

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: Joshua Huntington



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:

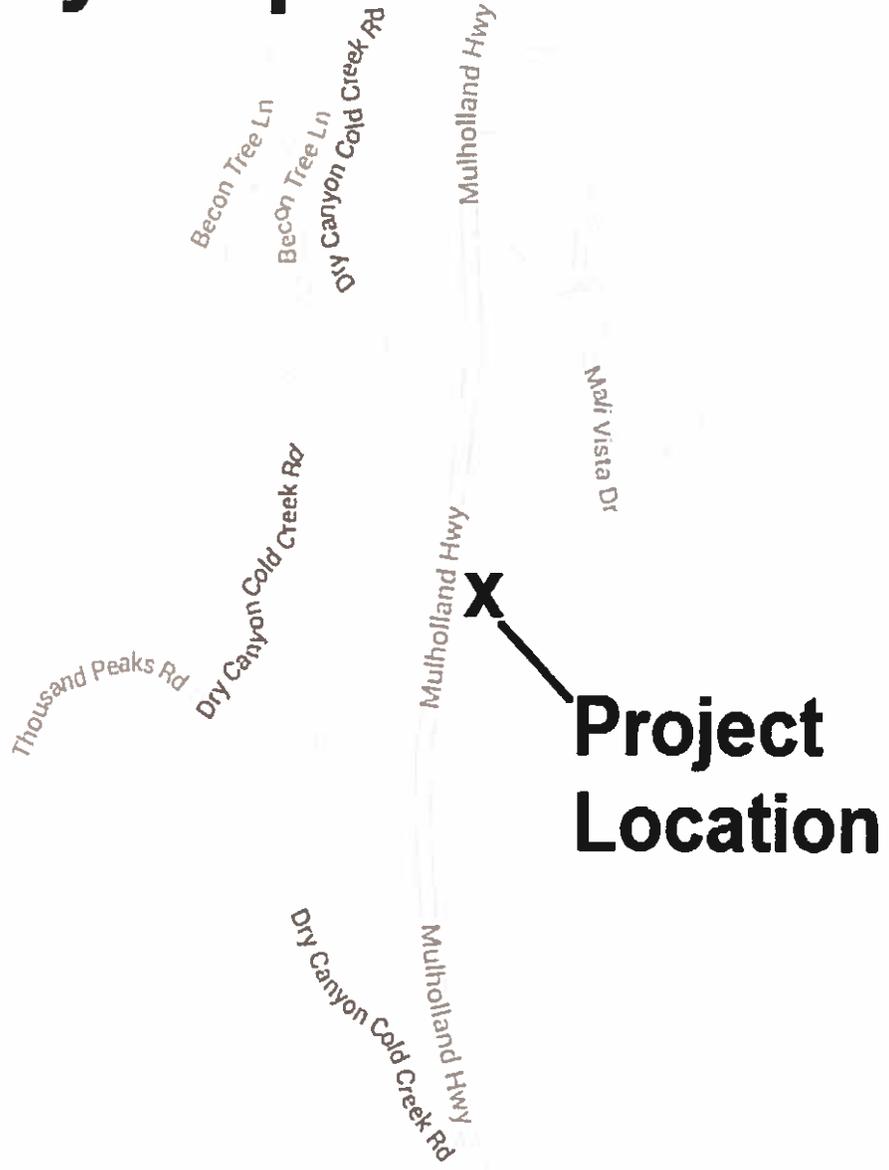
Joshua Huntington, AICP

PHONE NUMBER:

(213) 974 - 6462

E-MAIL ADDRESS:jhuntington@planning.lacounty.gov

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. 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.

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.

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.

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



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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

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(818) 251-2340
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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

BOARD OF SUPERVISORS

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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 and vbanada@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 and rvasquez@ph.lacounty.gov.

For any other questions regarding this report, please contact me at (626) 430-5380 or at 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, 2nd 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 ojaiensis* 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*, 2nd 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 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 Recommendation: Consistent Consistent after Modifications
 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

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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.

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

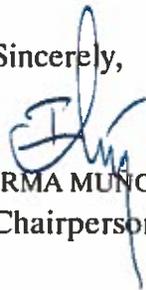
Joshua Huntington, County of Los Angeles
Coastal Development Permit No. 201500043
May 23, 2016
Page 3

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.

Sincerely,



IRMA MUNOZ
Chairperson



CDP No. 201500043

Printed: May 26, 2016



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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

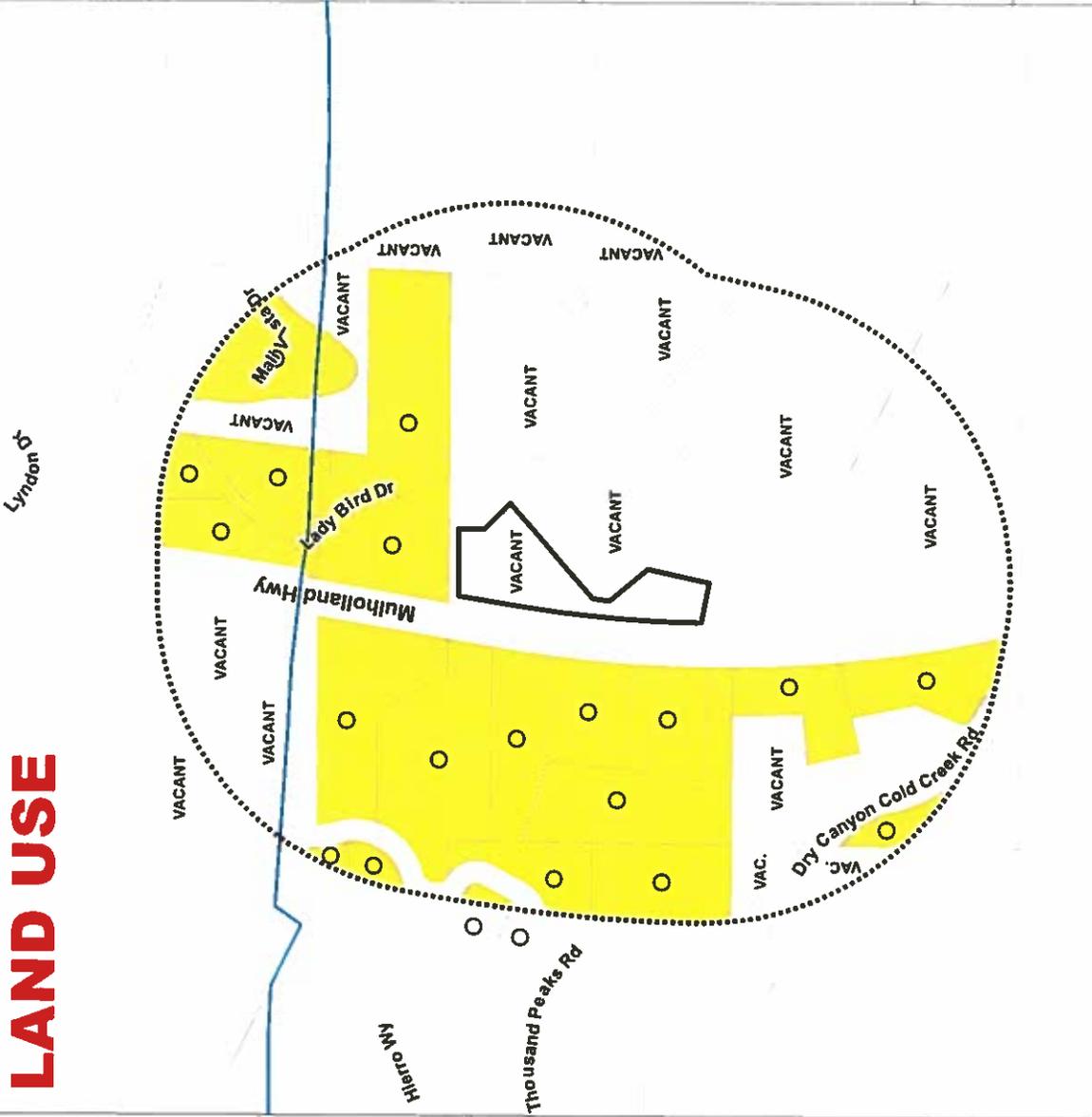
VICINITY MAP



0 50 100 200 300 400
Feet



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

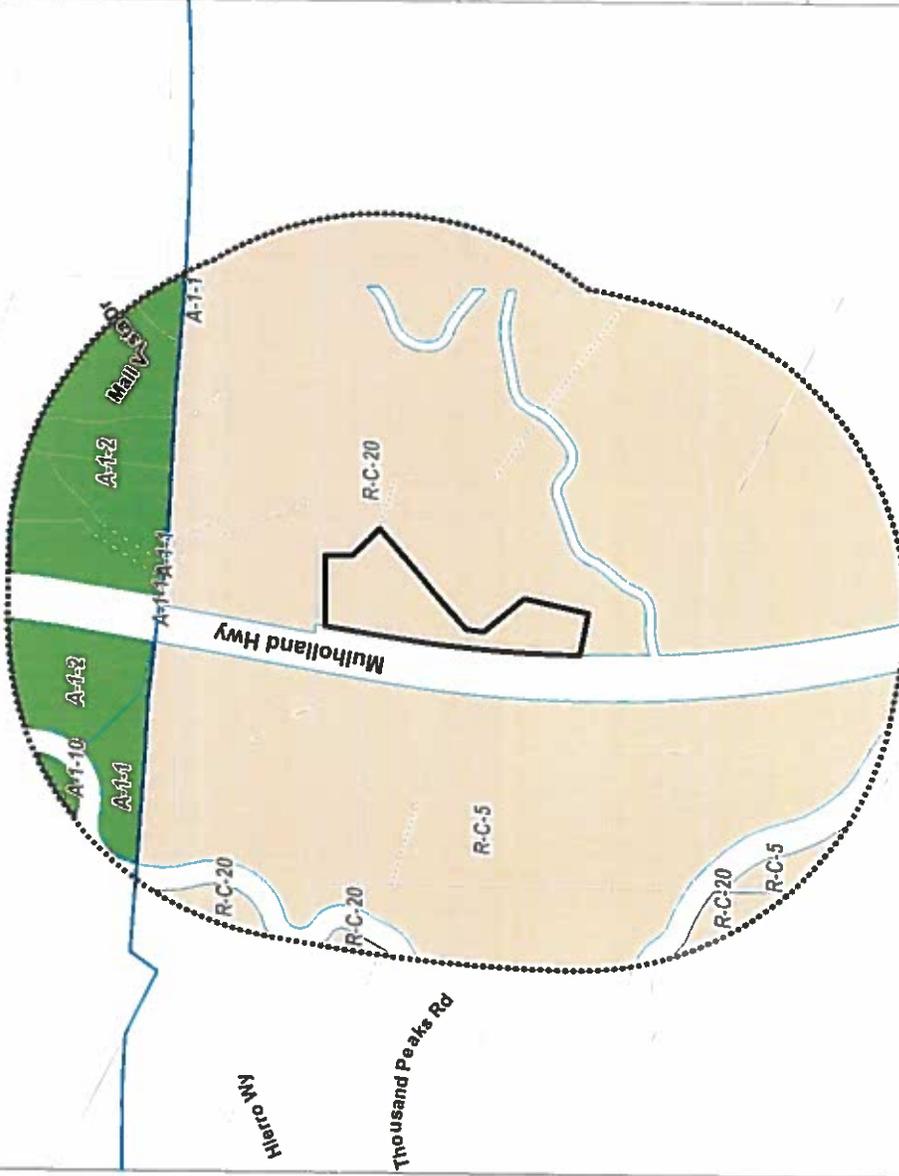


ZONING

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



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