the extra height in between the natural walling and the thick brush, and the thick brush itself essentially reduces the visibility of the house from Mulholland to zero.

By changing the location to the north it will be placed by the only area of the lot that is completely open and visible to the public road.

Additional constraint of moving the house and makes it impossible is the location of the septic tank and the leach lines.

When Miller Geosciences, Inc. conducted the percolation tests on that land they tried different locations, but the only place that was found suitable for the system is the proposed location.

Due to the following facts:

- 1) underlain by bedrock that doesn't percolate,
- 2) are too close to nearby drainages or
- 3) are in an easement of some kind.

By moving the house to the North we will eliminate the only location for septic and future leach lines that are required by code now.

In summary, as has been shown, the project is conforming to the LIP and is also smaller than the 10,000 Sq.ft. In developed area. It is also in line with the previous approval of the Coastal Commission. With regard to alternatives and mitigation, that project have incorporated all feasible mitigation measures and/or alternatives to substantially lessen any significant adverse effects of the development on the environment. Furthermore, there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

Zeev and Anat Zanzuri  
Owners



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



Richard J. Bruckner  
Director

June 6, 2016

TO: Hearing Officer

FROM: Joshua Huntington *ASH*  
Zoning Permits West Section

SUBJECT: **Project No. R2015-00871-(3)**  
**Coastal Development Permit No. 201500043**  
**HO Meeting: 06/07/2016**  
**Agenda Item: 10**

The above-mentioned item is a request to authorize to authorize construction of a proposed 6,840 square foot, 18-foot tall, one-story single-family residence with attached three-car garage, pool, septic system, driveway, required fire dept. turnaround, and 3,450 cu. yd. of grading. The project is in an existing residential area with neighboring residences to the north, west, and southwest. The proposed residence is within a scenic resource area because of its proximity to a scenic route (Mulholland Highway) and a trail (Stokes Ridge Trail). Therefore, the height of the residence is restricted to 18 feet.

Please find enclosed an additional five letters in opposition to the proposed project, one request for additional information, and a letter from the applicant's septic system plan consultant for the above referenced item, that were received subsequent to hearing package submittal to the Hearing Officer.

If you need further information, please contact Joshua Huntington at (213) 974-6462 or [jhuntington@planning.lacounty.gov](mailto:jhuntington@planning.lacounty.gov). Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

MK:JH

Enclosure(s): Correspondence

**Joshua Huntington**

---

**From:** Don Wallace [donwallace@gmail.com]  
**Sent:** Friday, June 03, 2016 12:43 AM  
**To:** Joshua Huntington  
**Cc:** Bruce Durbin  
**Subject:** DENY CDP FOR 24604 MULHOLLAND HWY PROJECT

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Other

Joshua Huntington, Principal Planner and Bruce Durbin, Hearing Officer  
Los Angeles County Department of Regional Planning  
320 West Temple Street  
Los Angeles, CA 90012

Dear Josh and Bruce:

**Re: Deny Coastal Development Permit (CDP) No. 201500043 Project No. R2015-00871-(3) - Single-Family Development at 24604 Mulholland Highway**

We are opposed to granting of a CDP for this project as currently submitted. This proposed mega-mansion does not comply with the requirements of the Santa Monica Mountains Local Coastal Program's (LCP) guiding principal that, "resource protection has priority over development."

The property is located within a designated scenic resource area, so, any approved house *location and height* must maximize the protection of the public's scenic resources first. This proposed development definitely flaunts that principal. The project is simply too large (7000 square feet), and is situated on the highest point of an onsite prominent knoll, and in the viewshed of a prominent public trail. It needs to be re-sited off the knoll and moved to the northernmost portion of the property. The septic system should be re-located onto the knoll. This will significantly reduce the visual impacts to the public's scenic resources.

Shifting the main structure to the north also reduces the impacts to H1 and H2. It directly reduces the need for fuel modification in H2. The subject lot is just feet away from H1 habitat in a drainage bottom, which includes streams and plant communities that function as riparian habitats and habitats for rare, threatened, and endangered species.

Please deny the CDP and send this eyesore mega-mansion back to be revised and re-sited so as to be consistent with the LCP's resource preservation priorities and protection of our biological and scenic resources over development as clearly stated in the LCP principals.

Sincerely,

Don and Jeanine Wallace  
Calabasas, 91302  
818-222-2560

**Joshua Huntington**

---

**From:** mallinger@aol.com  
**Sent:** Friday, June 03, 2016 9:34 AM  
**To:** Joshua Huntington  
**Cc:** Bruce Durbin; kimlamorie1@gmail.com  
**Subject:** DENY CDP FOR 24604 MULHOLLAND HWY PROJECT

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Other

Joshua Huntington, Principal Planner and Bruce Durbin, Hearing Officer  
Los Angeles County Department of Regional Planning  
320 West Temple Street  
Los Angeles, CA 90012

Dear Josh and Bruce:

**DENY**

**Re: Coastal Development Permit (CDP) No. 201500043 Project No. R2015-00871-  
(3) - Single-Family Development at 24604 Mulholland Highway**

I am opposed to the granting of a CDP for this project as it is currently submitted. The proposed megamansion does not comply with the requirements of the Santa Monica Mountains Local Coastal Program's (LCP) guiding principal that, "resource protection has priority over development."

The property is located within a designated scenic resource area so any approved house location and height must maximize the protection of the public's scenic resources first -- which this proposed development does not. The project is too large (7000 square feet), and is situated on the high point of an onsite prominent knoll, and in the viewshed of a prominent public trail. It needs to be re-sited off the knoll and moved to the northernmost portion of the property. The septic system should be re-located onto the knoll. This will significantly reduce the visual impacts to the public's scenic resources.

Shifting the main structure to the north also reduces the impacts to H1 and H2. It directly reduces the need for fuel modification in H2. The subject lot is just feet away from H1 habitat in a drainage bottom, which includes streams and plant communities that function as riparian habitats and habitats for rare, threatened, and endangered species.

Please deny the CDP, and send the megamansion back to be revised, re-sited and to be consistent with the LCP's resource preservation priorities -- the protection of our biological and scenic resources over development.

Sincerely,  
Mollie Helfand  
Cornell delegate to the LVHF

**Joshua Huntington**

---

**From:** jslimocosky@charter.net  
**Sent:** Friday, June 03, 2016 5:44 PM  
**To:** Joshua Huntington  
**Cc:** Bruce Durbin  
**Subject:** DENY CDP FOR 24604 MULHOLLAND HWY PROJECT

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Other

Joshua Huntington, Principal Planner and Bruce Durbin, Hearing Officer  
Los Angeles County Department of Regional Planning  
320 West Temple Street  
Los Angeles, CA 90012

Dear Josh and Bruce:

**DENY**  
**Re: Coastal Development Permit (CDP) No. 201500043 Project No. R2015-00871-(3) -  
Single-Family Development at 24604 Mulholland Highway**

I/we are opposed to the granting of a CDP for this project as it is currently submitted. The proposed megamansion does not comply with the requirements of the Santa Monica Mountains Local Coastal Program's (LCP) guiding principal that, "resource protection has priority over development."

The property is located within a designated scenic resource area so any approved house location and height must maximize the protection of the public's scenic resources first -- which this proposed development does not. The project is too large (7000 square feet), and is situated on the high point of an onsite prominent knoll, and in the viewshed of a prominent public trail. It needs to be re-sited off the knoll and moved to the northernmost portion of the property. The septic system should be re-located onto the knoll. This will significantly reduce the visual impacts to the public's scenic resources.

Shifting the main structure to the north also reduces the impacts to H1 and H2. It directly reduces the need for fuel modification in H2. The subject lot is just feet away from H1 habitat in a drainage bottom, which includes streams and plant communities that function as riparian habitats and habitats for rare, threatened, and endangered species.

Please deny the CDP, and send the megamansion back to be revised, re-sited and to be consistent with the LCP's resource preservation priorities -- the protection of our biological and scenic resources over development.

Sincerely,  
*Joan Slimocosky, Vice-President*  
*Monte Nido Valley Community Association*

Joshua Huntington

---

**From:** Susan Ellis [srellis8@gmail.com]  
**Sent:** Friday, June 03, 2016 9:51 PM  
**To:** Joshua Huntington; Bruce Durbin  
**Subject:** DENY CDP FOR 24604 MULHOLLAND HWY PROJECT

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Other

Joshua Huntington, Principal Planner and Bruce Durbin, Hearing Officer  
Los Angeles County Department of Regional Planning  
320 West Temple Street  
Los Angeles, CA 90012

Dear Josh and Bruce:

**DENY**

**Re: Coastal Development Permit (CDP) No. 201500043 Project No. R2015-00871-(3) - Single-Family Development at 24604 Mulholland Highway**

I am opposed to the granting of a CDP for this project as it is currently submitted. The proposed megamansion does not comply with the requirements of the Santa Monica Mountains Local Coastal Program's (LCP) guiding principal that, "resource protection has priority over development."

The property is located within a designated scenic resource area so any approved house location and height must maximize the protection of the public's scenic resources first -- which this proposed development does not. The project is too large (7000 square feet), and is situated on the high point of an onsite prominent knoll, and in the viewshed of a prominent public trail. It needs to be re-sited off the knoll and moved to the northernmost portion of the property. The septic system should be re-located onto the knoll. This will significantly reduce the visual impacts to the public's scenic resources.

Shifting the main structure to the north also reduces the impacts to H1 and H2. It directly reduces the need for fuel modification in H2. The subject lot is just feet away from H1 habitat in a drainage bottom, which includes streams

and plant communities that function as riparian habitats and habitats for rare, threatened, and endangered species.

Please deny the CDP, and send the megamansion back to be revised, resited and to be consistent with the LCP's resource preservation priorities -- the protection of our biological and scenic resources over development.

Sincerely,  
Susan Ellis  
Calabasas, CA

**Joshua Huntington**

---

**From:** Ruth Watson [saintmombo@sbcglobal.net]  
**Sent:** Saturday, June 04, 2016 12:05 PM  
**To:** Joshua Huntington  
**Cc:** Bruce Durbin; kimlamorie1@gmail.com; Bob Lancel  
**Subject:** Re: DENY CDP FOR 24604 MULHOLLAND HWY PROJECT

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Other

Joshua Huntington-Principal Planner, Bruce Durbin-Hearing  
Officer  
Los Angeles County Department of Regional Planning

Gentlemen,

After reading the project file (Re: Coastal Development Permit  
(CDP) No. 201500043 Project No. R2015-00871-(3) - Single-Family  
Development at 24604 Mulholland Highway), --

- it seems to me that the re-siting modifications contained  
in the Santa Monica Mountains Conservancy letter dated May  
23, 2016 are REASONABLE and should be implemented before  
the project goes forward.

Thank you for your consideration of these issues.

Sincerely,

Ruth Watson  
(Secretary, Westhills Homeowners Association)

**Joshua Huntington**

---

**From:** Camille Mugerdechian-Armen [camille@studiomainc.com]  
**Sent:** Monday, June 06, 2016 9:21 AM  
**To:** Joshua Huntington  
**Subject:** 24604 Mulholland Hwy Unicorporated Santa Monica Mountains

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear J Huntington,

We would like to receive information or a link to the project as the link provided in the notice did not bring us to the project information.

We are not in favor of any planning variances or modifications to the scenic corridor requirements for this project.

Sincerely,  
camille mugrdechian

Camille Mugerdechian-Armen, AIA, IIDA  
Principal Architect

**StudioMA**  
StudioMA, Inc. Architecture, Planning and Design  
22231 Mulholland Highway, Suite 201  
Calabasas, CA 91302  
(818) 225-2440  
(818) 225-2444

[www.StudioMAinc.com](http://www.StudioMAinc.com)  
[www.StudioMAarchitecture.com](http://www.StudioMAarchitecture.com)

**Joshua Huntington**

---

**Subject: FW: LVHF - DENY CDP FOR 24604 MULHOLLAND HIGHWAY MEGAMANSION PROJECT AS SUBMITTED**

---

**From:** Steve Miller [<mailto:millergeosciences@gmail.com>]  
**Sent:** Sunday, June 05, 2016 8:42 AM  
**To:** Joshua Huntington  
**Subject:** Re: LVHF - DENY CDP FOR 24604 MULHOLLAND HIGHWAY MEGAMANSION PROJECT AS SUBMITTED

Joshua,  
We tested in 6 different locations. It is based on that testing, my knowledge of the area and past experience with testing in the volcanic bedrock on nearby sites. Valleys are generally where bedrock is either fractured or weathered, thus allowing percolation and ridges are where bedrock is hard and resilient and not able to percolate.  
Steve

On Thu, Jun 2, 2016 at 11:38 AM, Joshua Huntington <[jhuntington@planning.lacounty.gov](mailto:jhuntington@planning.lacounty.gov)> wrote:

Dear Mr. Miller,

Did you test other areas of the property (on the knoll in particular) for percolation? Or was it your expertise and understanding of the property that lead you to conclude that this area was not feasible for leachlines?

Thanks,

Josh

Joshua Huntington, AICP  
Principal Planner  
Zoning Permits West Section  
Department of Regional Planning  
320 W. Temple Street  
Los Angeles CA 90012  
[213-974-6462](tel:213-974-6462)  
<http://planning.lacounty.gov>

CONFIDENTIAL NOTICE: This e-mail may contain confidential information from the Department of Regional Planning created for the official and confidential use of the recipients to whom it is addressed. If you are not an intended recipient, you should not disseminate, distribute, copy, retransmit, or otherwise use the information in any way. If you have received this e-mail in error, you should notify the sender immediately by e-mail and delete this e-mail and any attachments. If you are not an intended recipient, you should not disseminate, distribute, copy, retransmit, or otherwise use the information in any way.

**From:** Zeev Zanzuri [mailto:[zzanzuri@gmail.com](mailto:zzanzuri@gmail.com)]  
**Sent:** Wednesday, June 01, 2016 5:16 PM  
**To:** Joshua Huntington  
**Subject:** RE: LVHF - DENY CDP FOR 24604 MULHOLLAND HIGHWAY MEGAMANSSION PROJECT AS SUBMITTED

Zeev Zanzuri

----- Forwarded message -----

**From:** "Steve Miller" <[millergeosciences@gmail.com](mailto:millergeosciences@gmail.com)>  
**Date:** Jun 1, 2016 5:13 PM  
**Subject:** Septic system  
**To:** "Zeev Zanzuri" <[zzanzuri@gmail.com](mailto:zzanzuri@gmail.com)>  
**Cc:**

Zeev,

The area that we tested for leachlines was selected as it is an area where alluvial soil exists. The alluvium will provide adequate percolation rates as demonstrated in our feasibility report. The remaining areas are:

- 1) underlain by bedrock that doesn't percolate,
- 2) are too close to nearby drainages or
- 3) are in an easement of some kind.

Moving the residence to the north will encroach on the one location that we believe will safely work for effluent disposal. We recommend that the house not be moved to the north. Otherwise, it will adversely impact the recommended sewage disposal system.

--

Steve Miller  
Miller Geosciences, Inc.  
23890 Copper Hill Drive #111  
Valencia, California 91354  
[661-299-2206](tel:661-299-2206)

Zeev Zanzuri



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



Richard J. Bruckner  
Director

June 7, 2016

TO: Hearing Officer

FROM: Joshua Huntington *JH*  
Zoning Permits West Section

SUBJECT: Project No. R2015-00871-(3)  
Coastal Development Permit No. 201500043  
HO Meeting: 06/07/2016  
Agenda Item: 10

The above-mentioned item is a request to authorize to authorize construction of a proposed 6,840 square foot, 18-foot tall, one-story single-family residence with attached three-car garage, pool, septic system, driveway, required fire dept. turnaround, and 3,450 cu. yd. of grading. The project is in an existing residential area with neighboring residences to the north, west, and southwest. The proposed residence is within a scenic resource area because of its proximity to a scenic route (Mulholland Highway) and a trail (Stokes Ridge Trail). Therefore, the height of the residence is restricted to 18 feet.

Please find enclosed an additional one letter in opposition to the proposed project, for the above referenced item, that were received subsequent to hearing package submittal to the Hearing Officer.

If you need further information, please contact Joshua Huntington at (213) 974-6462 or [jhuntington@planning.lacounty.gov](mailto:jhuntington@planning.lacounty.gov). Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

MK:JH

Enclosure(s): Correspondence

**Joshua Huntington**

---

**From:** Geraldine Rothenberg [cooknmom88@sbcglobal.net]  
**Sent:** Monday, June 06, 2016 7:12 PM  
**To:** Joshua Huntington  
**Cc:** Bruce Durbin  
**Subject:** DENY CDP FOR 24604 MULHOLLAND HWY PROJECT

Huntington, Principal Planner and Bruce Durbin, Hearing Officer  
Los Angeles County Department of Regional Planning  
320 West Temple Street  
Los Angeles, CA 90012

Dear Josh and Bruce:

**DENY**

**Re: Coastal Development Permit (CDP) No. 201500043 Project No. R2015-00871-(3) - Single-Family Development at 24604 Mulholland Highway**

I/we are opposed to the granting of a CDP for this project as it is currently submitted. The proposed megamansion does not comply with the requirements of the Santa Monica Mountains Local Coastal Program's (LCP) guiding principal that, "resource protection has priority over development."

The property is located within a designated scenic resource area so any approved house location and height must maximize the protection of the public's scenic resources first -- which this proposed development does not. The project is too large (7000 square feet), and is situated on the high point of an onsite prominent knoll, and in the viewshed of a prominent public trail. It needs to be re-sited off the knoll and moved to the northernmost portion of the property. The septic system should be re-located onto the knoll. This will significantly reduce the visual impacts to the public's scenic resources.

Shifting the main structure to the north also reduces the impacts to H1 and H2. It directly reduces the need for fuel modification in H2. The subject lot is just feet away from H1 habitat in a drainage bottom, which includes streams and plant communities that function as riparian habitats and habitats for rare, threatened, and endangered species.

Please deny the CDP, and send the megamansion back to be revised, re-sited and to be consistent with the LCP's resource preservation priorities -- the protection of our biological and scenic resources over development.

Sincerely,  
Geraldine Rothenberg  
Westhills Homeowners Board



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



Richard J. Bruckner  
Director

August 4, 2016

TO: Hearing Officer

FROM: Joshua Huntington *JSH*  
Zoning Permits West Section

SUBJECT: Project No. R2015-00871-(3)  
Coastal Development Permit No. 201500043  
HO Meeting: 08/16/2016  
Agenda Item: 4

The above-mentioned item is a request to authorize construction of a proposed 6,840 square foot, 18-foot tall, one-story single-family residence with attached three-car garage, pool, septic system, driveway, required Fire Department turnaround, and 3,450 cu. yd. of grading. The project is in an existing residential area with neighboring residences to the north, west, and southwest. The proposed residence is within a scenic resource area because of its proximity to a scenic route (Mulholland Highway) and a trail (Stokes Ridge Trail). Therefore, the height of the residence is restricted to 18 feet.

Please find enclosed an analysis and map provided by the applicant to address the question of the feasibility of moving the septic system to another location on the property so that the house can be moved further north. Please also find, enclosed, an additional three letters from one opponent in opposition to the proposed project that were received subsequent to the June 7, 2016 public hearing.

If you need further information, please contact Joshua Huntington at (213) 974-6462 or [jhuntington@planning.lacounty.gov](mailto:jhuntington@planning.lacounty.gov). Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

MK:JH

Enclosure(s): Correspondence

**June 29, 2016  
M13-1002P-3**

**JNA  
5900 Canoga Ave # 450  
Woodland Hills CA 91367**

**Attn: Zeev Zanzuri  
email: [zzanzuri@gmail.com](mailto:zzanzuri@gmail.com)**

**Subject: Feasibility Analysis of Septic System Location, Percolation Testing (Leachlines), New Single Family Residence, Lot 1, P.M. 238-21-24, 24630 Mulholland Hwy., Calabasas Area, Los Angeles County, California.**

**Reference: Percolation Testing (Leachlines), New Single Family Residence, Lot 1, P.M. 238-21-24, 24630 Mulholland Hwy., Calabasas Area, Los Angeles County, California; Miller Geosciences, Inc., M13-1002P, 11-1-13.**

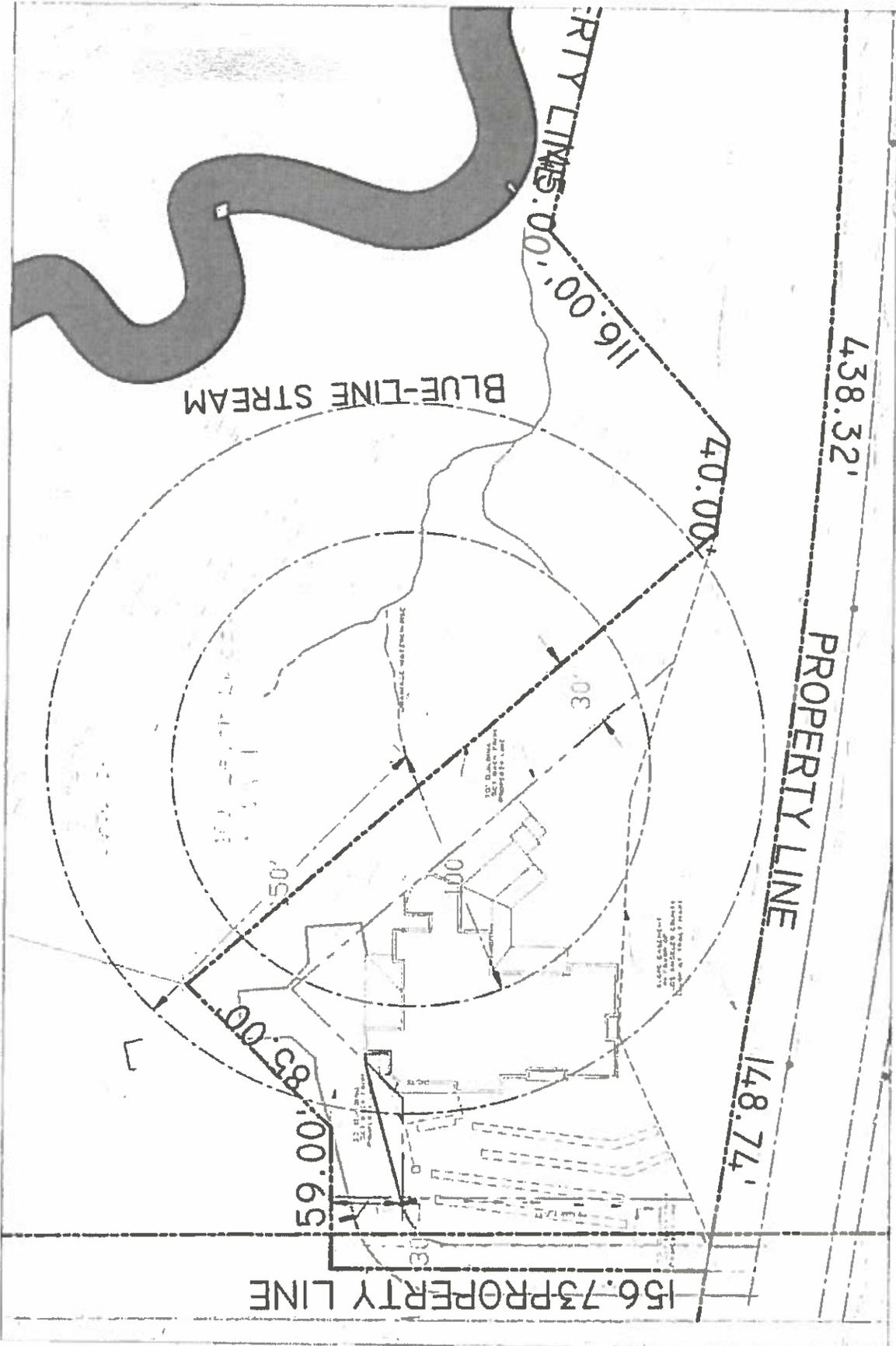
Miller Geosciences, Inc., has reviewed the maps of the site and analyzed the conditions surrounding the recommended septic system. Considering a) the setbacks required from the blue line streams and the water banks leading to streams, b) the easements on this property including the County's roadway slope easement, and c) the required fire turnaround (see exhibit A), we have concluded that there is not sufficient room elsewhere on the property in which to move the septic tank and leach lines.

To meet the County Health Department guidelines and the Plumbing Code, it is recommended that the septic system should stay in their current location.

If you have any questions regarding this information, please call.

Respectfully,  
**MILLER GEOSCIENCES, INC.**

Steven B. Miller, Principal  
C.E.G. 1303, Exp. 7-31-17



**Joshua Huntington**

---

**From:** Harvey Shapiro <harvey@sculpturesbysiro.com>  
**Sent:** Tuesday, June 07, 2016 11:35 AM  
**To:** Joshua Huntington  
**Subject:** RE: online material

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Categories:** Imp

Hello Josh:

I am sorry I didn't get a chance to meet you at the meeting today. Unfortunately, I had a commitment I could not get out of. I spoke to my acting agent, Karen Gmunder, and from what I heard I am disturbed. From what I gather the line of sight was a pretty big issue in the meeting. I am asking you to please continue notifying me of any correspondence and other happenings pertaining to the Zanzuri matter. I strongly feel that if the sight line is not changed I will probably have no other option than to litigate this matter.

Regards,  
Harvey

**Joshua Huntington**

---

**From:** Harvey Shapiro <harvey@sculpturesbysiro.com>  
**Sent:** Tuesday, June 07, 2016 8:29 PM  
**To:** Joshua Huntington  
**Subject:** RE: online material

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Categories:** Imp

Hello Again,

I hope you don't consider me a pest, but I do have a point of rebuttal to Mr. Zanzuri and a few other questions. After talking to Ms. Gmunder about the hearing, I want to put on record that Mr. Zanzuri's point that only "one small kitchen window" will be looking at his house is absolutely wrong. The truth is that 3 of my 4 bedrooms and 2 bathrooms all will look toward his behemoth. A total of 6 windows in all looking at his house and the reverse..

**Questions:**

1. Unfortunately, the only issue left seems to be the orientation of his house. Supposedly it is being determined by the septic system and its placement. I understand that the hearing officer requested another feasibility study on this subject. My question is does the landowner have a say in who does the study. I feel he should have no say in who does the investigation so that it remains objective. I would appreciate your guidance in this matter.
2. If August 16<sup>th</sup> is going to be an open hearing, I have cleared my calendar and will be present. I feel since I have the most to directly lose because this house looks like it is being built, I should have more than 3 minutes. Is this a possibility?
3. I understand that the hearing officer also requested that options be created to mitigate the effects of the orientation of the house. Please be aware that such things as high wall, or tall trees will not be a solution as it will eliminate whatever view remains from my house.

I can tell you this, if that house is not moved my investment will be depreciated. All because he refuses to consider a smaller house. That lot will be taken up entirely by his house. Therefore the impact will be huge from every perspective. It is a mistake. I still believe he should donate that land to the conservancy and make the effort a worthwhile one instead of something that people are going to look at with disdain.

Thank you for your time.

Best,  
Harvey

## Joshua Huntington

---

**From:** Harvey Shapiro <harvey@sculpturesbysiro.com>  
**Sent:** Monday, July 25, 2016 10:46 AM  
**To:** Joshua Huntington; Bruce Durbin  
**Cc:** harvey@sculpturesbysiro.com  
**Subject:** RE: Project No. R2015-00871-(3), Coastal Development Permit No. 201500043

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Categories:** Imp

Hello:

It is getting closer and closer to August 16<sup>th</sup>. Since I have not heard anything nor seen anything on your website, I feel the need to communicate my thoughts to you sooner rather than later. I have come up with a plan that I think would prove to be workable. Please see my plan below:

### Proposed Plan

In order to explain my thinking on this proposed project, I would like to go over a little history of this proposal. At first, the owners staked out a site on the eastern most portion of the property and facing Mulholland Hwy. To my mind, this was the building site that made the most sense. There are other properties along Mulholland corridor that have done exactly the same thing. Then apparently, with no public comment, that plan was denied. I believe that one of the reasons was because it was a two story design. I was advised by Mr. Huntington that another reason for this denial was the lack of adequate cleared brush to the east of the property. It should be noted that, directly to the North of the proposed structure already sits a two story house. I believe, therefore, with a little bit of cooperation, the brush requirement could be mitigated.

After the rejection of the initial plan, another location was staked out. This location has the new house facing directly into three bedrooms and two bathrooms of my house. As a world renowned artist, I can tell you that this placement will always make this house seem like an oddity. At the June 7<sup>th</sup> hearing, the planning board asked the owner to test for another area of possibility for the septic tank and drain field because you also felt uncomfortable with the placement of this house. As my profession dictates, I spend a great deal of time at my house. To date, I can tell you I have seen no digging, no probing or anything having to do with septic tank and drain field probabilities on that property. I can only deduce that nothing has been done as per your request.

In the interest of compromise, I would ask the Planning Board and Conservancy to listen to my plan. I believe it is a win-win for all concerned.

My plan is:

1. The proposed homebuilder should be mindful of the fire access that their neighbors need as per the driveway easement on this lot. This neighbor (Anisha Khanna) should be consulted when and if the homebuilder chooses to build a wall in that area. Ms. Khanna needs to sign off on the wall as suitable, as does the fire department.
2. The conservancy will work with the builder, and the builder will work with the conservancy, so that a backyard can be created that is suitable for all. The conservancy should allow further

clearance of wilderness brush to accommodate the builder and if necessary, the builder will reduce the size of the house somewhat to accommodate the conservancy.

3. The two story house should be permitted on the condition that no other houses be built on these two lots ever.

I believe that the Board and Conservancy have a responsibility not only for the present but also for the future. If my plan is agreed to, the neighborhood will be saved from a very large house that is ill placed, in favor of a large house that will blend into the community.

I remind you that the decisions you make today will last forever, and therefore I implore you to be flexible, for the future of the area is at stake.

Thank you,

Harvey M. Shapiro

PS: You may put this out and make it public for all to read