



# Los Angeles County Department of Regional Planning

*Planning for the Challenges Ahead*



Richard J. Bruckner  
Director

March 5, 2015

California Coastal Commission South Central Coast District Office  
Steve Hudson, District Manager  
89 South California Street, Suite 200  
Ventura, CA 93001

## **NOTICE OF FINAL LOCAL DECISION ON COASTAL DEVELOPMENT PERMIT**

Please note the following Final Los Angeles County Action on a coastal development permit application (all local appeals have been exhausted for this matter):

### **PROJECT INFORMATION**

Project No.: TR071735-(3)  
Coastal Development Permit No.: 201400006  
Project Applicant: Malibu Associates, LLC  
Applicant's Representative: Kathleen O'Prey Truman, Truman & Elliott LLP, 626 Wilshire Boulevard, Suite 550, Los Angeles, CA 90017  
Project Location: 901 Encinal Canyon Road, Malibu, Los Angeles County, CA 90265  
Project Description: To authorize a project consisting of the following: (1) reconfiguration of the lot lines of 29 existing lots to create a total of seven lots over the project site; (2) development and operation of a sports-oriented educational retreat facility (Malibu Institute) affiliated with the University of Southern California (USC) containing a reconfigured 18-hole golf course, educational and meeting facilities in which educational institutions, businesses, or other organizations could conduct seminars, conferences, and other events, and associated accessory structures and amenities; (3) visitor-serving overnight accommodations within 40 bungalow units; and (4) the relocation of an existing helipad for emergency use only. The project is confined to the footprint of the existing disturbed area of approximately 200 acres. The remaining approximately 450 acres would be dedicated as permanent open space.

### **FINAL DECISION INFORMATION**

The Regional Planning Commission ("Commission") approved the above-referenced project with conditions on November 19, 2014 and the approval was appealed by Melanie Luthern on behalf of UNITE HERE Local 11 on December 3, 2014. Once the appeal was filed, approval was vacated and no longer had any effect.

Subsequently, the appellant withdrew their appeal of this matter. Accordingly, as a result of the withdrawal of the appeal, the project approval was **REINSTATED** effective **February 24, 2015** under the terms and conditions as originally approved by the Commission. Enclosed is the required materials supporting the final decision including the approval letter, the Staff Report, and the Commission's Findings and Conditions of Approval.

## **CALIFORNIA COASTAL COMMISSION APPEAL INFORMATION**

This approval is appealable to the California Coastal Commission and is not effective until the appeal period has ended.

### **Appeals:**

The California Coastal Commission's 10-working day appeal period begins the first working day after the Coastal Commission receives adequate notice of this Final Decision. The Final Decision is not effective until after the Coastal Commission's appeal period has expired and no appeal has been filed. Any such appeal must be made directly to the California Coastal Commission District Office in Ventura; there is no fee for such an appeal. Should you have any questions regarding the Coastal Commission appeal period or process, please contact the Coastal Commission District Office.

**To file an appeal, please contact:**  
California Coastal Commission  
Steve Hudson, District Manager  
89 South California Street, Suite 200  
Ventura, CA 93001  
(805) 585-1800

Copies of the notice have also been sent via first-class mail to:

- Kathleen O'Prey Truman  
Truman & Elliott LLP  
626 Wilshire Boulevard, Suite 550  
Los Angeles, CA 90017
- Thomas McCluskey  
15515 Sunset Boulevard #104  
Pacific Palisades, CA 90272
- Jeff Thomas  
6003 Dovetail Drive  
Agoura Hills, CA 91301
- Ron Buccieri  
677 Hennessy Avenue  
Simi Valley, CA 93065
- Tim Sullivan  
32885 Mulholland Highway  
Malibu, CA 90265
- Lee B. Kats, Ph.D.  
24255 Pacific Coast Highway, TAC 419 (4501)  
Malibu, CA 90263-0002
- Melanie Luthern  
464 Lucas Avenue, Suite 201  
Los Angeles, CA 90017

For questions or for additional information, please contact Kevin Finkel of the Special Projects Section at (213) 974-6462, or by email at [kfinkel@planning.lacounty.gov](mailto:kfinkel@planning.lacounty.gov). Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,  
DEPARTMENT OF REGIONAL PLANNING  
Richard J. Bruckner



Samuel Dea, Supervising Regional Planner  
Special Projects Section

Enclosures: Regional Planning Commission Approval Letter, Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion)

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

SZD:KAF



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



Richard J. Bruckner  
Director

November 19, 2014

Kathleen O'Prey Truman  
Truman & Elliott LLP  
626 Wilshire Boulevard, Suite 550  
Los Angeles, California 90017

**REGARDING: PROJECT NO. TR071735-(3)  
COASTAL DEVELOPMENT PERMIT NO. 201400006  
901 ENCINAL CANYON ROAD**

The Regional Planning Commission, by its action of **November 19, 2014**, has **APPROVED** the above-referenced project. Enclosed are the Commission's Findings and Conditions of Approval. Please carefully review each condition.

This approval is not effective until the following review and appeal procedures are completed, and the required documents and applicable fees are submitted to the Department of Regional Planning (see enclosed Affidavit of Acceptance Instructions):

- The applicant or any other interested persons may appeal the Regional Planning Commission's decision to the Los Angeles County Board of Supervisors. The appeal period for this project will end at 5:00 p.m. on **December 3, 2014**. **Appeals must be delivered in person.**

**To file an appeal, please contact:**

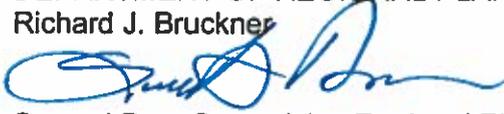
Executive Office of the Board of Supervisors  
Room 383, Kenneth Hahn Hall of Administration  
500 West Temple Street, Los Angeles, CA 90012  
(213) 974-1426

- After the completion of the County appeal period, the applicant, any person who appeared at a public hearing on this project, or any person who submitted a comment prior to the hearing on this project, may file an appeal with the California Coastal Commission within 10 business days of their receipt of a notice of the County's final decision on the project.
- At any point before the effective date of the permit, the Board of Supervisors may call up for review the Regional Planning Commission's decision on the project.

Upon completion of the appeal and review period, the notarized Affidavit of Acceptance and any applicable fees must be submitted to the planner assigned to your case. Please make an appointment to ensure that processing will be completed in a timely manner. Failure to submit these documents and applicable fees within 60 days will result in a referral to Zoning Enforcement for further action.

For questions or for additional information, please contact Kevin Finkel of the Zoning Permits West Section at (213) 974-6462, or by email at [kfinkel@planning.lacounty.gov](mailto:kfinkel@planning.lacounty.gov). Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,  
DEPARTMENT OF REGIONAL PLANNING  
Richard J. Bruckner



Samuel Dea, Supervising Regional Planner  
Special Projects Section

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

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

SZD:KAF

**FINDINGS OF THE REGIONAL PLANNING COMMISSION  
AND ORDER  
COUNTY OF LOS ANGELES  
PROJECT NUMBER TR071735-(3)  
COASTAL DEVELOPMENT PERMIT NUMBER 201400006**

1. **HEARING DATE.** The Los Angeles County ("County") Regional Planning Commission ("Commission") conducted a duly noticed public hearing on November 19, 2014 in the matter of Project No. TR071735, consisting of Coastal Development Permit No. 201400006 ("CDP").
  
2. **PROJECT DESCRIPTION.** The permittee, Malibu Institute, LLC ("permittee"), is requesting approval of a major CDP pursuant to the certified Santa Monica Mountains Local Coastal Program ("LCP") to authorize development of the Malibu Institute ("Project"), consisting of the following components: reconfiguration of the lot lines of 29 existing lots to create a total of seven (7) lots over the 650-acre Project site with two (2) lots containing 224,760 square feet of structures associated with Project development and five (5) lots dedicated as permanent open space, remodel an existing 18-hole golf course, demolition of existing structures and septic systems, and upgrading on-site infrastructure. The Project would develop a sports-oriented education retreat and meeting facility in conjunction with an 18-hole golf course on an approximate 650-acre property currently operated at the site is the Malibu Golf Club. In addition to remodeling the golf course, the Project will include the development of a 48,164-square-foot building ("Conference Center") consisting of educational and meeting facilities. Visitor-serving overnight accommodations will also be built to facilitate multi-day programs that may be held on-site. The overnight accommodations will consist of 40 bungalow units in 37 individual structures, with four bedrooms per unit, for a total of 160 bedrooms. Thirty-three of the structures will be two stories, and four of the structures will be a single story. Floor areas in these units will range from 2,610 square feet to 5,310 square feet. Other facilities that will be developed include a 30,147-square-foot clubhouse with dining and lounge facilities, a fitness and wellness center, and an outdoor swimming pool with a poolside shower and changing room. The Project will also provide a 12,104-square-foot building containing a golf pro-shop, eight indoor computerized driving range bays, and a grill/snack shop. Support facilities necessary for maintenance of the Project will be developed, including a 10,500-square-foot maintenance building, a 9,162-square-foot golf cart storage barn, a 4,623-square-foot warehouse, and a 120-square-foot security/information building. The site's existing 875-square-foot caretaker's residence will be retained on-site. At least 450 of the Project site's 650 acres will be dedicated as open space and the retention of an existing caretaker's residence. The CDP will also authorize: (a) on-site accessory live entertainment in the clubhouse and retreat/meeting facility; (b) on-site grading of 120,000 cubic yards of cut and 120,000 cubic yards of fill that will be balanced on-site; (c) the relocation of an existing helipad in the R-R zone for emergency use by the Los Angeles County Fire Department ("Fire Department"); (d) the continued use of the caretaker's residence and the removal of a hunting lodge;

(e) and 387 parking spaces for use by guests, visitors, and employees associated with the proposed development. The subject CDP will supersede applicable provisions of CUP No. 201100122 as it pertains to the project development and Condition Nos. 27 through 56.

3. **LOCATION.** The Project site is located at 901 Encinal Canyon Road within the Malibu Zoned District. The majority of the Project site is located within the Santa Monica Mountains Coastal Zone ("Coastal Zone") and the remainder, north of Mulholland Highway, is located in the Santa Monica Mountains North Area. The Project site is generally located north of the City of Malibu and south of the cities of Agoura Hills, Calabasas, Thousand Oaks, and Westlake Village. The Project site is bound by Encinal Canyon Road on the south. Mulholland Highway runs along and through the site's southwestern border, crosses the northern portion of the property, and then borders an eastern portion of the property. Westlake Boulevard is at the northern most point of the Project site and runs along the northwest border where it meets Mulholland Highway. The portion of the Project site that will be developed is located entirely within the Coastal Zone.

The Project site is an irregularly shaped assemblage of 29 existing parcels. Outside of the existing disturbed area, the topography of the site is varied, depicting valleys, steep slopes, and ridgelines.

4. **EXISTING LAND USE CATEGORIES.** The Project Site is located within the RL20 (Rural Lands – 1 du / 20 acres), CR (Commercial Recreation-Limited Intensity) land use categories, N5 (Mountain Lands 5 – 1 du / 5 acres), and N20 (Mountain Lands 20 – 1 du / 20 acres) land use categories of the of the land use plan portion of the Santa Monica Mountains Local Coastal Program ("LCP") and Santa Monica Mountains North Area Plan (SMMNAP).
5. **EXISTING ZONING.** The Project site includes various zones, R-C-20 (Rural Coastal – 20 acre minimum lot size), R-R (Resort and Recreation), A-1-5 (Light Agricultural – Five Acre Minimum Lot Size), A-1-20 (Light Agricultural – Twenty Acre Minimum Lot Size), and RPD-5-0.2-DP (Residential Planned Development).
6. **SURROUNDING ZONING.** The surrounding properties within 700 feet of the Project site are zoned as follows: A-1-5 (Light Agriculture, 5-acre minimum lot size), A-1-10 (Light Agriculture, 10-acre minimum lot size), A-1-20 (Light Agriculture, 20-acre minimum lot size), R-C-20 (Rural Coastal, 20-acre minimum lot size), IT (Institutional), and O-S-P (Open Space - Parks) to the north, east, south, and west, respectively.
7. **CURRENT LAND USES.** The Project site is currently developed with the Malibu Golf Club, which includes an 18-hole golf course, a clubhouse, a maintenance building, a storage building, an unpaved and graded helipad, and a water-storage tank. It also includes a caretaker's residence and an abandoned residence in the northern portion of the Project site.

8. **SURROUNDING LAND USES.** Surrounding land uses within a 700-foot radius include public and private vacant property, recreational trails, scattered single-family homes with some homes including equestrian facilities, Fire Camp 13, a facility operated by the Los Angeles County Fire Department in conjunction with the California Department of Corrections and Rehabilitation, located approximately one-half mile to the southwest of the Project site, and Camps Miller and Kilpatrick, two Los Angeles County Department of Probation juvenile detention facilities located approximately one mile to the east of the Project site.
9. **PREVIOUS CASES/ZONING HISTORY.** The existing Malibu Golf Club was developed as an appurtenant use to a proposed residential development in 1977. The residential development was never constructed due to litigation that ultimately resulted in a change in the site's density and zoning to A-1-1 and R-R-1. In 1982, the County issued Conditional Use Permit ("CUP") No. 1453 to authorize the use of the golf course on the Project site. The CUP expired on November 11, 1999, and in 1999, the County approved CUP No. 98-059 to authorize the continued operation of the golf course, including the clubhouse, and appurtenant facilities, and three caretaker's residences for a period of 20 years. CUP No. 98-059 expires on November 14, 2019. The existing configuration of the 29 legal lots is the result of three lot line adjustments approved by the County. In August 2014, the County approved a Vesting Tentative Tract Map ("VTTM"), CUP, and Parking Permit for the Project described herein, replacing the previously approved CUP.
10. **EXHIBIT MAP DESCRIPTION.** Exhibit "A," dated January 15, 2014, depicts an approximate 650-acre Project site with seven lots. Lot Nos. 1, 2, 3, 4, and 7 will be dedicated as open space. Lot No. 3 will retain the existing caretaker's unit. Lot No. 6 will be developed with the remodeled golf course. Lot No. 5 will have 224,760 square feet of development containing the Conference Center, the overnight bungalows, the clubhouse, pool, pro shop/driving range bays and grill, an existing water tank, a maintenance building, a golf cart storage barn, a warehouse and a security/information building. Parking is depicted on the Vesting Map as located on one expanded surface parking lot on the western side of the Project, and one resurfaced and screened surface parking lot on the southern side of the Project, containing a total of 387 parking spaces, including eight spaces for disabled persons. The Vesting Map also depicts several existing structures to be removed from the Project site, including an existing abandoned residence in the northern portion of the Project site, and a number of structures associated with the existing golf course, including restrooms and maintenance and clubhouse facilities. The Project will remove 11,160 square feet of existing structures associated with the golf course and an abandoned hunting lodge.

Forty acres of the Project site will be governed by a landscape plan, which will incorporate fuel-modified native hillside paving, enhanced drought-tolerant plantings, turf (non-golf) areas and golf, native hillside and native revegetation areas. The landscape plan includes the removal of 1,590 non-native on-site trees.

11. **SITE ACCESS.** The Project site is accessible via Encinal Canyon Road on the south and Mulholland Highway on the north and west. Primary access to the Project site will be via an entrance/exit on Encinal Canyon Road. The caretaker's residence will continue to take access from Mulholland Highway.
12. **PARKING.** The Project will provide a total of 387 parking spaces, including eight spaces for disabled persons. The parking spaces will be available for guests, visitors, and employees associated with the proposed development, and will be allocated as follows: two parking spaces for the information building; 73 parking spaces for the retreat/meeting facility; one parking space for the cart storage; five parking spaces for the warehouse; 40 parking spaces for the clubhouse; 180 parking spaces for the pro-shop/grill; six parking spaces for the maintenance building; and 80 parking spaces for the bungalow units. Most of the parking spaces will be located on one surface parking lot along the western side of the site's developed area. The remainder of the parking will be located on an existing surface parking lot on the southern end of the site's developed area and along the main driveway through this area. The permittee proposes to implement a shuttle system to provide transportation to the site from nearby airports and educational facilities, thereby reducing the parking needs of those who visit the site. The Parking Permit is required to allow the distribution of the total required parking on two lots within the development.
13. In addition to providing open space, the Project includes features to improve the environment or to make the Project compatible with the surrounding community. The Project site will be provided with potable water from the Las Virgenes Municipal Water District ("LVMWD"). On-site wastewater treatment will be provided through the installation of a new on-site wastewater treatment facility that can produce recycled water suitable for use in irrigation or subsurface infiltration, if such use is authorized by the Los Angeles Regional Water Quality Control Board ("Water Board"). The existing septic systems, with the exception of the system for the existing caretaker's residence near Mulholland Highway, will be closed and abandoned pursuant to a permit issued by the County Department of Public Health ("Public Health"). These Project components will improve water quality in Trancas Creek as well as in downstream sources. The Project also proposes to replace non-native ornamental landscaping with drought-tolerant native species, and to restore native habitat at ponds on the golf course.
14. The Project proposes to incorporate LEED Platinum design principles, such as green roofs, a moisture sensing irrigation system, solar panels, drought-tolerant landscaping, waste recycling, and develop a transportation system utilizing shuttles and electric vehicles. A "smart" drip irrigation system will also be installed on non-golf course vegetated areas to further reduce the use of potable water. Domestic water supply pressure-reducing valves will be installed to improve water pressure on-site.
15. The Project proposes relocating an existing helipad to a relatively flat, ungraded and more central location of the golf course, which will be approved by the Fire

Department and will be provided with a water hydrant for filling firefighting helicopters. Project conditions will limit the use of the helipad to emergency purposes only.

16. The Project proposes to incorporate sustainable and green design in all structures on the site with the goal of achieving LEED Platinum certification (or equivalent) for buildings intended for human occupation. Other environmentally-friendly design features include green roofs on many buildings, the use of color and shade structures to reduce the heat-island effect, the installation of photovoltaic solar panels over shade structures in the expanded surface parking area and on some roof tops to generate much of the Project's energy needs, charging stations for electric vehicles, the use of efficient geothermal heating/ventilation and air conditioning equipment ("HVAC"), the use of drought-tolerant landscaping, and the replacement of more than 185,000 square feet of existing non-pervious parking lots. Pedestrian, bicycle, and cart paths will be developed with pervious material to allow infiltration of stormwater, improvement of water quality, and use of energy efficient appliances and fixtures. Proposed structures will be nestled into slope areas to conform to existing contours of the site. The remodeled golf course will sand-cap the fairways to promote infiltration of stormwater and improve water quality. The Project is anticipated to reduce water use on-site by approximately 32 percent and will retain the last public golf course in the LCP area.
17. The Project will minimize nighttime lighting on-site. The Project will also restore habitats at the existing golf course ponds, which are hydrologically connected to Trancas Creek. The golf course ponds will be temporarily dewatered to eradicate invasive animals and vegetation. Sediment will be removed to improve functional capacity and to remove any toxins such as pesticides and herbicides that may have accumulated in bottom sediments. The ponds will then be refilled and replanted with native vegetation.
18. **HEARING EXAMINER PUBLIC HEARING.** A Hearing Examiner Public Hearing was held at the Malibu Golf Club on January 16, 2014 to take public testimony on the DEIR. Including staff, approximately 25 people attended the hearing but not all attendees testified. Testimony, as recorded in the transcript contained in the EIR was received from the applicant and two (2) members of the public. Both individuals expressed their support for the Project noting that the Project is environmentally excellent, has taken into account community outreach, and supports the improvements to Trancas Creek and the watershed that come with this Project.
19. **COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS.** County Department comments and conditions were received from the Departments of Parks and Recreation, Public Works, Fire, and Public Health and incorporated as part of the CDP.

The Department of Parks and Recreation, in its letter dated February 10, 2014, recommends approval of the Project and requires no conditions.

The Department of Public Works, in its letter dated February 10, 2014, recommends approval of the Project and requires conditions regarding Project design, easements, activities required prior to final map recordation, hydrology, geological hazards and grading, drainage, right-of-ways, wastewater, and water.

The Fire Department, in its letter dated February 27, 2014, recommends approval of the Project and requires conditions of approval related to access, final map markup, fuel modification, identification signage, the on-site water system, hydrants, the on-site helipad, the proposed solar shade structures, proposed vegetated roofs, and phasing.

The Department of Public Health, in its letter dated February 20, 2014, recommends approval of the Project and requires conditions regarding the on-site wastewater treatment system and verification of adequate water supplies to serve the proposed Project.

20. **ENVIRONMENTAL DETERMINATION.** At a public hearing in August 2014, the Board of Supervisors certified the project's Environmental Impact Report. Based on the Final Environmental Impact Report, after implementation of project mitigation measures, the Project will not have a significant and unavoidable impact on environmental resources for any of the issues analyzed.
21. **LEGAL NOTIFICATION AND PUBLIC OUTREACH.** Pursuant to the provisions of sections 22.44.970 and 22.44.990 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, property posting and on the Department's website.
22. **PUBLIC HEARING PROCEEDINGS.** The Commission held a duly-noticed public hearing on the Project Permit on November 19, 2014. Three of the Commissioners were present with Commissioners Valadez and Modugno absent. The Commission heard a presentation from Regional Planning Staff, which included a technical correction to one of the draft Conditions of Approval.

The Commission heard testimony from the permittee and members of the public. Testimony was heard from five persons and representatives from various groups and organizations, including the permittee. All speakers spoke in favor of the project.

Following the comment period, the Commission closed the public hearing and approved the Coastal Development Permit, subject to the Conditions of Approval as recommended by staff and modified by the Commission.

23. The Project is subject to the policies and provisions of the, and was analyzed for consistency with the LCP's land use plan ("LUP") and local implementation

program ("LIP"). The Commission finds the Project to be consistent and supportive of the applicable goals and policies contained in the LUP.

24. The Project was analyzed for consistency with the LCP's allowable land uses. Under the LCP, the portions of the Project site proposed for development are designated as Commercial Recreation - Limited Intensity. This designation is to guide the establishment of visitor-serving, resource-based commercial recreation uses characterized by large open space areas, limited building coverage, and minimal modification of the natural environment. The principal permitted use is low-intensity commercial establishments offering a variety of goods and services to visitors, restaurants, general stores, visitor-serving overnight accommodations, bed-and-breakfast facilities, hostels, public recreation areas and facilities, telecommunication facilities, trails, low-intensity conference centers, and private commercial recreation including fish ponds, equestrian facilities, and club houses at a maximum floor-area ratio of 0.3. The Project proposes the reconfiguration and continuation of an existing public golf course and an associated low-intensity conference center, visitor-serving overnight accommodations, and appurtenant facilities.
25. The maximum development potential allowed for the Commercial Recreation – Limited Intensity land use category is a floor-area ratio of 0.3.
26. The part of the Project site that will be dedicated as permanent open space encompasses parts of numerous parcels totaling over 450 acres and includes the RL20 land use category in the LUP, which allows a maximum residential density of one dwelling unit per 20 acres; the N5 land use category in the Santa Monica Mountains North Area Plan ("North Area Plan"), which allows a maximum residential density of one dwelling unit per five acres; and the N20 land use category in the North Area Plan, which allows a maximum residential density of one dwelling unit per 20 acres. The Project will contain less new development than would otherwise be allowed under the maximum development potential of the LCP and the SMMNAP.
27. If residential development were allowed on the 29 existing lots, such development would have required extensive fuel modification buffers distributed throughout the 650-acre site and would have significantly impacted sensitive environmental resource areas, including vast amounts of habitat designated as H1 and H2. Clustering new development on 20 previously disturbed acres (approximately three percent of the 650-acre site in the southern portion of the property), an area designated as H3 habitat will allow the Project to provide more than 450 acres of undisturbed native habitat as permanently dedicated open space. Providing such open space is consistent with the overriding goals of the LCP, specifically to "Protect, maintain, and where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and manmade resources." This dedication is also consistent with the land use element's guiding principle to "Preserve and protect significant environmental resources."

28. The Project's low-intensity nature will be consistent with the Commercial Recreation-Limited Intensity category in the LUP. Numerous other policies of the LUP that encourage protection of natural resources, ensure that development is compatible with environmental resources, and provision of visitor-serving commercial recreation facilities are also supported by the Project's clustering of development, dedication of open space, and visitor-serving amenities.
29. One of the LUP's overriding goals also supports the Project. Goal (b) is to "...maximize public recreational opportunities in the coastal zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners." The Project will remodel an existing golf course that will remain open to the public and expand the site's services and facilities available for conference space for educational programs, overnight accommodations, and an expanded clubhouse. The Project site's restaurants, snack bar, driving range, swimming pool, and other amenities will serve the needs of overnight guests on-site, and the public, including hikers and bicycle riders using nearby trails or the proposed Class 3 bicycle lane between Mulholland Highway and Pacific Coast Highway. Accordingly, the Project's proposed facilities will improve recreational opportunities within the Santa Monica Mountains Recreation Area consistent with the overriding goals of the LUP.
30. Policy LU-1 of the LUP states: "New residential, commercial, or industrial development shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it..." Remodeling the existing golf course and developing associated facilities will be undertaken within the footprint of the existing golf course, which is accessed from Encinal Canyon Road, a paved public street. The Project site will be provided with potable water from LVMWD. On-site wastewater treatment will be provided through the installation of a new on-site wastewater treatment facility that can produce recycled water suitable for use in irrigation or subsurface infiltration if such use is authorized by the Water Resources Control Board. The existing septic systems, with the exception of the system for the existing caretaker's residence near Mulholland Highway, will be closed and abandoned pursuant to a permit issued by County Public Health. These Project components will improve water quality in Trancas Creek as well as in downstream sources. The Project proposes to replace non-native ornamental landscaping with drought-tolerant native species, and to restore native habitat at ponds on the golf course. The Project also proposes to incorporate LEED Platinum design principles, such as green roofs, a moisture sensing irrigation system, solar panels, drought-tolerant landscaping, waste recycling, and the development of a transportation system utilizing shuttles and electric vehicles. All Project components will be limited to the existing developed area consistent with this policy.
31. The Resort-Recreation (R-R) zoning designated across the Project's development area is consistent with the LUP designation of Commercial Recreation-Limited Intensity. The R-R zone allows for modifications to, or replacement of golf courses first established prior to certification of the LCP with

any new or replacement clubhouse, meeting, seminar, dining, and other appurtenant facilities, and visitor-serving overnight accommodations, with a major CDP. Accordingly, these uses are consistent with the R-R zoning for the property.

32. Permitting development of 224,760 square feet on 20 acres within the larger 650-acre site balances the need for visitor-serving recreational facilities in the Santa Monica Mountains with the need to protect sensitive natural resources. As permitted, the Project has clustered development in existing disturbed areas in the southern portion of the site, adjacent to Encinal Canyon Road, while maintaining the rural nature of the remaining portions of the Project site. These features are consistent with the policies of the Conservation and Open Space and Land Use Elements in the LUP which aim to protect significant natural resources, "enhance recreational opportunities," and "protect the integrity of existing rural communities." The Project will protect the integrity of the existing rural community by providing buildings simple in form, function, and architectural character, to complement the mountainous character of the surrounding property. Landscaping, including mature oak trees and other native trees, will screen buildings from Encinal Canyon Road and Mulholland Highway. Exterior appearance of the development will be designed to blend with the surrounding environmental and topography with structures developed with consistent design, vegetated roofs, and natural materials.
33. As Finding Nos. 23 through 32 show, the Project is consistent with the LUP. More than 450 acres, consisting of mostly undisturbed natural areas, of the Project site will be dedicated as permanent open space. The Project will remodel the existing golf course and utilize design features that will provide an environmentally superior golf course. It will also add an educational facility with overnight accommodations to increase visitor access to the Coastal Zone. Development will occur entirely within the area previously disturbed by the existing golf course and associated structures. Improvements to the remodeled golf course will include: removal of approximately 1,590 non-native trees; sand-capping of the fairways and other measures to promote infiltration of stormwater and improve water quality; installation of photovoltaic panels to generate the majority of the Project's energy needs; and construction of a wastewater treatment system that could generate approximately 40,000 gallons per day for potential use to partially irrigate the golf course. The Project is anticipated to reduce water use on-site by approximately 32 percent and will retain the last public golf course within the Coastal Zone.
34. Based on the foregoing, the Commission finds that the Project is consistent with the LUP. The Commission further finds that the Project is compatible with the surrounding area in the unincorporated Santa Monica Mountains.
35. The portion of the Project to be developed and/or remodeled is located in the R-R zone. The Project complies with development standards of R-R zone as well as the Community-Wide Development Standards and Area-Specific

Development Standards sections of the LIP. The remodeling of an existing golf course and new or replacement appurtenant facilities is allowed in the R-R zone with a major CDP. The R-R zone also allows a conference center, the bungalow units, restaurant, bar and lounge, accessory live entertainment, maintenance and warehouse buildings, golf pro shop, and golf cart barn, and retention of the existing water tank are considered appurtenant to the remodeled golf course and thus allowed with a major CDP. The R-R zone also allows caretaker's residence with a major CDP, and the relocated helipad is allowed in the R-R zone so long as it is for use by the Fire Department only. The permittee has requested the major CDP for all of the above-mentioned development allowed in this zone.

36. The remodeled golf course, retreat/meeting facilities, and all appurtenant facilities are set within a valley in the center of the Project site and are not adjacent to any uses on the surrounding properties. The Project is designed to blend with the surrounding environment and topography, with consistent design, vegetated roofs, and natural materials. The Project will provide sufficient parking and access to the Project site.
37. The Project site consists of 29 existing lots, which would be consolidated into seven (7) lots with the proposed development occurring on two (2) of these lots and the remaining five (5) lots dedicated as permanent open space. This land division would result in the consolidation of the existing lots into a new configuration that would be consistent with the policies of the LCP, would not alter the maximum density currently allowed by the existing lot arrangement, does not create any lot or parcel that is smaller than the average size of the surrounding parcels, would result in a configuration that allows for all development to be clustered on the southern end of the project site in an already disturbed portion of the project site, would comply with all Fire Department requirements for access roads, would not divide an existing lot containing entirely H1 or H2 habitat, would not result in the construction of a new road or driveway in habitat defined as H1 or H2, and would result in a lot layout that minimizes impacts to visual resources. The resulting configuration of the subdivision is the most feasible alternative to provide access to the development and minimize adverse effects to nearby sensitive environmental resources.
38. The County Subdivision Committee ("Subdivision Committee"), consisting of Regional Planning, the Fire Department, and the County Departments of Public Works (Public Works"), Parks and Recreation ("Parks and Recreation"), and Public Health reviewed the Project, including the map and exhibits dated January 15, 2014. Parks and Recreation, in its letter dated February 10, 2014, recommended approval of the Project with no required conditions. Public Works, in its letter dated February 10, 2014, recommended approval of the Project with required conditions regarding Project design, easements, hydrology, geological hazards, grading, drainage, right-of-ways, wastewater, and water. The Fire Department, in its letter dated February 27, 2014, recommended approval of the Project with required conditions related to access, final map markup, fuel modification, identification signage, the on-site water system, hydrants, the on-

site helipad, the proposed solar shade structures, proposed vegetated roofs, phasing, and special events. Public Health, in its letter dated February 20, 2014, recommended approval of the Project with required conditions regarding the on-site wastewater treatment system and verification of adequate water supplies to serve the Project.

39. The conditions of the Subdivision Committee are attached in the conditions of approval for the CDP for reference.
40. Because the Project is proposing to construct an on-site wastewater treatment system, the Water Board requires that the Project comply with an MS4 permit, issued by the Water Board to the County, which is a requirement of the CDP conditions.
41. The permittee is required to obtain a letter from the National Park Service ("Park Service") indicating its willingness to accept the dedication of more than 450 acres of open space prior to any grading for the Project, except minor grading or demolition required by the Park Service as a condition for the Park Service's acceptance of the open space.
42. Pursuant to the California Environmental Quality Act ("CEQA"), Regional Planning, on behalf of the County as lead agency for the Project, conducted an Initial Study for the proposed Project and determined that an environmental impact report ("EIR") was necessary. Regional Planning sent the involved agencies and interested persons a Notice of Preparation and Scoping meeting for the EIR, and conducted a scoping meeting on December 12, 2012 at the Malibu Golf Club to receive input from the public and responsible agencies on potential environmental impacts related to the Project. Written comments regarding the scope of the EIR were accepted through January 21, 2013. During the scoping process, concerns were raised related to the Project regarding geotechnical hazards, water quality, land use, traffic/access issues, water supply, sewage disposal, cultural resources, biological resources, noise, air quality, public services, and the size and use of the Project's facilities.
43. A draft EIR ("DEIR") was prepared and circulated for a 60-day public comment period from December 9, 2013 to February 7, 2014. On January 16, 2014, a hearing examiner hearing was held during the comment period to solicit comments on the DEIR at the Malibu Golf Club. The hearing examiner report and hearing transcript were provided to the Commission prior to its hearing.
44. By the close of the public comment period, 46 written comments regarding the DEIR were submitted from individuals, local governments and agencies. Only one of these written comments expressed concern over the Project, which related to the Project's overall footprint and how it would change the portions of Trancas Creek that had been previously altered and channeled into culverts. Written comments in favor of the Project emphasized its benefits to the community and the environment, including providing overnight accommodations,

remodeling a public use golf course in the Santa Monica Mountains National Recreation Area, eradication of on-site invasive animal and plant species, reducing on-site water consumption, and dedicating more than 450 acres of undeveloped land as permanent open space. Other environmental benefits cited in the written comments included the Project's development of LEED Platinum (or equivalent) buildings and the Project's overall sustainability.

45. A final EIR ("FEIR") including the DEIR and a Mitigation Monitoring and Reporting Program ("MMRP") were prepared for the Project pursuant to CEQA (California Public Resources Code section 21000, et seq.). The FEIR found that all potentially significant environmental impacts caused by the Project could be mitigated to a level of less than significant with incorporation of proposed mitigation measures in the MMRP. As a result, no statement of overriding consideration was necessary for approval of the Project.
46. At a public hearing in August 2014, the Board of Supervisors certified the project's Environmental Impact Report. Based on the Final Environmental Impact Report, after implementation of project mitigation measures, the Project will not have a significant and unavoidable impact on environmental resources for any of the issues analyzed.
47. The applicant previously requested a Vesting Tentative Tract Map, Conditional Use Permit, and Parking Permit at a duly-noticed public hearing on the Project on April 30, 2014. Regional Planning staff made a presentation to the Commission regarding the Project, which was followed by public testimony. In response to a question from the Commission, Regional Planning staff advised that the Park Service confirmed in writing its willingness to accept the open space dedication.
48. The Commission heard testimony from 25 individuals, including the permittee. All but one speaker, who represented Local 11 of the Hotel and Food Service Worker's union Unite Here! ("Local 11"), testified in favor of the Project.
49. After public testimony, the Commission requested modification to several proposed conditions, and added one condition limiting the number of evening events on-site. The permittee agreed to those modifications, and the modified conditions, and the new condition, are included in the conditions of approval for the Project. The Commission then closed the public hearing, certified the FEIR, adopted the MMRP, and approved the Project Permits and Vesting Map, subject to the conditions of approval as recommended by staff and modified by the Commission.
50. Pursuant to County Code section 22.60.230, Local 11 appealed the Project Permits and Vesting Map to the Board.
51. The Board held its duly-noticed hearing on the appeal of the Project approvals on June 24, 2014. At the hearing, Regional Planning staff made a brief presentation regarding the Project, outlining its major components and environmental benefits.

52. At the Board hearing, a representative of the permittee gave a short overview of the Project, describing its environmental benefits and sustainability. The representative also explained to the Board the need to upgrade the golf course and to develop it in such a way so that it would become profitable.
53. At the Board hearing, a representative of Local 11 testified against the Project, stating three primary grounds for the opposition: access; compliance; and notice. Related to "access," the representative focused on access to the Project site by individuals of low and moderate income, not physical access to the Property. Related to "compliance," the representative alleged that the Project was non-compliant with the California Coastal Act ("Coastal Act") because of the above "access" issue. Related to "notice," the representative contended that the notice of the Project failed to identify the Project site as a luxury resort and claimed that had it done so, there may have been less support for the Project.
54. Sixteen people testified in favor of the Project. Proponents included students, professors, and representatives of local universities, including Pepperdine University, the University of Southern California, and the University of California Los Angeles. The Malibu Chamber of Commerce testified in support of the Project as did residents living near the Project site, the president of a local homeowners association, and environmental attorneys and advocates. Those in favor of the Project touted its sustainability, its provision of a sports-oriented educational retreat, and its provision of much-needed overnight accommodations in the area. At least one person stated that the Project should be a model for future development due to its environmental benefits. Another person testified that the golf course could provide a fire break from wildfires in the area, helping to slow or prevent the spread of wildfires.
55. After closing the public hearing, the Board indicated its intent to approve the Project and requested that the Project conditions be clarified to prohibit grading for the Project prior to the dedication of the 450 acres of open space to the Park Service except for any demolition or grading required by the Park Service as a condition of the Park Service's acceptance of the open space. Vesting Map conditions include such a requirement.
56. At a public hearing in August of 2014, the Board denied the appeal and reaffirmed the Commission's action on the approval of the project permits and VTTM and certified the environmental document.
57. The Commission 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.
58. The Commission finds that the Project conditions are consistent with applicable provisions of Section 22.44.1010 of the County Code.

59. The Commission finds that the hours of operation for the various uses on-site should be restricted to minimize the Project's potential impacts to the surrounding area. Project conditions will limit the hours of events at the Conference Center to be from 10:00 a.m. until 12:00 a.m., seven days a week, and from 10:00 a.m. until 2:00 a.m., for special events. The golf course will be permitted to operate between the hours of 6:00 a.m. and dusk, seven days a week. Outdoor events will be permitted to operate between the hours of 10:00 a.m. and 10:00 p.m., seven days a week. All amplified and/or live music on-site will be required to end by sunset. The clubhouse and associated dining and banquet facilities will be permitted to operate: (a) from 6:00 a.m. until 10:00 p.m., seven days a week, for outdoor events and services; (b) from 6:00 a.m. until 12:00 a.m., for indoor events and services; and (c) from 6:00 a.m. until 2:00 a.m., for special events. The on-site swimming pool will be permitted to operate from 6:00 a.m. to 10:00 p.m., seven days a week.
60. The Commission finds that the Project conditions control the: (a) maximum number of people allowed at simultaneous on-site scheduled events; (b) number of events per year with over 200 attendees; (c) number of outdoor events per year with over 320 attendees; and (d) number of times an event that begins after 6:00 p.m. may occur per year. The Project conditions will also require the permittee to develop an event management plan to accommodate the needs of events with attendees exceeding 320 people.
61. The Commission finds that the Project conditions will ensure that the proposed bungalow units are rented as single units, and will not become long-term rentals or otherwise become residential properties. The permittee will be required to maintain a log of guests in the bungalow units.
62. The Commission finds that the Project conditions will require the permittee to continue its affiliation with an institute for higher learning and that the golf course remains accessible to the public. Conditions will also require that: (a) the operator prepare a golf course maintenance plan; (b) tournaments be limited to those sponsored by charitable organizations, educational institutions, government entities, or corporations, where the tournament is not intended to have public spectators; and (c) the golf course not provide seating, viewing galleries, or other structures so as to allow spectators on the golf course at golfing events.
63. The Commission finds that the Project conditions will ensure that: (a) to the extent practical, water use for the purpose of irrigating the golf course will be minimized; (b) to the extent possible, the Project will improve the hydrological connection through the golf course between the headwaters of Trancas Creek and the portion of Trancas Creek at the southern end of the subject property, by daylighting portions of currently culverted segments; and (c) approval for the on-site wastewater treatment plant is granted by the Water Board prior to issuance of any grading permits.

64. The Commission finds that the Project site is located at 901 Encinal Canyon Road, which is an improved highway providing east-west access to the area. Regional access to the Project site is available from Encinal Canyon Road via Mulholland Highway off U.S. Highway 101, or via Encinal Canyon Road, Decker Canyon Road, or Kanan Dume Road off Pacific Coast Highway. The Board further finds that existing utility and water service providers and public safety agencies will have the capacity to serve the Project site without any significant burden and without creating deficiencies in service to adjacent residential areas. The Project will include retaining the existing 100,000-gallon water tank to only service the water needs of the Project, and to be used for fire-fighting purposes for the Project site and the surrounding area.
65. The Commission finds that Project impacts to the environment and the community are limited by clustering the development on 20 acres in the southern portion of the 650-acre site and by remodeling and reducing the acreage of the existing golf course. The Project balances the need for educational retreat facilities and economic sustainability and growth in the County, with the need to protect the surrounding rural environment.
66. The Commission finds that developments on the north, south, east, and west of the Project site, including those residences located relatively near the site's western border, are buffered from the site by rugged terrain and steep hillsides. The proposed buildings will not affect views from nearby residences because the development area is within the low-lying areas of the Project site. The Commission further finds that the Project will not significantly impact views or natural terrain features associated with Encinal Canyon Road and Mulholland Highway because the Project will blend with the existing natural contours and topography in the surrounding area. The Project will also reflect the existing mountainous and rustic character of the area through simple form, function, and architectural character, and by screening buildings from Encinal Canyon Road and Mulholland Highway with landscaping. The Project will employ contour grading techniques to smoothly transition manufactured slopes into the natural contours of adjacent undisturbed areas.
67. The Commission finds that the Project's numerous sustainability features will minimize the use of carbon-based fuels and their associated greenhouse gas emissions. The Project will also substantially reduce the Project's reliance on public utilities for water and electricity.
68. The Commission finds that the Project will balance all grading on-site, thereby minimizing adverse impacts to the surrounding area's traffic and circulation system. The Project will also incorporate mitigation measures to ensure that all potential air quality and noise impacts caused by the Project, both short- and long-term, will be minimized.
69. The Commission finds that the proposed grading and engineering for the Project will ensure public safety during Project construction and operation because: (a)

the proposed structures will not be located in areas characterized by unstable geologic conditions; and (b) the Project site is not located within any Alquist-Priolo Special Studies Zone. Under the LCP, the site is as being located within a landslide area, but the Commission finds that implementation of the recommendations in the Project's geotechnical report, and compliance with the County Building Code, will reduce slope stability impacts for the Project to a less than significant level.

70. The Commission finds that the Project's conditions will require the implementation of water quality and flood control measures and water-related best management practices (BMPs), including erosion control and sediment control devices to reduce runoff and erosion. The Project will transform mostly disturbed portions of the property with enhanced native, drought-tolerant landscaping that will blend with the surrounding environment. The site is not located within the 100-year flood plain established by the Federal Emergency Management Agency or the County's 50-year capital flood zone.
71. The Commission finds that the Project's conditions will require the Project to maximize fire safety. Project conditions will implement a fuel modification plan to minimize the risks of wildfires, establish buffer zones around the proposed structures, dictate the types of vegetation allowed within the buffer zones, be limited to existing disturbed areas, and include requirements regarding the removal of brush and dead plant materials. Project conditions will also require removal of non-native plant species and the periodic maintenance of the buffer zones. All structures within the Project site will be located along paved, all-weather and accessible roads, to allow easier access by fire fighting vehicles.
72. The Commission finds that the existing helipad, which has operated for years without complaint from neighboring property owners or public authorities, will be relocated to an area preferred by the Fire Department to improve firefighting capabilities for the Project site and the surrounding properties.
73. The Commission 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, signs, 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.
74. The Commission finds that the Project, as approved, is consistent with Section 22.44.1820 pertaining to the protection of sensitive environmental resources. The Project components will not encroach upon the physical extent of these habitats as they exist on the Project site, and during the review process of the CDP it was determined that no actual sensitive environmental resources will be deprived of the protection as required by the policies and provisions of the LCP.

75. The Commission finds that provision of overnight accommodations to guests at the site will minimize traffic impacts in the area.
76. The Commission finds that 20 acres for the Project's structures is more than adequate to accommodate the Project and any yards, walls, fences, parking and loading facilities, landscaping, and other development features needed for the Project.
77. The Commission finds that the previously approved Parking Permit is sufficient to allow the sharing of LIP-required parking over two lots.
78. The Commission finds that the Project will provide parking as required by the LIP, but that the demand for parking should be less than requirements due to the nature of the permittee's proposed uses. Strict interpretation of the LIP would require a minimum number of parking spaces for each use on each lot even though the same people will likely be engaged in multiple uses at the site. The Commission finds that, under these circumstances, shared parking over two parking lots is appropriate.
79. The Commission finds that all parking will be on two parcels, both owned by the permittee, at on-site surface parking lots containing a total of 387 parking spaces, which are in excess of the 377 required by the LIP. The pedestrian, bicycle, and electric cart pathways throughout the Project area reduces the need for additional parking spaces. The Commission finds the Project's proposed parking configuration will have no effect on circulation or parking in the surrounding area.
80. The Commission finds that shared parking will be used to provide parking for all uses at the Project site. When major events occur at the retreat/meeting facility, the Project conditions will require the use of valet services to handle overflow parking, when necessary. The valet parking attendants will ensure the easy ingress and egress of employees, independent contractors, and visitors from the shared parking spaces. Tandem and compact parking spaces are not required.
81. The Commission finds that the Project's conditions will require all operational and standard event parking to be provided on-site. Both development lots, Lot Nos. 5 and 6, are anticipated to be owned by the permittee and the Project's covenant, conditions, and restrictions are required to be recorded to ensure reciprocal access over these lots and continued maintenance of the parking lots by future owners in the future.
82. The Commission finds that the Project adequately addresses traffic concerns in the area by, among other things, implementing a shuttle system to provide access to the Project site from nearby airports and education institutions. The Project's provision of various amenities reduces the need for on-site visitors to leave the Project site, thereby minimizing traffic on surrounding roads.

83. The Commission finds that with the previously-approved Parking Permit, the Project complies with Section 22.44.1410 of the LIP. The Project will provide 387 spaces, including eight spaces for disabled persons, which is in excess of the 377 spaces required by the LIP. The Project is adequately conditioned to ensure continuous access to the proposed shared parking. The interconnected nature of the Project's uses and their close proximity to one another allow dispersal of the parking spaces over two parcels. The Project is developed to encourage movement throughout the Project site without the use of combustion engine vehicles.
84. The Commission finds that the Project being considered is identical to the Project considered by the Commission at a public hearing in April 2014. Because no changes have been made to the Project since the Commission's previous action, the Commission finds that the requested entitlement is within the scope of the certified EIR. Therefore, the Commission's action is a subsequent discretionary action of the same project previously considered by the Commission and no additional analysis is required to comply with CEQA.
85. The Commission finds that the certified EIR for the Project was prepared in accordance with CEQA, the State CEQA Guidelines, and the County's Environmental Document Reporting Procedures and Guidelines and that the EIR adequately analyzed the effects of the project. The Commission reviewed and considered the EIR, along with its associated MMRP, and the Findings of Fact, and finds that they reflect the independent judgment of the Commission. The Findings of Fact are incorporated herein by this reference, as set forth in full.
86. The Commission finds that the adopted MMRP, prepared in conjunction with the FEIR, and consistent with the conclusions and recommendations of the FEIR, identifies in detail how compliance with its measures will mitigate or avoid potential adverse impacts to the environment from the Project. The Commission further finds that the MMRP's requirements are incorporated into the conditions of approval for this Project, and that approval of this Project is conditioned on the permittee's compliance with the attached conditions of approval and MMRP.
87. 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 BOARD CONCLUDES THAT:**

- A. The proposed uses 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 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 permittee owns the premises where parking will be provided; provision of more than the required number of parking spaces on the two lots proposed will allow for adequate parking on-site for guests and employees of the Project; no conflicts will arise from the parking arrangements because there is a sufficient number of parking spaces to meet the Project's needs, and the Parking Permit will not result in traffic congestion or diversion of parking to parking facilities developed to serve surrounding properties.
- F. 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. 201400006, subject to the attached conditions.

**CONDITIONS OF APPROVAL  
COUNTY OF LOS ANGELES  
PROJECT NUMBER TR071735-(3)  
COASTAL DEVELOPMENT PERMIT NO. 201400006**

1. This grant authorizes the following (collectively, the "Project"):
  - (a) The consolidation of 29 existing lots into seven lots and demolition of existing structures to accommodate the development and operation of a sports-oriented educational retreat facility on a 650-acre project site containing a remodeled 18-hole golf course and 224,760 square feet of related structures, including educational meeting facilities with a cafeteria and lounge ("Conference Center"); 40 bungalow units constructed in 37 individual structures, a clubhouse with a restaurant/lounge, a fitness/wellness center, an outdoor pool with an associated shower/changing room, a warehouse, a cart storage building, a pro-shop with a computerized driving range, a maintenance building, and a security/information building;
  - (b) On-site accessory live entertainment in the clubhouse and Conference Center;
  - (c) On-site grading up to 120,000 cubic yards of cut and 120,000 cubic yards of fill, which will be balanced on-site with no import or export of fill;
  - (d) The relocation of an existing helipad for emergency use by the Los Angeles County ("County") Fire Department ("Fire Department");
  - (e) The continued use of an existing caretaker's residence; and
  - (f) This grant shall supersede provisions of Conditional Use Permit No. 201100122 ("CUP") for all project components except for alcohol, where this CUP will remain in place and govern the sale and consumption of alcohol associated with operation of the Project.
2. 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.
3. 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 County Department of Regional Planning ("Regional Planning") an affidavit stating the permittee and/or owner is aware of and agrees 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 Nos. 10, and 14. Notwithstanding the foregoing, this Condition No. 3 and Condition Nos. 5, 6, and 14 shall be effective immediately upon the date of final approval of this grant by the County.

4. 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").
5. 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.
6. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000, 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. 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. This grant shall expire at the time that the vesting tentative map expires without recordation of a final map. At such time, entitlement to the use of the subject property under this grant shall be subject to the regulations in effect at the time such use is proposed. Recordation of a final map shall be considered use of this grant.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant, the conditions of Vesting Tentative Tract Map No. TR071735 ("VTTM"), including the requirements of the County Subdivision Committee Reports which are attached hereto, the conditions of the CUP as they pertain to alcohol, the conditions of Parking Permit No. 201100005 (all of which are attached hereto and incorporated by this reference as if set forth fully herein), 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 \$4,000, which deposit shall be placed in a performance fund, and 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 20 annual inspections. Inspections shall be unannounced.
11. 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 per inspection, or the current recovery cost at the time any additional inspections are required.
12. The permittee shall comply with all mitigation measures identified in the Mitigation Monitoring and Reporting Program ("MMRP"), which is attached hereto and incorporated by this reference as if set forth fully herein.
13. Within 30 days of the date of final approval of this grant, the permittee shall record in the office of the Recorder a covenant and agreement, which attaches the MMRP and agrees to comply with the mitigation measures imposed by the environmental impact report for this Project and attaches the previously-approved VTTM, CUP, and parking permit conditions and agrees to comply with the conditions imposed by the previous approval. Prior to recordation of the covenant and agreement, the permittee shall submit a draft copy of the covenant and agreement to Regional Planning for review and approval. As a means of ensuring the effectiveness of the mitigation measures in the MMRP, the permittee shall submit annual mitigation monitoring reports to Regional Planning

for approval or as required, describing the status of the permittee's compliance with the required mitigation measures in the MMRP.

14. The permittee shall deposit an initial sum of **\$6,000** with Regional Planning within 30 days of the date of final approval of this grant to defray the cost of reviewing and verifying the information contained in the reports required by the MMRP. The permittee shall replenish the mitigation monitoring account if necessary until all mitigation measures have been implemented and completed.
15. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to coastal resources or to the public's health or safety, so as to be a nuisance, or as otherwise authorized pursuant to Section 22.44.690 of the County Code.
16. All development pursuant to this grant must be in full compliance with the County Fire Code to the satisfaction of the Fire Department.
17. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works ("Public Works") to the satisfaction of said department.
18. All development pursuant to this grant shall comply with the requirements of Title 21 ("Subdivision Ordinance") and Title 22 of the County Code ("Zoning Code") and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including in the approved Exhibit "A" or a revised Exhibit "A" approved by the Director of Regional Planning ("Director"). Subsequent revised Exhibit "A" and amendment submittals pursuant to Section 21.16.015 shall be consistent with the Santa Monica Mountains Local Implementation Program ("LIP").
19. The permittee shall maintain the subject property in a neat and orderly fashion and shall maintain all areas of the subject property over which the permittee has control free of litter.
20. All structures, walls, and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the premises or that do not provide pertinent information about said premises. This condition does not preclude the on-site use of seasonal decorations by the permittee. In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting.

Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

21. The subject property shall be developed and maintained in substantial conformance with the plans for the Project 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, four copies of a modified Exhibit "A" shall be submitted to Regional Planning prior to recordation of the final map for Vesting Tentative Tract Map No. TR071735-(3) ("Vesting Map"). The existing caretaker's residence on-site shall be depicted on a separate open space lot to be created on the final map to the satisfaction of Regional Planning.
22. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit four 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 permittee and the property owner(s) and the applicable fee for such revision.
23. In the event that an amendment to the approved CDP is required, the applicant shall comply with the amendment requirements of the LIP.
24. No grading permit shall be issued, nor shall any grading on-site occur, prior to the dedication to and acceptance by the National Park Service or other public entity or agency acceptable to the Director of Regional Planning of at least 450 acres of open space as shown on the approved VTTM. Further, no grading permit shall be issued prior to the recordation of a final map unless the Director of Regional Planning determines that the proposed grading conforms to the conditions of this grant and the conditions of the CUP and Parking Permit. Notwithstanding the foregoing, minor grading and demolition shall be allowed on the site prior to the above-described dedication and acceptance if the minor grading and demolition is required by the National Park Service or other public entity or agency accepting the open space as a condition of acceptance.

**PERMIT SPECIFIC CONDITIONS - COASTAL DEVELOPMENT PERMIT**

25. All structures shall comply with the height requirements of the LIP.
26. Prior to the issuance of a certificate of occupancy for the Conference Center, the permittee shall submit an evacuation/emergency management plan for all persons working at or visiting the Project.
27. Prior to issuance of any grading permit, the permittee shall submit a landscaping plan to the Director for review and approval consistent with the requirements of the LIP and mitigation measure 5.3-10 of the MMRP.

28. The permittee and/or owner of the subject site shall maintain an official affiliation with an accredited educational institute of higher learning such as, but not limited to, the University of Southern California, the University of California Los Angeles, and/or Pepperdine University, and shall submit an annual report to Regional Planning regarding the educational events and programs associated with the subject site to the satisfaction of the Director.
29. All new structures for the Project shall incorporate sustainable and green design features to the satisfaction of the Director, with the goal of achieving, at a minimum, LEED Platinum Certification (or its equivalent) for all structures intended for human occupancy.
30. All outdoor lighting shall comply with the requirements of the LIP. No night lighting shall be permitted on the site except the parking lot and pathways, entrances to buildings open to the public, and the bungalow units, which may be illuminated for public safety during evening hours. The night lighting allowed on the site shall have a maximum output rating of 60 watts (600 lumens) or the equivalent, which is the maximum light intensity areas allowed by the LIP. All light fixtures installed on paths of travel, such as walkways, stairs, and pathways shall be a maximum height of 24 inches from the finished grade. All night lighting shall be fully shielded and/or directed downward to minimize excessive on-site illumination and to avoid illumination of non-target areas including, but not limited to, H1 and H2 habitat areas and the H1 buffer.
31. Excluding outdoor events, all conferences and events that include accessory live entertainment shall be allowed to occur from 10:00 a.m. until 12:00 a.m., seven days a week.
32. All outdoor events that include accessory live entertainment shall be allowed to occur from 10:00 a.m. to 10:00 p.m., seven days a week. All lighting for these events shall comply with Condition No. 30, and all amplified and live music at these events shall end by sunset.
33. Hours of operation for the clubhouse and associated dining and banquet facilities shall be from 6:00 a.m. until 10:00 p.m. for outdoor events, and 6:00 a.m. until 12:00 a.m., for indoor events and dining service, seven days a week. The permittee may extend the closing time of the clubhouse and/or institute building and associated dining and banquet facilities to 2:00 a.m. for special events, such as New Year's Eve. Service from the dining facilities for purposes of room service to the visitor-serving overnight accommodations shall be allowed 24 hours per day.
34. Scheduled events that occur simultaneously at the clubhouse and the Conference Center with an aggregate of over 500 attendees shall be required to comply with the temporary use provisions of the LIP. Where a temporary event is exempt from these requirements, the permittee shall obtain a temporary use permit under the Zoning Code and shall comply with all applicable provisions

therein. In no event shall the aggregate number of attendees at scheduled events that occur simultaneously exceed 600 persons. Scheduled events that occur on an individual basis, excluding tournaments on the golf course, with over 200 attendees and where on-site lodging is not part of the event, shall be limited to 12 per year. For the individual events, the permittee shall keep a log indicating the date and time of such event(s) and noting the number of expected attendees. Said log shall be made available upon request for inspection by Regional Planning staff. The permittee shall provide adequate on-site parking on the lot holding or hosting any of these events or, if necessary, on the site's other developed lot.

35. Excluding tournaments on the golf course, scheduled events held exclusively outdoors such as, but not limited to, banquets and weddings, with over 320 attendees shall be limited to 12 per year and four per month. The permittee shall keep a log indicating the dates and time of such event(s) and note the number of expected attendees. Said log shall be made available upon request for inspection by Regional Planning staff.
36. The number of scheduled evening events occurring after 6:00 p.m. shall be limited to a maximum of 52 per year. The permittee shall keep a log indicating the date and time of such event(s). Said log shall be made available upon request for inspection by Regional Planning staff. The permittee shall provide adequate on-site parking on the lot holding or hosting any such event or, if necessary, on the site's other developed lot.
37. Prior to the issuance of the certificate of occupancy for the Conference Center, the permittee shall prepare and submit an event management plan detailing how the permittee will manage emergency evacuation, traffic, and parking for any event(s) occurring on-site where expected attendance would exceed 320 persons. Such event management plan shall be to the satisfaction of the Director in consultation with Public Works, the Fire Department, and the County Sheriff's Department. The permittee shall be allowed to submit to the Director revisions to the event management plan as needed.
38. All restaurant and restroom facilities not in the bungalow structures shall be made available for public use during normal business hours.
39. All visitor-serving overnight accommodations, which consist of the 40 bungalow units, shall be available for public use if not previously occupied by attendees of events at the Conference Center or by patrons of the golf course and associated facilities.
40. The permittee shall be required to comply with the following conditions regarding the bungalow units:
  - a. None of the individual rooms within a bungalow unit may be rented separately, although individual guests may pay his/her share of the rent.

Further, none of the rooms within an individual bungalow unit shall be allowed to be keyed independently of the main access door to that bungalow unit; however, each room within an individual bungalow unit may be able to be locked from the inside.

- b. The bungalows' on-site manager shall have duplicate keys for the bungalows and all one-sided internal locking devices for the bungalows shall be available at all times for emergency service personnel.
  - c. The bungalows shall not be rented to more than the number of occupants indicated on the registry card completed at registration by the respective bungalow guests.
  - d. The bungalow units cannot be rented by the hour and the maximum stay for any bungalow unit shall be 29 consecutive days. The permittee shall keep a log indicating the name of all bungalow guests and their respective lengths of stay. Said log shall be made available upon request for inspection by Regional Planning staff.
  - e. The bungalow units shall be occupied and rented on a temporary basis only, and shall not ever be occupied or rented so as to constitute a "Rental Unit" as described in of section 8.52.020 of the County Code.
  - f. At the time of registration, guests shall be required to present a driver's license or photo identification or other form of identification acceptable to the permittee.
  - g. The permittee shall maintain and keep current any required registration or business license with the County Treasurer and Tax Collector.
  - h. The permittee shall install a video camera(s) at the registration desk for the overnight accommodations. The footage shall be kept for at least a two-week period and shall be made available to law enforcement personnel if requested.
  - i. A copy of these conditions shall be kept in the permittee's management office and shall be made available to all enforcement personnel upon request.
41. Hours of operation for the swimming pool shall be between 6:00 a.m. and 10:00 p.m., seven days a week.
42. This grant shall allow for the continued operation and maintenance of the existing golf course and its appurtenant uses and structures subject to the following:
- a. The golf course hours of operation shall be from 6:00 a.m. to dusk, seven days a week.

- b. The golf course shall be maintained available for public use, and golf shall not be operated as a private golf club that is restricted to attendees of events at the subject property.
  - c. The permittee shall irrigate the golf course by using all practical water conservation measures, including using reclaimed water from the proposed on-site wastewater treatment plant if permitted by the Regional Water Quality Control Board ("Water Board"), using drip irrigation in appropriate areas, and using a "smart" irrigation system.
  - d. The operator of the golf course shall prepare and submit to the Director a Golf Course Maintenance Plan for the purpose of minimizing the impacts to the golf course's biological resources as a result of maintenance practices such as irrigation, fertilization, the use of pesticide and herbicide, and storm water drainage practices. This Plan shall be prepared in coordination with the County biologist within Regional Planning and approved by the Director.
  - e. Golf tournaments shall be conducted only when sponsored by charitable organizations, educational institutions, government entities, or corporations, where the tournament is not intended to have public spectators. The permittee shall not provide seating facilities, viewing galleries, or similar structures in the golf course for spectators.
  - f. This grant shall prohibit the playing of golf after dusk and shall require the daily closure of the golf course within one hour after dusk.
  - g. The permittee shall be prohibited from using self-illuminating advertising signage or any similar type of advertisement in the parking lot, clubhouse, or on any of the walls or fences enclosing the subject property. All signs shall comply with the requirements of the LIP.
  - h. The permittee shall maintain free of litter all areas of the premises under which the permittee has control.
43. The permittee's landscaping plan shall require the planting of only native, drought-tolerant species on the subject property and comply with the applicable requirements of the LIP.
44. All waste, compost, oils, non-synthetic chemicals, manure, fertilizers, and other similar materials shall be stored at least 200 feet away from any H1 habitat area, stream or natural drainage course, or any underground water source used for human consumption.
45. To protect sensitive resources and riparian areas consistent with the requirements of any permits issued by the Water Board, the permittee shall take

- appropriate action to reduce the amount and rate of water runoff from the site and to protect water quality downstream.
46. The permittee shall comply with all applicable requirements of the County's applicable MS4 Permit issued by the Water Board.
  47. Prior to the issuance of any grading permit, an approval letter from the Water Board shall be obtained on the permittee's use of an on-site wastewater treatment plant. In addition, the permittee shall provide evidence to the satisfaction of the Director the following: (a) that a consultant, approved by Public Works, Division of Building and Safety ("Building and Safety") and the County Department of Health Services ("Health Services"), has been retained to review the Project's construction plans, ensure that the on-site wastewater treatment facility is sized to accommodate only the needs of the uses authorized by this grant, ensure that the facility will not be used for any purposes unrelated to this grant or for any off-site property owners, and to perform an inspection of the installation of the wastewater treatment facility; and (b) that a maintenance agreement or contract has been executed with a service company approved by Building and Safety and Health Services for the continued maintenance of the waste water treatment facility. The permittee shall maintain and keep such agreement or contract in effect at all times. In the event the agreement or contract lapses, the permittee shall cease operation of all uses on the site until a new contract or agreement with a new maintenance company acceptable to Building and Safety and Health Services is executed.
  48. If the on-site wastewater treatment facility fails to meet the standards of the Water Board's water quality/discharge requirements at any time, the permittee shall immediately close and cease operation, cancelling all current and scheduled events and lodging of the Conference Center, bungalows, golf course and all support facilities including the pro-shop, clubhouse, kitchen, cafeteria, lounge, bathrooms, and shower buildings. The cessation of operations and closure of all of these structures and facilities shall remain in place until there is confirmation, to the satisfaction of Building and Safety and Health Services, that said system can again meet the Water Board's water quality/discharge requirements.
  49. The permittee shall manage the golf course in accordance with the approved Exhibit "A," with the goal of protecting natural resources and minimizing hazards such as flood, fire, and erosion.
  50. Green waste shall be appropriately recycled on the subject property to the maximum extent feasible.
  51. The on-site relocated helipad shall be reserved for emergency use only by public agencies including, but not limited to, the Fire Department.

52. All project-related grading shall be balanced on-site with no export or import of materials, and such grading shall be limited up to a maximum of 120,000 cubic yards of cut and 120,000 cubic yard of fill.
53. To the maximum extent feasible, the permittee shall improve the hydrological connection through the golf course between the headwaters of Trancas Creek and the portion of Trancas Creek at the southern end of the site by daylighting currently culverted segments as depicted on the approved Exhibit "A." The daylighted segments shall become part of the golf course and setbacks shall not be required for the golf course's development features from the Creek.
54. Where practical, the permittee shall use native grasses such as white yarrow, salt grass, and clustered field sedge as part of the landscape component of the fairway, and roughs for the golf course, in accordance with the approved landscape plan.
55. The permittee shall annually monitor the subject property for the reintroduction of invasive plant and animal species and remove such species in accordance with the Pest and Invasive Species Management Plan detailed in Mitigation Measure 5.3-11 in the MMRP.
56. The permittee shall perform pre-construction surveys for sensitive species, such as lichens, bryophytes, vascular plant floras, invertebrate insects, and mollusks, and if any such species is discovered by the surveys, the permittee shall comply with the requirements of the MMRP related to the involved species.
57. During renovation of the golf course and construction of the Project development facilities, the permittee shall hold and keep, whenever possible, sensitive native animal species found for later replacement to and throughout the restored and undeveloped part of the subject property. If determined necessary by the Director, mitigation lands or credits may need to be purchased to mitigate for: sensitive species that are found but cannot be held for relocation; sensitive species assumed to be present but whose habitat is lost; or for cumulative loss of habitat.
58. The permittee shall coordinate with surrounding property owners to remove all storage materials located on the southeast portion of the subject property.

Attachments:

VTTM Conditions

Subdivision Committee Reports (Pages 1–22)

CUP Conditions

Parking Permit Conditions

Mitigation Monitoring and Reporting Program (Pages 1–50)

**CONDITIONS OF APPROVAL  
PROJECT NUMBER TR071735-(3)  
VESTING TENTATIVE TRACT MAP NUMBER TR071735-(3)**

1. This grant for Vesting Tentative Tract Map No. TR071735-(3) ("Vesting Map") authorizes the re-subdivision of 29 existing lots into seven lots on approximately 650 acres. One lot will be developed with a remodeled and redesigned 18-hole golf course and helipad. A second lot will be developed with an education and retreat facility ("Conference Center"), a golf cart storage building, warehouse, clubhouse, pro-shop and grill, maintenance building, pool, shower and changing building, and 40 bungalow units with a total of 160 total bedrooms. The second lot will also hold the existing on-site water tank. The remaining five lots, comprising approximately 450 acres, will remain as undeveloped open space and be dedicated to a public agency, except that one of these open space lots will hold the existing caretaker residence. An abandoned hunting lodge will be removed from one of the other open space lots.
2. Except as modified herein, this approval is subject to the requirements of Title 21 ("Subdivision Ordinance") of the Los Angeles County Code ("County Code").
3. This grant is also subject to all conditions set forth in Conditional Use Permit No. 2011-00122-(3) ("CUP"), Parking Permit No. 2011-00005-(3) ("Parking Permit"), and the Mitigation Monitoring and Reporting Plan ("MMRP") adopted as part of the Project's final environmental impact report ("FEIR"), which MMRP is attached hereto and incorporated herein by this reference as if set forth in full. This grant also is subject to the attached reports recommended by the Los Angeles County ("County") Subdivision Committee ("Subdivision Committee") and submitted by the County Department of Public Works ("Public Works"), County Fire Department ("Fire Department"), County Department of Parks and Recreation, and County Department of Public Health, and which are all incorporated by this reference as if set forth fully herein.
4. As used herein, the term "subdivider" shall include the applicant or any successor in interest, and any other person, corporation, or entity making use of this grant.
5. Unless otherwise apparent from the context, the "date of final approval" shall mean the date the County's action becomes effective pursuant to section 22.60.260 of Title 22 of the Los Angeles County Code ("Zoning Code") and section 21.56.010 of the Subdivision Ordinance.
6. The subdivider 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 California Government Code sections 65009 and 66499.37, California Public Resources Code section 21167, or other applicable limitations period. The

County shall promptly notify the subdivider of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the subdivider of any claim, action, or proceeding, or if the County fails to cooperate in the defense, the subdivider shall not thereafter be responsible to defend, indemnify, or hold harmless the County.

7. In the event that any claim, action, or proceeding as described above is filed against the County, the subdivider shall within 10 days of the filing make an initial deposit with the County Department of Regional Planning ("Regional Planning") in the amount of \$5,000, 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 the subdivider or the subdivider's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the subdivider shall deposit additional funds sufficient to bring the balance to the amount of \$5,000. 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 subdivider, 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 subdivider according to County Code section 2.170.010.

8. Within three days of the date of final approval of this grant, the subdivider shall remit processing fees payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination ("NOD") for this project and its entitlements in compliance with section 21152 of the Public Resources Code. Unless a Certificate of Exemption is issued by the California Department of Fish and Wildlife pursuant to section 711.4 of the California Fish and Game Code, the subdivider shall pay the fees in effect at the time of the filing of the NOD, as provided for in section 711.4 of the Fish and Game Code, currently \$3,104.75 (\$3,029.75 for an Environmental Impact Report plus \$75 processing fee). No land use project subject to this requirement is final, vested, or operative until the fee is paid.
9. Prior to use of this grant, the subdivider shall submit evidence that the MMRP and the conditions of the related CUP and Parking Permit have been recorded in the office of the County Registrar-Recorder/County Clerk ("Recorder") and that all fees as required by Condition Nos. 8 and 10 have been paid.
10. The subdivider shall deposit the sum of \$6,000 with Regional Planning within 30 days of the date of final approval of this grant to defray the cost of reviewing the subdivider's reports and verifying the information contained in the reports

required by the MMRP. The subdivider shall replenish the mitigation monitoring account if necessary until all mitigation measures have been implemented and completed.

11. The subdivider shall comply with all mitigation measures identified in the MMRP, which are incorporated by this reference as if set forth fully herein.
12. Within 30 days of the date of final approval of this grant, the subdivider shall record in the office of the Recorder a covenant and agreement, which attaches the MMRP, agreeing to comply with the mitigation measures imposed by the FEIR. Prior to recordation of the covenant and agreement, the subdivider shall submit a draft copy of this covenant and agreement to Regional Planning for review and approval. As a means of ensuring the effectiveness of the mitigation measures in the MMRP, the subdivider shall submit an annual report to Regional Planning for approval or as required, describing the status of the subdivider's compliance with the required mitigation measures in the MMRP.
13. Permission is granted to adjust lot lines on the final map to the satisfaction of Regional Planning and Public Works.
14. Permission is granted to create additional open space lots to the satisfaction of Regional Planning.
15. No grading permit shall be issued prior to the recordation of a final map unless the Director of Regional Planning determines that the proposed grading conforms to the conditions of this grant and the conditions of the CUP and the Parking Permit.
16. No grading permit shall be issued, nor shall any grading on-site occur, prior to the dedication to and acceptance by the National Park Service or other public entity or agency acceptable to the Director of Regional Planning of the 450 acres of open space shown on the Vesting Map. Further, no grading permit shall be issued prior to the recordation of a final map unless the Director of Regional Planning determines that the proposed grading conforms to the conditions of this grant and the conditions of the CUP and Parking Permit. Notwithstanding the foregoing, minor grading and demolition shall be allowed on the site prior to the above-described dedication and acceptance if the minor grading and demolition is required by the National Park Service or other public entity or agency accepting the open space as a condition of acceptance.

#### **PRIOR TO RECORDATION OF THE FINAL MAP**

17. The subdivider shall obtain a coastal development permit from the appropriate permitting authority or provide evidence that the project is exempt from this permit requirement under the California Coastal Act.
18. The subdivider shall submit a draft copy of the project conditions, covenants and restrictions ("CC&Rs"), and any required maintenance agreements and

covenants, to Regional Planning for review and approval prior to recordation of any final map.

19. The subdivider shall construct or bond with Public Works to the satisfaction of that department for driveway paving associated with private driveways and fire lanes (Clubhouse Drive and Trancas Lake Driveway) located on Lot No. 5.
20. The subdivider shall post all driveways less than 26 feet in width with signs stating "No Parking-Fire Lane" and provide for the continuous posting and enforcement of this restriction in the project's CC&Rs or in a maintenance agreement, which CC&Rs or maintenance agreement shall be recorded with the Recorder. Prior to recordation, the subdivider shall submit a copy of the CC&Rs or maintenance agreement to Regional Planning for review and approval.
21. The subdivider shall reserve easements for ingress/egress over Lot Nos. 5 and 6 for the benefit of all lots of the subdivision to the satisfaction of Regional Planning. The easement document or documents shall be recorded with the Recorder. Prior to recordation, the subdivider shall submit the easement document or documents to Regional Planning for review and approval.
22. The private driveways on Lot No. 5 shall be indicated on the final map as "Private Driveway and Fire Lane" with the widths clearly depicted. The subdivider shall include conditions in the project CC&Rs or in a maintenance agreement stating that these driveways shall be maintained in accordance with the Fire Code.
23. The subdivider shall dedicate to the County on the final map the right to prohibit construction on the following open space lots, as so designated on the Vesting Map: Lot Nos. 1, 2, 3, 4, and 7.
24. The subdivider shall dedicate to the County on the final map the right to prohibit residential construction on all lots.
25. Should the subdivider create additional open space lots, the subdivider shall dedicate to the County on the final map the right to prohibit residential construction on said lot or lots. Should the existing caretaker's residence be retained within one of those new open space lots, the subdivider shall dedicate to the County on the final map the right to prohibit further residential construction on that lot. The subdivider shall retain the right to perform any necessary maintenance for the upkeep of the caretaker's residence, but expansion of such residence is prohibited.
26. The subdivider shall offer to dedicate Lot Nos. 1, 2, 3, 4, and 7 to the National Park Service or other public agency or entity to the satisfaction of the Director of Regional Planning for purposes of keeping and maintaining the open space lots.
27. The subdivider shall number all open space lots on the final map and ensure that each open space lot has access and easement rights over Lot Nos. 5 and 6, all to the satisfaction of Regional Planning.

28. The subdivider shall include conditions in the project CC&Rs or maintenance agreement requiring the continued maintenance of lots having planted slopes.
29. The subdivider shall place a note on the final map indicating that Lot Nos. 1, 2, 3, 4, and 7 are dedicated for open space purposes only.
30. The subdivider shall clear all necessary structures and storage materials from Lot Nos. 1, 2, 3, 4, and 7 to the satisfaction of Regional Planning.
31. The subdivider shall show Encinal Canyon Road and Mulholland Highway as dedicated streets on the final map.
32. The subdivider shall dedicate to the County the right to restrict vehicular access on the final map for lots abutting Mulholland Highway and Westlake Boulevard.
33. The subdivider shall provide Regional Planning a copy of the subdivider's maintenance agreement or other contract with a service company or other entity, approved by both Public Works, Division of Building and Safety and the County Department of Health Services, for continued maintenance and repair of the on-site wastewater treatment facility. Said maintenance agreement or other contract shall provide that it can be revoked by the subdivider only with the consent of the County, and that adequate financial securities shall be in place to ensure the long-term maintenance and repair of the on-site waste water treatment facility to the satisfaction of the Directors of Regional Planning and Public Works.
34. Permission is granted to allow future design flexibility within Lot No. 5 pursuant to section 21.16.015 of the Subdivision Ordinance, as noted on the Vesting Map and its exhibit map, including allowing changes to the building location, driveway location, alignments, driveway widths and drive entries, private drive alignments and locations, and the commercial building type and location. Notwithstanding the foregoing, the total bungalow unit count and the square footage of the golf facilities and Conference Center buildings shown on the Vesting Map and the accompanying exhibit maps shall not be exceeded. Specifically, project build-out shall not exceed 40 bungalow units with a total of 160 bedrooms, and the total of 224,760 square feet for the golf facility and Conference Center buildings shall not be exceeded. In addition, the open space acreage shown on the Vesting Map shall not be reduced to less than 450 acres.

**Attachments:**

Mitigation Monitoring and Reporting Program (Pages 1-50)  
Subdivision Committee Reports (Pages 1-22)

The following reports consisting of 11 pages are the recommendations of Public Works.

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. Details and notes shown on the tentative map are not necessarily approved. Any details or notes which may be inconsistent with requirements of ordinances, general conditions of approval, or Department policies must be specifically approved in other conditions, or ordinance requirements are modified to those shown on the tentative map upon approval by the Advisory agency.
2. Easements are tentatively required, subject to review by the Director of Public Works to determine the final locations and requirements.
3. Easements shall not be granted or recorded within areas proposed to be granted, dedicated, or offered for dedication for public streets, highways, access rights, building restriction rights, or other easements until after the final map is filed with the Registrar-Recorder/County Clerk's Office. If easements are granted after the date of tentative approval, a subordination must be executed by the easement holder prior to the filing of the final map.
4. In lieu of establishing the final specific locations of structures on each lot at this time, the owner, at the time of issuance of a grading or building permit, agrees to develop the property in conformance with the County Code and other appropriate ordinances such as the Building Code, Plumbing Code, Grading Ordinance, Highway Permit Ordinance, Mechanical Code, Zoning Ordinance, Undergrounding of Utilities Ordinance, Water Ordinance, Sanitary Sewer and Industrial Waste Ordinance, Electrical Code, and Fire Code. Improvements and other requirements may be imposed pursuant to such codes and ordinances.
5. All easements existing at the time of final map approval must be accounted for on the approved tentative map. This includes the location, owner, purpose, and recording reference for all existing easements. If an easement is blanket or indeterminate in nature, a statement to that effect must be shown on the tentative map in lieu of its location. If all easements have not been accounted for, submit a corrected tentative map to the Department of Regional Planning for approval.

6. Adjust, relocate, and/or eliminate lot lines, lots, streets, easements, grading, geotechnical protective devices, and/or physical improvements to comply with ordinances, policies, and standards in effect at the date the County determined the application to be complete all to the satisfaction of Public Works.
7. If applicable, quitclaim or relocate easements running through proposed structures.
8. Label driveways and multiple access strips as "Private Driveway and Fire Lane" and delineate on the final map to the satisfaction of Public Works.
9. Reserve reciprocal easements for drainage, ingress/egress, sewer, water, utilities, right to grade, and maintenance purposes, etc., in documents over the common private driveways to the satisfaction of Public Works.
10. Remove existing buildings prior to final map approval. Demolition permits are required from the Building and Safety office.
11. If unit filing occurs, reserve reciprocal easements for drainage, ingress/egress, utilities, and maintenance purposes, etc., in documents over the private driveways and delineate on the final map to the satisfaction of Public Works.
12. The boundaries of the unit final maps shall be designed to the satisfaction of the Departments of Regional Planning and Public Works.
13. The first unit of this subdivision shall be filed as Tract No. 71735-01, the second unit, Tract No. 71735-02, and the last unit, Tract No. 71735.
14. The street frontage requirement for Lots #1, #2, #3, #4 and #5 needs to be waived by the Advisory Agency.
15. Show open space lots on the final map and dedicate residential construction rights over the open space lots.
16. A final tract map must be processed through the Director of Public Works prior to being filed with the Registrar-Recorder/County Clerk's Office.

COUNTY OF LOS ANGELES  
DEPARTMENT OF PUBLIC WORKS  
LAND DEVELOPMENT DIVISION – SUBDIVISION  
TRACT NO. 071735 (Rev.)

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TENTATIVE MAP DATE 01-15-2014  
EXHIBIT "A" MAP DATE 01-15-2014

17. Prior to submitting the tract map to the Director of Public Works for examination pursuant to Section 66442 of the Government Code, obtain clearances from all affected Departments and Divisions, including a clearance from the Subdivision Mapping Section of the Land Development Division of Public Works for the following mapping items; mathematical accuracy; survey analysis; and correctness of certificates, signatures, etc.
18. A final guarantee will be required at the time of filing of the final map with the Registrar-Recorder/County Clerk's Office.
19. Within 30 days of the approval date of this land use entitlement or at the time of first plan check submittal, the applicant shall deposit the sum of \$2,000 (Minor Land Divisions) or \$5,000 (Major Land Divisions) with Public Works to defray the cost of verifying conditions of approval for the purpose of issuing final map clearances. This deposit will cover the actual cost of reviewing conditions of approval for Conditional Use Permits, Tentative Tract and Parcel Maps, Vesting Tentative Tract and Parcel Maps, Oak Tree Permits, Specific Plans, General Plan Amendments, Zone Changes, CEQA Mitigation Monitoring Programs and Regulatory Permits from State and Federal Agencies (Fish and Game, USF&W, Army Corps, RWQCB, etc.) as they relate to the various plan check activities and improvement plan designs. In addition, this deposit will be used to conduct site field reviews and attend meetings requested by the applicant and/or his agents for the purpose of resolving technical issues on condition compliance as they relate to improvement plan design, engineering studies, highway alignment studies and tract/parcel map boundary, title and easement issues. When 80% of the deposit is expended, the applicant will be required to provide additional funds to restore the initial deposit. Remaining balances in the deposit account will be refunded upon final map recordation.

Prepared by  John Chin  
Tr71735L-rev3.doc  
<http://planning.lacounty.gov/case/view/tr071735-3/>

Phone (626) 458-4918

Date 02-10-2014



**COUNTY OF LOS ANGELES  
DEPARTMENT OF PUBLIC WORKS**

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
WWW.DPW.LACOUNTY.GOV

TRACT NO.: 071735

TENTATIVE MAP DATE: 01/15/14  
EXHIBIT MAP DATE: 01/15/14

**HYDROLOGY UNIT CONDITIONS OF APPROVAL, PHONE: (626) 458-4921**

**Prior to Improvement Plans Approval:**

1. Comply with the requirements of the Drainage Concept / Hydrology / Water Quality Plan, which was conceptually approved on 10/22/13 to the satisfaction of the Department of Public Works.
2. Obtain approval or letter of non-jurisdictional from the State Department of Fish and Game.
3. Obtain approval or letter of non-jurisdictional from the State Water Resources Control Board.
4. Obtain approval or letter of non-jurisdictional from the Corps of Engineers.
5. A maintenance permit may be required from the State Department of Fish and Game, the Corps of Engineers, and the State Water Resources Control Board to the satisfaction of the Department of Public Works.

**Prior to recordation of a Final Map or Parcel map Waiver:**

1. Show and label all natural drainage courses and flood hazard areas.
2. Dedicate to the County the right to restrict the erection of buildings in the flood hazard area.
3. Prior to final map approval a covenant or agreement shall be recorded in the office of the Los Angeles County Registrar-Recorder/County Clerk indicating that the owner of the subject development is aware and agrees to the requirements of County Code Section 12.84.460 Subsection B.

Name

*Ernesto J Rivera*

Ernesto J Rivera

Date 02/10/14 Phone (626) 458-4921

County of Los Angeles Department of Public Works  
GEOTECHNICAL AND MATERIALS ENGINEERING DIVISION  
GEOLOGIC REVIEW SHEET  
900 So. Fremont Ave., Alhambra, CA 91803  
TEL. (626) 458-7951

DISTRIBUTION  
1 Geologist  
1 Soils Engineer  
1 GMED File  
1 Subdivision

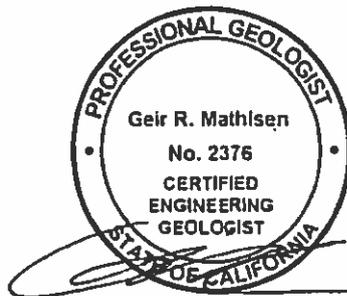
TENTATIVE TRACT MAP 71735  
SUBDIVIDER Malibu Associates LLC  
ENGINEER RCE Consultants  
GEOLOGIST & SOILS ENGINEER Sladden Engineering

TENTATIVE MAP DATED 1/15/14 (Revision and Exhibit)  
LOCATION Malibu  
GRADING BY SUBDIVIDER [Y] (120,000 y<sup>3</sup>)  
REPORT DATE 7/22/13, 5/30/13, 2/25/13, 7/16/12

TENTATIVE MAP FEASIBILITY IS RECOMMENDED FOR APPROVAL FROM A GEOLOGIC STANDPOINT

THE FOLLOWING CONDITIONS MUST BE FULFILLED:

1. The final map must be approved by the Geotechnical and Materials Engineering Division (GMED) to assure that all geotechnical requirements have been properly depicted. For Final Map clearance guidelines refer to GS051.0 in the Manual for Preparation of Geotechnical Reports (<http://www.dpw.lacounty.gov/gmed/manual.pdf>).
2. A grading plan must be geotechnically approved by the GMED prior to Final Map approval. The grading depicted on the plan must agree with the grading depicted on the tentative tract or parcel map and the conditions approved by the Planning Commission. If the subdivision is to be recorded prior to the completion and acceptance of grading, corrective geologic bonds may be required.
3. Prior to grading plan approval a detailed engineering geology and soils engineering report must be submitted that addresses the proposed grading. All recommendations of the geotechnical consultants must be incorporated into the plan (Refer to the Manual for Preparation of Geotechnical Reports at <http://www.dpw.lacounty.gov/gmed/manual.pdf>).
4. All geologic hazards associated with this proposed development must be eliminated. Alternatively, the geologic hazards may be designated as restricted use areas (RUA), and their boundaries delineated on the Final Map. These RUAs must be approved by the GMED, and the subdivider must dedicate to the County the right to prohibit the erection of buildings or other structures within the restricted use areas (refer to GS063.0 in the manual for preparation of Geotechnical Reports\*).
5. The Soils Engineering review dated 2/4/14 is attached.



Reviewed by \_\_\_\_\_  
Geir Mathisen

Date 2/3/14

COUNTY OF LOS ANGELES  
DEPARTMENT OF PUBLIC WORKS  
GEOTECHNICAL AND MATERIALS ENGINEERING DIVISION

SOILS ENGINEERING REVIEW SHEET

Address: 900 S. Fremont Ave., Alhambra, CA 91803  
Telephone: (626) 458-4925  
Fax: (626) 458-4913

District Office           --            
PCA           LX001129            
Sheet 1 of 1

Review No. 6

Tentative Tract Map 71735  
Location Malibu  
Developer/Owner Malibu Associates LLC  
Engineer/Architect RCE Consultants  
Soils Engineer Sladden Engineering  
Geologist Sladden Engineering

DISTRIBUTION:

Drainage  
 Grading  
 Geo/Soils Central File  
 District Engineer  
 Geologist  
 Soils Engineer  
 Engineer/Architect

Review of:

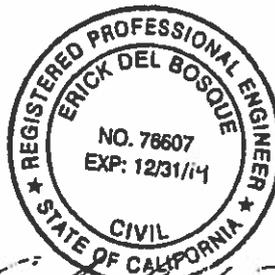
Tentative Tract Map Dated by Regional Planning 1/15/14 (Revision and Exhibit)  
Geotechnical Engineering Report Dated 7/22/13, 5/30/13, 2/25/13, 7/16/12  
Previous Review Sheet Dated 12/30/13

ACTION:

Tentative Map feasibility is recommended for approval, subject to condition below.

REMARKS:

At the grading plan stage, submit two sets of grading plans to the Soils Section for verification of compliance with County codes and policies.



Prepared by \_\_\_\_\_

Erick del Bosque  
Erick del Bosque

Date 2/4/14

Please complete a Customer Service Survey at <http://dpw.lacounty.gov/go/gmedsurvey>.

**NOTICE.** Public safety, relative to geotechnical subsurface exploration shall be provided in accordance with current codes for excavations, inclusive of the Los Angeles County Code, Chapter 11 48, and the State of California, Title 8, Construction Safety Orders

**The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:**

**REQUIREMENTS PRIOR TO GRADING PLAN APPROVAL:**

1. If applicable, notarized covenants shall be prepared and recorded by the applicant for any offsite impacts, as determined by Public Works. By acceptance of this condition, the applicant acknowledges and agrees that this condition does not require the construction or installation of an off-site improvement, and that the offsite covenants referenced above do not constitute an offsite easement, license, title or interest in favor of the County. Therefore, the applicant acknowledges and agrees that the provisions of Government Code Section 66462.5 do not apply to this condition and that the County shall have no duty or obligation to acquire by negotiation or by eminent domain any land or any interest in any land in connection with this condition.
2. Provide approval of:
  - a. The latest drainage concept/hydrology/Standard Urban Stormwater Mitigation Plan (SUSMP)/Low Impact Development (LID) plan (If applicable) by the Storm Drain and Hydrology Section of Land Development Division.
  - b. The grading plan by the Geotechnical & Materials Engineering Division (GMED).
  - c. Permits and/or letters of non-jurisdiction from all State and Federal Agencies, as applicable. These agencies may include, but may not be limited to the State of California Regional Water Quality Control Board, State of California Department of Fish and Game, State of California Department of Conservation, Division of Oil, Gas, and Geothermal Resources (DOGGR), and the Army Corps of Engineers.

**REQUIREMENTS PRIOR TO FINAL MAP RECORDATION:**

3. Submit a grading plan for approval. The grading plan must show and call out the following items, including but not limited to: construction of all drainage devices and details, paved driveways, elevation and drainage of all pads, SUSMP and LID devices (if applicable), and any required landscaping and irrigation not within a common area or maintenance easement. Acknowledgement and/or approval from all easement holders may be required.

COUNTY OF LOS ANGELES  
DEPARTMENT OF PUBLIC WORKS  
LAND DEVELOPMENT DIVISION - GRADING  
TRACT MAP NO. 071735 Rev 3

Page 2/2

TENTATIVE MAP REC'D 01-15-2014  
EXHIBIT MAP REC'D 01-15-2014

4. A maintenance agreement or CC&Rs may be required for all privately maintained drainage devices, slopes, and other facilities.
5. A covenant and/or deed restriction to the satisfaction of Public Works is required for the cross-lot grading and drainage between parcels.



Name Tony Hui Date 02/06/2014 Phone (626) 458-4921

P:\dpub\SUBPCHECK\Grading\Tentative Map Reviews\Templates\TR 71735 Rev 3

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. Dedicate right of way 40 feet from centerline along the property frontage on Encinal Canyon Road. 10 feet of additional right of way is required along the property frontage.
2. Make an offer of right of way 40 feet from centerline along the property frontage on Westlake Boulevard. 20 feet of additional private and future right of way is required along the property frontage. The existing dedicated portion shall remain as a dedicated street.
3. Make an offer of right of way 50 feet from centerline along the property frontage on Mulholland Highway per Section 22.48.200 of the Subdivision Code. 30 feet of additional private and future right of way offer is required along APN 4471-001-028 and 029 and 50 feet of additional private and future right of way offer is required along APN 4471-001-033 property frontages. The existing dedicated portion shall remain as a dedicated street.
4. Dedicate slope and drainage easements on Westlake Boulevard and Mulholland Highway to the satisfaction of Public Works. The limits of slope and drainage easements shall be determined based on topography prior to final map approval.
5. Dedicate the right to restrict vehicular access on Mulholland Highway and Westlake Boulevard.
6. Set back the raised median nose in the private driveway a minimum 20 feet beyond the right of way off Encinal Canyon Road to the satisfaction of Public Works.
7. Permission is granted by the advisory agency to waive street frontage.

*PC*  
Prepared by Patricia Constanza  
lr71735r-rev3.doc

Phone (626) 458-4921

Date 02-11-2014

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. If the waste water treatment plant and disposal/irrigation system fails to meet the standards of the Regional Water Quality Control Board (RWQCB) discharge permit at any time, the applicant shall immediately close and cease operation of the facility. This shall include cancellation of all current and scheduled events and lodging. The closure shall remain in place until it is confirmed that the system can again meet RWQCB water quality/discharge requirements.
2. Entire building sewer, private sewer, all buildings connecting to them and the treatment plant shall be located in one lot.
3. If the discharge line is in a different lot, required easement shall be recorded for the benefit of first lot.
4. A covenant shall be recorded to tie all buildings connecting to the private sewer line. It shall be recorded against the first property.
5. Review of the plans and inspection of the installation shall be performed by a competent third party engineering or sanitation firm, suggested by the applicant and selected and approved by the Division of Building and Safety and the Department of Health Services.
6. Provide a maintenance contract or agreement (revocable on the part of the subdivider or permittee only with the consent of the County) with a service company or entity approved by the Division of Building and Safety and the Department of Health Services for the continued maintenance of the waste water treatment facility. Such agreement or contract shall be in effect at all times. In the event the agreement or contract lapsed the operation of the uses on the property shall ceased until a contract or agreement with a new maintenance entity acceptable to the Department of Public Works and Department of Health is executed.



The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. A water system maintained by the water purveyor, with appurtenant facilities to serve all lots in the land division, must be provided. The system shall include fire hydrants of the type and location (both on-site and off-site) as determined by the Fire Department. The water mains shall be sized to accommodate the total domestic and fire flows.
2. There shall be filed with Public Works a statement from the water purveyor indicating that the water system will be operated by the purveyor and that under normal conditions, the system will meet the requirements for the land division, and that water service will be provided to each lot.
3. If necessary, install off-site water mainline to serve this subdivision to the satisfaction of Public Works.
4. Depict all line of sight easements on the landscaping and grading plans.
5. If needed, easements shall be granted to the County, appropriate agency or entity for the purpose of ingress, egress, construction and maintenance of all infrastructures constructed for this land division to the satisfaction of Public Works.
6. Submit landscape and irrigation plans for each lot in the land division, with landscape area greater than 2,500 square feet, in accordance with the Water Efficient Landscape Ordinance.
7. If recycled water is available, the irrigation systems shall be designed and operated in accordance with all local and state Codes as required per Section 7105.6.3 Chapter 71 of Title 26 Building Code.





**COUNTY OF LOS ANGELES  
FIRE DEPARTMENT**

5823 Rickenbacker Road  
Commerce, California 90040

**CONDITIONS OF APPROVAL FOR SUBDIVISION - UNINCORPORATED**

Subdivision No: TR 71735 Map Date: January 15, 2014

C.U.P. \_\_\_\_\_ Vicinity \_\_\_\_\_

- FIRE DEPARTMENT HOLD** on the tentative map shall remain until verification from the Los Angeles County Fire Dept. Planning Section is received, stating adequacy of service. Contact (323) 881-2404.
- Access shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 503 of the Fire Code, which requires all weather access. All weather access may require paving.
- Fire Department access shall be extended to within 150 feet distance of any exterior portion of all structures.
- Where driveways extend further than 150 feet and are of single access design, turnarounds suitable for fire protection equipment use shall be provided and shown on the final map. Turnarounds shall be designed, constructed and maintained to insure their integrity for Fire Department use. Where topography dictates, turnarounds shall be provided for driveways that extend over 150 feet in length.
- The private driveways shall be indicated on the final map as "Private Driveway and Firelane" with the widths clearly depicted. Driveways shall be maintained in accordance with the Fire Code.
- Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested and accepted prior to construction.
- This property is located within the area described by the Fire Department as "Very High Fire Hazard Severity Zone" (formerly Fire Zone 4). A "Fuel Modification Plan" shall be submitted and approved prior to Tentative Map clearance. (Contact: Fuel Modification Unit, Fire Station #32, 605 North Angeleno Avenue, Azusa, CA 91702-2904, Phone (626) 969-5205 for details).
- Provide Fire Department or City approved street signs and building access numbers prior to occupancy.
- Additional fire protection systems shall be installed in lieu of suitable access and/or fire protection water.
- The final concept map, which has been submitted to this department for review, has fulfilled the conditions of approval recommended by this department for access only.
- These conditions must be secured by a C.U.P. and/or Covenant and Agreement approved by the County of Los Angeles Fire Department prior to final map clearance.
- The Fire Department has no additional requirements for this division of land.

Comments: **The Fire Department recommends approval of this project as presently submitted with conditions. See additional sheet for all conditions of approval.**

By Inspector: Juan C. Padilla Date February 27, 2014

Land Development Unit – Fire Prevention Division – (323) 890-4243, Fax (323) 890-9783



COUNTY OF LOS ANGELES  
FIRE DEPARTMENT

5823 Rickenbacker Road  
Commerce, California 90040

WATER SYSTEM REQUIREMENTS - UNICORPORATED

Subdivision No: TR 71735 Map Date: January 15, 2014

Revised Report \_\_\_\_\_

- The County Forester and Fire Warden is prohibited from setting requirements for water mains, fire hydrants and fire flows as a condition of approval for this division of land as presently zoned and/or submitted. However, water requirements may be necessary at the time of building permit issuance.
- The required fire flow for the private fire hydrants within the development is 2000 gallons per minute at 20 psi for a duration of 2 hours, over and above maximum daily domestic demand. 2 Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.
- The required fire flow for the fire hydrant at the Helipad location is 1250 gallons per minute at 20 psi for a duration of 2 hours, over and above maximum daily domestic demand. 1 Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.
- Fire hydrant requirements are as follows:  
Install 11 private on-site fire hydrant(s).                      Install 1 private fire hydrant at the Helipad.
- All hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal. All on-site hydrants shall be installed a minimum of 25' feet from a structure or protected by a two (2) hour rated firewall.
  - Location: As per map on file with the office.
  - Other location: \_\_\_\_\_
- All required fire hydrants shall be installed, tested and accepted or bonded for prior to Final Map approval. Vehicular access shall be provided and maintained serviceable throughout construction.
- The County of Los Angeles Fire Department is not setting requirements for water mains, fire hydrants and fire flows as a condition of approval for this division of land as presently zoned and/or submitted.
- Additional water system requirements will be required when this land is further subdivided and/or during the building permit process.
- Hydrants and fire flows are adequate to meet current Fire Department requirements.
- Fire hydrant upgrade is not necessary, if existing hydrant(s) meet(s) fire flow requirements. Submit original water availability form to our office.

Comments: The required fire flow for this development has been updated per the building information submitted by the applicant. Additional review for compliance will be reviewed during the architectural plan review prior to building permit issuance.

All hydrants shall be installed in conformance with Title 20, County of Los Angeles Government Code and County of Los Angeles Fire Code, or appropriate city regulations. This shall include minimum six-inch diameter mains. Arrangements to meet these requirements must be made with the water purveyor serving the area.

By Inspector Juan C. Padilla Date February 27, 2014



**COUNTY OF LOS ANGELES  
FIRE DEPARTMENT**

5823 Rickenbacker Road  
Commerce, California 90040

**LAND DEVELOPMENT UNIT REQUIREMENTS  
ADDITIONAL PAGE**

Subdivision No: TR 71735 Map Date: January 15, 2014

**TENTATIVE MAP – CONDITIONS OF APPROVAL**

- 1 The proposed new Helipad location has been approved by the Fire Department. Prior to construction and operation of the Helipad contact the Fire Department's Air and Wildland Division at (818) 890-5780 for requirements, including a new fire hydrant, and maintenance procedures.
- 2 All required on site fire hydrants within the development shall be installed and tested prior to construction. Submit plans to the Department Sprinkler Plan Check Unit for review and approval.
- 3 Submit the construction plans for the proposed Solar Shade Structures within the parking lot to the Fire Department's Engineering Building Plan Check Unit for review and approval prior to installation.
- 4 The proposed Roof Gardens/Landscaping shall comply with the Los Angeles County Fire Code Section 504.5 and Appendix K. Compliance required during the architectural plan review process prior to building permit issuance.
- 5 All approved Fire Department apparatus access shall provide an all weather access surface, pavers will be accepted if the weight capacity will support a live load of 75,000 pounds. Submit information or structural specifications of the proposed pervious pave for this development to the Fire Department's Engineering Building Plan Check Unit for review and approval prior to installation.
- 6 All approved Fire Department apparatus access shall be clearly delineated with approved signage and/or stripping prior to occupancy.
- 7 The phasing map as shown on the Tentative Map has been accepted by the Fire Department.
- 8 Special event permits are required for all outdoor temporary uses and shall be submitted to the local Fire Prevention Office located at 26600 Agoura Road, Calabasas, CA 91302. Phone number 818-880-0346. Captain Michael McCormick or Inspector Dave Wisniewski.
- 9 Specific conditions of approval for temporary uses shall be imposed per event and shall comply with all Fire Code and Department Regulations based on event type, number of attendees, Red Flag weather warnings, and may include additional items to the standard requirements such as multiple FSO (Fire Safety Officers), water tender to be located on-site during events, camp crew assignment, Engine Company assignment, paramedic assignment.
- 10 Special event permit request shall be submitted to the Fire Prevention office as noted above and include 3 copies of a plot plan including the event layout, description of the event, number of guests, time schedule for the event.
- 11 Due to the area being within the Very High Fire Hazard Severity Zone, it is incumbent upon the facility to provide to the satisfaction of the Los Angeles County Fire Department a designated area for shelter in place to be determined by the Fire Prevention Office issuing the event permit.

By Inspector: Juan C. Padilla

Date:

February 27, 2014



**LOS ANGELES COUNTY  
DEPARTMENT OF PARKS AND RECREATION  
PARK OBLIGATION REPORT**



Tentative Map #	71735	DRP Map Date:01/15/2014	SCM Date:02/20/2014	Report Date: 02/10/2014
Park Planning Area #	27A	MALIBU	Map Type:TENTATIVE	

Total Units  = Proposed Units  + Exempt Units

Sections 21.24.340, 21.24.350, 21.28.120, 21.28.130, and 21.28.140, the County of Los Angeles Code, Title 21, Subdivision Ordinance provide that the County will determine whether the development's park obligation is to be met by:

- 1) the dedication of land for public or private park purpose or,
- 2) the payment of in-lieu fees or,
- 3) the provision of amenities or any combination of the above.

The specific determination of how the park obligation will be satisfied will be based on the conditions of approval by the advisory agency as recommended by the Department of Parks and Recreation.

Park land obligation in acres or in-lieu fees:

ACRES:	0.00
IN-LIEU FEES:	\$0

Conditions of the map approval:

The park obligation for this development will be met by:

Trails:

No trails.

Comments:

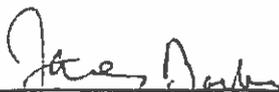
The proposed project is The Malibu Institute, an educational retreat on a 650-acre property currently operated as the Malibu Golf Club.

**\*\*\*Advisory:**

The Representative Land Value (RLVs) in Los Angeles County Code (LACC) Section 21.28.140 are used to calculate park fees and are adjusted annually, based on changes in the Consumer Price Index. The new RLVs become effective July 1st of each year and may apply to this subdivision map if first advertised for hearing before either a hearing officer or the Regional Planning Commission on or after July 1st pursuant to LACC Section 21.28.140, subsection 3. Accordingly, the park fee in this report is subject to change depending upon when the subdivision is first advertised for public hearing.

Please contact Clement Lau at (213) 351-5120 or Sheela Mathai at (213) 351-5121, Department of Parks and Recreation, 510 South Vermont Avenue, Los Angeles, CA 90020 for further information or to schedule an appointment to make an in-lieu fee payment.

For information on Hiking and Equestrian Trail requirements, please contact the Trails Coordinator at (213) 351-5134.

By:   
James Barber, Land Acquisition & Development Section



**LOS ANGELES COUNTY  
DEPARTMENT OF PARKS AND RECREATION**



**PARK OBLIGATION WORKSHEET**

Tentative Map #	71735	DRP Map Date: 01/15/2014	SMC Date: 02/20/2014	Report Date: 02/10/2014
Park Planning Area #	27A	MALIBU		Map Type: TENTATIVE

The formula for calculating the acreage obligation and or In-lieu fee is as follows:

**(P)people x (0.003) Ratio x (U)nits = (X) acres obligation**

**(X) acres obligation x RLV/Acre = In-Lieu Base Fee**

- Where: P = Estimate of number of People per dwelling unit according to the type of dwelling unit as determined by the 2000 U.S. Census\*. Assume \* people for detached single-family residences; Assume \* people for attached single-family (townhouse) residences, two-family residences, and apartment houses containing fewer than five dwelling units; Assume \* people for apartment houses containing five or more dwelling units; Assume \* people for mobile homes.
- Ratio = The subdivision ordinance provides a ratio of 3.0 acres of park land for each 1,000 people generated by the development. This ratio is calculated as "0.0030" in the formula.
- U = Total approved number of Dwelling Units.
- X = Local park space obligation expressed in terms of acres.
- RLV/Acre = Representative Land Value per Acre by Park Planning Area.

Total Units  = Proposed Units  + Exempt Units

	People*	Ratio 3.0 Acres / 1000 People	Number of Units	Acre Obligation
Detached S.F. Units	2.75	0.0030	0	0.00
M.F. < 5 Units	1.71	0.0030	0	0.00
M.F. >= 5 Units	2.13	0.0030	0	0.00
Mobile Units	1.99	0.0030	0	0.00
Exempt Units			0	
Total Acre Obligation =				0.00

Park Planning Area = 27A MALIBU

Ratio	Acre Obligation	RLV / Acre	In-Lieu Base Fee
@(0.0030)	0.00	\$310,012	\$0

Lot #	Provided Space	Provided Acres	Credit (%)	Acre Credit	Land
None					
Total Provided Acre Credit:				0.00	

Acre Obligation	Public Land Crdt.	Priv. Land Crdt.	Net Obligation	RLV / Acre	In-Lieu Fee Due
0.00	0.00	0.00	0.00	\$310,012	\$0



**JONATHAN E. FIELDING, M.D., M.P.H.**  
Director and Health Officer

**CYNTHIA A. HARDING, M.P.H.**  
Chief Deputy Director

**ANGELO J. BELLOMO, REHS**  
Director of Environmental Health

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

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

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

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Fifth District

Tract Map No.071735

Vicinity: Malibu

Final Tract Map Date: January 15, 2014

The Los Angeles County Department of Public Health – Environmental Health Division has no objection in approving Final Tract Map 071735. The following shall be submitted to the Department prior to recordation:

1. An approval letter from the Regional Water Quality Control Board on the use of a Treatment Facility.
2. A "Will Serve" letter from the Las Virgenes Municipal Water District.

Prepared by: Vicente Banada <sup>*V.B.*</sup> Phone: (626) 430-5381 Date: February 20, 2014

**CONDITIONS OF APPROVAL  
PROJECT NUMBER TR071735-(3)  
CONDITIONAL USE PERMIT NUMBER 2011-00122-(3)  
PARKING PERMIT NUMBER 2011-00005-(3)**

1. This grant authorizes the following (collectively, the "Project"):
  - (a) The development and operation of a sports-oriented educational retreat facility on a 650-acre project site containing a remodeled 18-hole golf course and 224,760 square feet of related structures, including educational meeting facilities with a cafeteria and lounge ("Conference Center"); 40 bungalow units constructed in 37 individual structures, a clubhouse with a restaurant/lounge, a fitness/wellness center, an outdoor pool with an associated shower/changing room, a warehouse, a cart storage building, a pro-shop with a computerized driving range, a maintenance building, and a security/information building;
  - (b) The continued sale of alcoholic beverages for on-site consumption;
  - (c) On-site accessory live entertainment in the clubhouse and Conference Center;
  - (d) On-site grading of 120,000 cubic yards of cut and 120,000 cubic yards of fill, which will be balanced on-site with no import or export of fill;
  - (e) The relocation of an existing helipad for emergency use by the Los Angeles County ("County") Fire Department ("Fire Department");
  - (f) The continued use of an existing caretaker's residence; and
  - (g) Shared parking for all of the Project's facilities, on two lots of the Project site. This grant shall replace conditional use permit No. 98-059-(3) upon the use of this grant.
2. 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.
3. 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 County Department of Regional Planning ("Regional Planning") an affidavit stating the permittee and/or owner is aware of and agrees 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 Nos. 10, 12, and 15. Notwithstanding the foregoing, this Condition No. 3 and Condition Nos. 5, 6, 9, and 12 shall be effective immediately upon the date of final approval of this grant by the County.

4. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to section 22.60.260 of the Los Angeles County Code ("County Code").
5. 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.
6. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000, 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. 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. This grant shall expire at the time that the vesting tentative map expires without recordation of a final map. At such time, entitlement to the use of the subject property under this grant shall be subject to the regulations in effect at the time such use is proposed. Recordation of a final map shall be considered use of this grant.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant, the conditions of Vesting Tentative Tract Map No. TR071735-(3), including the requirements of the County Subdivision Committee Reports which are attached hereto, 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 \$4,000, which deposit shall be placed in a performance fund, and 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 20 annual inspections. Inspections shall be unannounced.
11. 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 per inspection, or the current recovery cost at the time any additional inspections are required.
12. Within three days of the date of final approval of this grant, the permittee shall remit processing fees payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination ("NOD") for this Project and its entitlements in compliance with section 21152 of the California Public Resources Code. Unless a Certificate of Exemption is issued by the California Department of Fish and Game pursuant to section 711.4 of the California Fish and Game Code, the permittee shall pay the fees in effect at the time of the filing of the NOD, as provided for in section 711.4 of the Fish and Game Code, currently \$3,104.75 (\$3,029.75 for an environmental impact report plus \$75). No land use Project subject to this requirement is final, vested, or operative until the fee is paid.
13. The permittee shall comply with all mitigation measures identified in the Mitigation Monitoring and Reporting Program ("MMRP"), which is attached hereto and incorporated by this reference as if set forth fully herein.

14. Within 30 days of the date of final approval of this grant, the permittee shall record in the office of the Recorder a covenant and agreement, which attaches the MMRP and agrees to comply with the mitigation measures imposed by the environmental impact report for this Project. Prior to recordation of the covenant and agreement, the permittee shall submit a draft copy of the covenant and agreement to Regional Planning for review and approval. As a means of ensuring the effectiveness of the mitigation measures in the MMRP, the permittee shall submit annual mitigation monitoring reports to Regional Planning for approval or as required, describing the status of the permittee's compliance with the required mitigation measures in the MMRP.
15. The permittee shall deposit an initial sum of **\$6,000** with Regional Planning within 30 days of the date of final approval of this grant to defray the cost of reviewing and verifying the information contained in the reports required by the MMRP. The permittee shall replenish the mitigation monitoring account if necessary until all mitigation measures have been implemented and completed.
16. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety, so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
17. All development pursuant to this grant must be in full compliance with the County Fire Code to the satisfaction of the Fire Department.
18. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works ("Public Works") to the satisfaction of said department.
19. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code ("Zoning Code") and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including in the approved Exhibit "A" or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
20. The permittee shall maintain the subject property in a neat and orderly fashion and shall maintain all areas of the subject property over which the permittee has control free of litter.
21. 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 premises or that do not provide pertinent information about said premises. This condition does not preclude the on-site use of seasonal

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

22. The subject property shall be developed and maintained in substantial conformance with the plans for the Project 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, four copies of a modified Exhibit "A" shall be submitted to Regional Planning prior to recordation of the final map for Vesting Tentative Tract Map No. TR071735-(3) ("Vesting Map"). The existing caretaker's residence on-site shall be depicted on a separate open space lot to be created on the final map to the satisfaction of Regional Planning.
23. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit four 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 permittee and the property owner(s) and the applicable fee for such revision.
24. Within 90 days of the final approval date of this grant, the permittee shall file an application with the Local Agency Formation Commission for the County of Los Angeles ("LAFCO") for an out-of-agency service agreement with the Ventura Regional Sanitation District for the on-site wastewater treatment facility, consistent with the requirements set forth in California Government Code section 56133.
25. This grant shall not be effective for any purpose unless and until the permittee obtains a coastal development permit from the County or the California Coastal Commission, whichever is applicable, authorizing development of the Project, and the permittee also records a final map for the Vesting Map.
26. No grading permit shall be issued, nor shall any grading on-site occur, prior to the dedication to and acceptance by the National Park Service or other public entity or agency acceptable to the Director of Regional Planning of the 450 acres of open space shown on the Vesting Map. Further, no grading permit shall be issued prior to the recordation of a final map unless the Director of Regional Planning determines that the proposed grading conforms to the conditions of this grant and the conditions of the CUP and Parking Permit. Notwithstanding the foregoing, minor grading and demolition shall be allowed on the site prior to the above-described dedication and acceptance if the minor grading and demolition is required by the National Park Service or other public entity or agency accepting the open space as a condition of acceptance.

**PERMIT SPECIFIC CONDITIONS - CONDITIONAL USE PERMIT**

27. Prior to issuance of any grading permit, the permittee shall submit a landscaping plan to the Director for review and approval and the permittee shall comply with the approved land use plan as required by mitigation measure 5.3-10 of the MMRP.
28. The permittee and/or owner of the subject site shall maintain an official affiliation with an accredited educational institute of higher learning such as, but not limited to, the University of Southern California, the University of California Los Angeles, and/or Pepperdine University, and shall submit an annual report to Regional Planning regarding the educational events and programs associated with the subject site to the satisfaction of the Director.
29. All new structures for the Project shall incorporate sustainable and green design features to the satisfaction of the Director, with the goal of achieving, at a minimum, LEED Platinum Certification (or its equivalent) for all structures intended for human occupancy.
30. No night lighting shall be permitted on the site except the parking lot and pathways, entrances to buildings open to the public, and the bungalow units, which may be illuminated for public safety during evening hours. The night lighting allowed on the site shall have a maximum of 0.2-foot candles on pavement, which is the minimum light intensity for safety in general parking areas. All light fixtures installed on paths of travel, such as walkways, stairs, and pathways shall be a maximum height of 18 inches from the finished grade. All night lighting shall be shielded and/or directed downward to minimize excessive on-site illumination and to avoid illumination of the surrounding properties.
31. Excluding outdoor events, all conferences and events that include accessory live entertainment shall be allowed to occur from 10:00 a.m. until 12:00 a.m., seven days a week.
32. All outdoor events that include accessory live entertainment occurring shall be allowed to occur from 10:00 a.m. to 10:00 p.m., seven days a week. All lighting for these events shall comply with Condition No. 30, and all amplified and live music at these events shall end by sunset.
33. Hours of operation for the clubhouse and associated dining and banquet facilities shall be from 6:00 a.m. until 10:00 p.m., for outdoor events, and 6:00 a.m. until 12:00 a.m., for indoor events and dining service, seven days a week. The permittee may extend the closing time of the clubhouse and/or institute building and associated dining and banquet facilities to 2:00 a.m. for special events, such as New Year's Eve. Service from the dining facilities for purposes of room service to the visitor-serving overnight accommodations shall be allowed 24 hours per day.

34. **Scheduled events that occur simultaneously at the clubhouse and the Conference Center with an aggregate of over 500 attendees shall be required to obtain a temporary use permit under the Zoning Code and shall comply with all applicable provisions therein. In no event shall the aggregate number of attendees at scheduled events that occur simultaneously exceed 600 persons. Scheduled events that occur on an individual basis, excluding tournaments on the golf course, with over 200 attendees and where on-site lodging is not part of the event, shall be limited to 12 per year. For the individual events, the permittee shall keep a log indicating the date and time of such event(s) and noting the number of expected attendees. Said log shall be made available upon request for inspection by Regional Planning staff. The permittee shall provide adequate on-site parking on the lot holding or hosting any of these events or, if necessary, on the site's other developed lot.**
35. **Excluding tournaments on the golf course, scheduled events held exclusively outdoors such as, but not limited to, banquets and weddings, with over 320 attendees shall be limited to 12 per year and four per month. The permittee shall keep a log indicating the dates and time of such event(s) and note the number of expected attendees. Said log shall be made available upon request for inspection by Regional Planning staff.**
36. **The number of scheduled evening events occurring after 6:00 p.m. shall be limited to a maximum of 52 per year. The permittee shall keep a log indicating the date and time of such event(s). Said log shall be made available upon request for inspection by Regional Planning staff. The permittee shall provide adequate on-site parking on the lot holding or hosting any such event or, if necessary, on the site's other developed lot.**
37. **Prior to the issuance of the certificate of occupancy for the Conference Center, the permittee shall prepare and submit an event management plan detailing how the permittee will manage emergency evacuation, traffic, and parking for any event(s) occurring on-site where expected attendance would exceed 320 persons. Such event management plan shall be to the satisfaction of the Director in consultation with Public Works, the Fire Department, and the County Sheriff's Department. The permittee shall be allowed to submit to the Director revisions to the event management plan as needed.**
38. **All visitor-serving overnight accommodations shall be available for public use if not previously occupied by attendees of events at the Conference Center or by patrons of the golf course and associated facilities.**
39. **The permittee shall be required to comply with the following conditions regarding the bungalow units:**
  - a. **None of the individual rooms within a bungalow unit may be rented separately, although individual guests may pay his/her share of the rent. Further, none of the rooms within an individual bungalow unit shall be**

allowed to be keyed independently of the main access door to that bungalow unit; however, each room within an individual bungalow unit may be able to be locked from the inside.

- b. The bungalows' on-site manager shall have duplicate keys for the bungalows and all one-sided internal locking devices for the bungalows shall be available at all times for emergency service personnel.
  - c. The bungalows shall not be rented to more than the number of occupants indicated on the registry card completed at registration by the respective bungalow guests.
  - d. The bungalow units cannot be rented by the hour and the maximum stay for any bungalow unit shall be 29 consecutive days. The permittee shall keep a log indicating the name of all bungalow guests and their respective lengths of stay. Said log shall be made available upon request for inspection by Regional Planning staff.
  - e. The bungalow units shall be occupied and rented on a temporary basis only, and shall not ever be occupied or rented so as to constitute a "Rental Unit" as described in of section 8.52.020 of the County Code.
  - f. At the time of registration, guests shall be required to present a driver's license or photo identification or other form of identification acceptable to the permittee.
  - g. The permittee shall maintain and keep current any required registration or business license with the County Treasurer and Tax Collector.
  - h. The permittee shall install a video camera(s) at the registration desk for the overnight accommodations. The footage shall be kept for at least a two-week period and shall be made available to law enforcement personnel if requested.
  - i. A copy of these conditions shall be kept in the permittee's management office and shall be made available to all enforcement personnel upon request.
40. Hours of operation for the swimming pool shall be between 6:00 a.m. and 10:00 p.m., seven days a week.
41. This grant shall allow for the continued operation and maintenance of the existing golf course and its appurtenant uses and structures subject to the following:
- a. The golf course hours of operation shall be from 6:00 a.m. to dusk, seven days a week.

- b. The golf course shall be maintained available for public use, and golf shall not be operated as a private golf club that is restricted to attendees of events at the subject property.
  - c. The permittee shall irrigate the golf course by using all practical water conservation measures, including using reclaimed water from the proposed on-site wastewater treatment plant if permitted by the Regional Water Quality Control Board ("Water Board"), using drip irrigation in appropriate areas, and using a "smart" irrigation system.
  - d. The operator of the golf course shall prepare and submit to the Director a Golf Course Maintenance Plan for the purpose of minimizing the impacts to the golf course's biological resources as a result of maintenance practices such as irrigation, fertilization, the use of pesticide and herbicide, and storm water drainage practices. This Plan shall be prepared in coordination with the County biologist within Regional Planning and approved by the Director.
  - e. Golf tournaments shall be conducted only when sponsored by charitable organizations, educational institutions, government entities, or corporations, where the tournament is not intended to have public spectators. The permittee shall not provide seating facilities, viewing galleries, or similar structures in the golf course for spectators.
  - f. This grant shall prohibit the playing of golf after dusk and shall require the daily closure of the golf course within one hour after dusk.
  - g. The permittee shall be prohibited from using self-illuminating advertising signage or any similar type of advertisement in the parking lot, clubhouse, or on any of the walls or fences enclosing the subject property.
  - h. The permittee shall maintain free of litter all areas of the premises under which the permittee has control.
42. The permittee's landscaping plan shall require the planting of only native, drought-tolerant species on the subject property.
43. To protect sensitive resources and riparian areas consistent with the requirements of any permits issued by the Water Board, the permittee shall take appropriate action to reduce the amount and rate of water runoff from the site and to protect water quality downstream.
44. The permittee shall comply with all applicable requirements of the County's applicable MS4 Permit issued by the Water Board.
45. Prior to the issuance of any grading permit, an approval letter from the Water Board shall be obtained on the permittee's use of an on-site wastewater treatment plant. In addition, the permittee shall provide evidence to the

satisfaction of the Director the following: (a) that a consultant, approved by Public Works, Division of Building and Safety ("Building and Safety") and the County Department of Health Services ("Health Services"), has been retained to review the Project's construction plans, ensure that the on-site wastewater treatment facility is sized to accommodate only the needs of the uses authorized by this grant, ensure that the facility will not be used for any purposes unrelated to this grant or for any off-site property owners, and to perform an inspection of the installation of the wastewater treatment facility; and (b) that a maintenance agreement or contract has been executed with a service company approved by Building and Safety and Health Services for the continued maintenance of the waste water treatment facility. The permittee shall maintain and keep such agreement or contract in effect at all times. In the event the agreement or contract lapses, the permittee shall cease operation of all uses on the site until a new contract or agreement with a new maintenance company acceptable to Building and Safety and Health Services is executed.

46. If the on-site wastewater treatment facility fails to meet the standards of the Water Board's water quality/discharge requirements at any time, the permittee shall immediately close and cease operation, cancelling all current and scheduled events and lodging of the Conference Center, bungalows, golf course and all support facilities including the pro-shop, clubhouse, kitchen, cafeteria, lounge, bathrooms, and shower buildings. The cessation of operations and closure of all of these structures and facilities shall remain in place until there is confirmation, to the satisfaction of Building and Safety and Health Services, that said system can again meet the Water Board's water quality/discharge requirements.
47. The permittee shall manage the golf course in accordance with the approved Exhibit "A," with the goal of protecting natural resources and minimizing hazards such as flood, fire, and erosion.
48. Green waste shall be appropriately recycled on the subject property to the maximum extent feasible.
49. The on-site relocated helipad shall be reserved for emergency use only by public agencies including, but not limited to, the Fire Department.
50. All project-related grading shall be balanced on-site with no export or import of materials, and such grading shall be limited to 120,000 cubic yards of cut and 120,000 cubic yard of fill.
51. To the maximum extent feasible, the permittee shall improve the hydrological connection through the golf course between the headwaters of Trancas Creek and the portion of Trancas Creek at the southern end of the site by daylighting currently culverted segments as depicted on the approved Exhibit "A." The daylighted segments shall become part of the golf course and set backs shall not be required for the golf course's development features from the Creek.

52. Where practical, the permittee shall use native grasses such as white yarrow, salt grass, and clustered field sedge as part of the landscape component of the fairway, and roughs for the golf course, in accordance with the approved landscape plan.
53. The permittee shall annually monitor the subject property for the reintroduction of invasive plant and animal species and remove such species in accordance with the Pest and Invasive Species Management Plan detailed in Mitigation Measure 5.3-11 in the MMRP.
54. The permittee shall perform pre-construction surveys for sensitive species, such as lichens, bryophytes, vascular plant floras, invertebrate insects, and mollusks, and if any such species is discovered by the surveys, the permittee shall comply with the requirements of the MMRP related to the involved species.
55. During renovation of the golf course and construction of the Project development facilities, the permittee shall hold and keep, whenever possible, sensitive native animal species found for later replacement to and throughout the restored and undeveloped part of the subject property. If determined necessary by the Director, mitigation lands or credits may need to be purchased to mitigate for: sensitive species that are found but cannot be held for relocation; sensitive species assumed to be present but whose habitat is lost; or for cumulative loss of habitat.
56. The permittee shall coordinate with surrounding property owners to remove all storage materials located on the southeast portion of the subject property.

#### **PERMIT SPECIFIC CONDITIONS – CONDITIONAL USE PERMIT, ALCOHOL**

57. This portion of this grant allowing continued sale of alcoholic beverages for on-site consumption shall terminate on April 30, 2034, or 20 years after recordation of the final map, whichever occurs later. Thereafter, entitlement to sell alcoholic beverages for on-site consumption shall be subject to the regulations then in effect. If the permittee intends to continue to sell alcoholic beverages for on-site consumption after such date, whether or not the permittee proposes any modifications to such sale at that time, the permittee shall file a new conditional use permit application for sale of alcoholic beverages for on-site consumption with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six months prior to the expiration date of this grant and shall be accompanied by the required fees. In the event that the permittee seeks to discontinue or otherwise change the sale of alcoholic beverages for on-site consumption, notice is hereby given that such sale may require additional or different permits and would be subject to the then-applicable regulations.
58. The conditions of this grant shall be retained on the clubhouse premises at all times and shall be immediately produced upon request of any member of the

County Sheriff's Department, zoning inspector, or Department of Alcoholic Beverage Control ("ABC") agent. The clubhouse manager and any employee involved in the sale or service of alcohol shall be knowledgeable of the conditions herein.

59. The permittee shall post a sign at the entrance to the on-site restaurant and bar in English and the predominant second language of the surrounding area displaying contact telephone numbers for the site's manager, Regional Planning Zoning Enforcement Section, and the closest County Sheriff's station to report any problems that may occur related to the operation of said establishment. The permittee shall implement a program to address and promptly resolve any such problems should they occur.
60. The permittee, and all of its managers and employees who directly serve or are in the practice of selling alcoholic beverages, shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program provided by ABC. All new employees that satisfy this criteria shall also be required to attend this program. The program attendee shall display a certificate or plaque in a publicly accessible area, such as the establishment's lobby, indicating that he/she has participated in this program. Proof of completion of the training program by all employees and managers required to attend the program shall be available upon request.
61. The permittee shall not advertise the sale of alcoholic beverages on the exterior of any structure on the subject property including on any windows, walls, fences or similar structures.
62. All regulations of the State of California prohibiting the sale of alcoholic beverages to minors shall be strictly enforced.
63. The permittee shall post or otherwise provide telephone numbers of local law enforcement agencies and taxicab companies at or near the cashier, or similar public service area. Such telephone numbers shall be visible by and available to the general public.
64. This grant authorizes the sale of alcoholic beverages seven days a week from 6:00 a.m. to 12:00 a.m.
65. The sale of alcoholic beverages for consumption off the subject property is prohibited.
66. The permittee shall develop and implement a designated driver program (i.e., a program offering free soft drinks or coffee to the designated driver of a group staying at or visiting the site). The permittee shall obtain approval of the program from the Director prior to obtaining a certificate of occupancy for the clubhouse and Conference Center. A printed two-sided card explaining this program shall be placed on all tables in the restaurant or an explanation regarding the program shall be printed on the restaurant's menu.

67. All servers of alcoholic beverages must be at least 18 years of age.
68. The permittee shall not advertise or hold any "happy hour" drink specials, "two for one" specials, or similar promotions.

**PERMIT SPECIFIC CONDITIONS – PARKING PERMIT**

69. The permittee shall not reduce the number of parking spaces on-site below the number shown on the approved Exhibit "A."
70. The permittee shall maintain reciprocal access between the two developer lots to allow for the continued use of the site's shared parking facility in accordance with the recorded conditions, covenants, and restrictions or relevant access easement.
71. In the event that the permittee or property owner is unable to comply with the provisions of the Parking Permit, the use for which the Parking Permit has been granted shall be terminated, reduced, or removed unless some other alternative method to provide the required parking is approved by the Director.

**Attachments:**

Mitigation Monitoring and Reporting Program (Pages 1–50)  
Subdivision Committee Reports (Pages 1–22)

**MITIGATION MONITORING AND REPORTING PROGRAM  
THE MALIBU INSTITUTE**

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
5.1-1	Aesthetics	Building materials compatible in color tone and/or texture with the surrounding natural terrain shall be employed on the exteriors of all structures and retaining walls, with the exception of solar panels to be installed above the parking lot shade structures.	Submit building material color and/or texture for review and approval	Prior to issuance of applicable building permit(s)	Architect, Landscape Architect	County of Los Angeles Department of Regional Planning
5.1-2	Aesthetics	Aesthetically compatible native landscaping shall be provided along the Project entrance (Clubhouse Drive) to screen vehicle lights within onsite parking and driveway areas from Encinal Canyon Road.	Prepare and submit Landscaping Plan for review and approval	Prior to issuance of building permit	Applicant, Landscape Architect	County of Los Angeles Department of Regional Planning
5.1-3	Aesthetics	The applicant's detailed landscape plan shall be designed to provide aesthetically compatible accenting to and/or visual screening of the Project's hardscape features and walls, as viewed from the identified public viewpoints. With the exception of the golf course greens and turf, the majority of the landscaping shall use native species of plants, shrubs and grasses. Prior to the issuance of building permits, the landscaping plan shall be reviewed and approved by the County of Los Angeles Department of Regional Planning and Fire Department, and shall address the following: <ul style="list-style-type: none"> <li>Landscaping shall be provided in a manner consistent with fire safety needs, to help conceal</li> </ul>	Prepare and submit Landscaping Plan for review and approval	Prior to issuance of building permit	Applicant, Landscape Architect	County of Los Angeles Department of Regional Planning  Los Angeles County Fire Department – Fuel Modification Unit.

Mitigation Monitoring and Reporting Program

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		<p>visible linear elements and hard edge surface effects resulting from site grading, the use of retaining walls, and the construction of new buildings.</p> <ul style="list-style-type: none"> <li>• Street trees and median trees, compatible with the adjacent undeveloped areas, shall be planted along Clubhouse Drive, and at the main entrance adjacent to Encinal Canyon Road.</li> <li>• Appropriate landscaping, including trees and vegetated walls, shall be planted to minimize views of retaining walls.</li> <li>• Project landscaping shall consist of native fire retardant species included on the Los Angeles County Fire Department Fuel Modification Plan Guidelines, located to partially screen views of the structural components of the Project from public viewpoint areas as identified above under the subheading Existing Views from Scenic Highways and Trails. Landscaping shall be compatible with the character of the surroundings and architectural style of the structures.</li> </ul>				

Mitigation Monitoring and Reporting Program

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
5.2-1	Air Quality	<p>The applicant shall prepare a Construction Management Plan to comply with SCAQMD established minimum requirements for construction activities to reduce fugitive dust emissions. The Plan shall include the following dust control measures:</p> <ul style="list-style-type: none"> <li>• The simultaneous mass grading disturbance area shall be limited to 10 acres per day. Application of soil stabilizers to inactive areas according to manufacturers specifications (previously graded areas inactive for ten days or more);</li> <li>• Preparation of a high wind dust control plan, implementation of plan elements, and termination of soil disturbance when winds gusts exceed 25 mph;</li> <li>• Stabilization of previously disturbed areas if subsequent construction is delayed;</li> <li>• Covering all stockpiles with tarps if left unattended for more than 48 hours;</li> <li>• All trucks hauling dirt, sand, soil or other loose materials are to be covered;</li> <li>• Appoint a construction relations officer to act as community</li> </ul>	<p>A. Prepare and submit Construction Management Plan for review and approval</p> <p>B. Maintain a log demonstrating compliance</p>	<p>Prior to issuance of grading permit</p> <p>During construction</p>	<p>Applicant, Grading Contractor</p> <p>Applicant, Grading Contractor</p>	<p>County of Los Angeles Department of Regional Planning SCAQMD</p> <p>County of Los Angeles Department of Regional Planning SCAQMD</p>

Mitigation Monitoring and Reporting Program

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		<p>liaison concerning on-site construction activity including resolution of issues related to PM-10 generation.</p> <ul style="list-style-type: none"> <li>• Portions of the site that are undergoing surface earth moving operations shall be watered. Exposed surfaces and haul roads will be watered three times/day.</li> <li>• Vegetative cover to be utilized onsite shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems required for these plants shall be installed as soon as possible to maintain good ground cover and to minimize wind erosion of the soil.</li> <li>• Construction access roads (other than temporary access roads) shall be paved as soon as possible and cleaned after each workday. The maximum vehicle speed on unpaved roads shall be 15 mph.</li> <li>• Grading operations shall be suspended during any first stage ozone episodes.</li> </ul>				
5.2-2	Air Quality	<p>Non-particulate construction activity emissions are not predicted to exceed SCAQMD CEQA thresholds. Nonetheless, the following control</p>	<p>A. Maintain a log demonstrating compliance</p> <p>B. Site inspection</p>	During construction	Applicant, Grading Contractor	<p>County of Los Angeles Department of Regional Planning SCAQMD</p> <p>County of Los</p>

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#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		<p>measures shall be implemented:</p> <ul style="list-style-type: none"> <li>• Construction parking shall be configured to minimize the potential for traffic interference and vehicle idling.</li> <li>• Any construction equipment using direct internal combustion engines shall use a diesel fuel with a maximum of 0.05 percent sulfur and a four-degree retard.</li> <li>• Equipment and vehicle engines shall be maintained in good condition and in proper tune, according to manufacturer's specifications and per SCAQMD rules, to minimize exhaust emissions. Tier 3 rated engines shall be used for all equipment during site grading, if available.</li> <li>• Equipment whose engines are equipped with diesel oxidation catalysts shall be utilized, if available. Construction operations affecting off-site roadways shall minimize obstruction of through-traffic lanes and shall be limited to off-peak hours, as permitted. Truck deliveries occurring during construction shall be consolidated to the extent feasible.</li> </ul>	as needed	construction	Grading Contractor	Angeles Department of Regional Planning SCAQMD

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#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		<ul style="list-style-type: none"> <li>Idling trucks or heavy equipment shall turn off their engines if the expected duration of idling exceeds five (5) minutes as required by law.</li> <li>On-site heavy equipment used during grading and construction shall be equipped with diesel particulate filters if feasible.</li> <li>All building construction shall comply with energy use guidelines in Title 24 of the California Code of Regulations.</li> <li>Construction equipment operations shall be suspended during any first stage smog alert.</li> <li>Low VOC architectural and asphalt coatings shall be used on site and shall comply with AQMD Rule 1113-Architectural Coatings.</li> </ul>				
5.2-3	Air Quality	Operational emissions are not predicted to exceed SCAQMD CEQA thresholds. Nonetheless, to further reduce potential operational emissions, the applicant shall install gas lines for any hearth applications and prohibit wood burning in Project hearths.	<p>A. Install gas lines for any hearths</p> <p>B. Prohibit wood burning in hearths and provide notification of this policy to guests. Maintain a log</p>	<p>Prior to certificate of building occupancy</p> <p>During operation</p>	<p>Applicant, Architect</p> <p>Applicant</p>	<p>County of Los Angeles Department of Regional Planning</p> <p>County of Los Angeles Department of Regional Planning</p>

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#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
5.3-1	Biological Resources	Prior to the issuance of a grading permit, a qualified biologist shall be retained by the Applicant as the lead biological monitor subject to the approval of the LACDRP and CDFW. That person shall ensure that impacts to all biological resources are minimized or avoided, and shall conduct (or supervise) pre-grading field surveys for species that may be avoided, affected, or eliminated as a result of grading or any other site preparation activities. The lead biological monitor shall ensure that all surveys are conducted by qualified personnel (e.g. avian biologists for bird surveys, herpetologists for reptile surveys, etc.) and that they possess all necessary permits and memoranda of understanding with the appropriate agencies for the handling of potentially-occurring special-status species. The lead biological monitor shall also ensure that daily monitoring reports (e.g., survey results, protective actions, results of protective actions, adaptive measures, etc) are prepared, and shall make these monitoring reports available to LACDRP and CDFW at their request.	<p>demonstrating compliance.</p> <p>A. Provide proof of retainer of biological monitor</p> <p>B. Have the monitoring reports available for review upon request</p>	<p>Prior to issuance of grading permit</p> <p>During construction</p>	Applicant	County of Los Angeles Department of Regional Planning
5.3-2	Biological Resources	To compensate for the loss of the locally sensitive Plummer's mariposa lily,	A. Prepare and submit	Prior to issuance of	Applicant / biological	County of Los Angeles Department

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#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
5.3-2	Biological Resources	<p>Plummer's mariposa lilies shall be replaced at a minimum 2:1 ratio within suitable habitats on the Project site in an area to be preserved as permanent open space. A Plummer's Mariposa Lily Mitigation and Monitoring Plan that provides for the replacement of the Plummer's mariposa lilies impacted by project construction shall be developed by a qualified biologist and approved by LACDRP prior to issuance of the grading permit for the Project. The Plan shall specify the following:</p> <ul style="list-style-type: none"> <li>• a summary of impacts;</li> <li>• the location of the mitigation site;</li> <li>• methods for harvesting seeds or salvaging and transplantation of individual bulbs to be impacted;</li> <li>• measures for propagating plants or transferring living bulbs from the salvage site to the mitigation site;</li> <li>• site preparation procedures for the mitigation site;</li> <li>• a schedule and action plan to maintain and monitor the mitigation area;</li> <li>• criteria and performance standards by which to measure the success of the mitigation.</li> </ul>	<p>Plummer's Mariposa Lily Mitigation and Monitoring Plan</p> <p>B. Implement Plummer's Mariposa Lily Mitigation and Monitoring Plan</p> <p>C. Prepare Annual and Final Monitoring Reports</p>	<p>grading permit</p> <p>Beginning prior to the initiation of construction activities and continuing for five years subsequent to occupancy</p> <p>Every March for five years following project occupancy or until all performance standards have been met, whichever period is longer</p>	<p>consultant</p> <p>Applicant / biological consultant</p> <p>Applicant / biological consultant</p>	<p>of Regional Planning</p> <p>County of Los Angeles Department of Regional Planning</p> <p>County of Los Angeles Department of Regional Planning</p>

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#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		<p>including replacement of impacted lilies at a minimum 2:1 ratio;</p> <ul style="list-style-type: none"> <li>• measures to exclude unauthorized entry into the mitigation areas; and</li> <li>• contingency measures such as replanting or weeding in the event that mitigation efforts are not successful. The performance standards for the Plummer's Mariposa Lily Mitigation and Monitoring Plan shall be at a minimum the following:                             <ul style="list-style-type: none"> <li>• Within five years after introducing the Plummer's mariposa lily to the mitigation site, the number of established, reproductive plants shall be no less than 2x the number of those lost to project construction, and;</li> <li>• Non-native species relative cover shall be no more than 5% through the term of the restoration.</li> </ul> </li> </ul> <p>The mitigation project shall be initiated prior to development of the Project, and shall be implemented over a five-year</p>				

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5.3-3	<b>Biological Resources</b>	<p>period following occupancy or until performance standards are met, whichever period is longer. The mitigation project shall incorporate an iterative process of annual monitoring and evaluation of progress, and allow for adjustments to the Plan, as necessary, to achieve desired outcomes and meet performance standards. Annual reports discussing the implementation, monitoring, and management of the mitigation project shall be submitted to LACDRP. Five years after the start of the mitigation project, a final report shall be submitted to LACDRP, which shall at a minimum discuss the implementation, monitoring and management of the mitigation project over the five-year period, and indicate whether the mitigation project has, in part, or in whole, been successful based on established performance standards. The annual reports and the final report shall include as-built plans submitted as an appendix to the report. The mitigation project shall be extended if performance standards have not been met to the satisfaction of LACDRP at the end of the five-year period.</p> <p><u>Pre-construction Biological Surveys and Biological Monitoring</u> Prior to commencement of ground or</p>	A. Conduct weekly pre-construction	Prior to issuance of grading permit,	Applicant / biological consultant	County of Los Angeles Department of Regional Planning

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#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
5.3-3	<b>Biological Resources</b>	<p>vegetation disturbing activities, including but not limited to grading, pond maintenance, and landscaping activities in native chaparral, coastal sage scrub, riparian, or aquatic habitats, as well as in landscaped areas, a qualified biologist shall conduct weekly pre-construction surveys for special-status wildlife species beginning no less than thirty (30) and ending no more than three (3) days prior to the commencement of disturbance. The pre-disturbance surveys shall incorporate methods to detect the special-status wildlife species that could potentially occur at the site. To the extent feasible, special-status species shall be avoided. If avoidance is not feasible, the species shall be captured and transferred to an appropriate habitat and location where they would not be harmed by project activities. Two-striped garter snakes shall be relocated to permanent aquatic habitats that are downstream and as close as feasible to the Project site.</p>	<p>surveys</p> <p>B. Prepare letter report to LACDRP, CDFW, and USFWS, if applicable, on special-status species avoidance measures</p>	<p>ongoing searches thereafter</p> <p>Prior to issuance of grading permit, ongoing searches thereafter</p>	<p>Applicant / biological consultant</p> <p>Applicant / biological consultant</p>	<p>California Department of Fish and Wildlife</p> <p>United States Fish and Wildlife Service</p> <p>County of Los Angeles Department of Regional Planning</p> <p>California Department of Fish and Wildlife</p> <p>United States Fish and Wildlife Service</p>
5.3-4	<b>Biological Resources</b>	<p><u>Pre-construction Surveys</u> for <u>Shoulderband Snails</u></p> <p>Prior to construction of the Project, a qualified biologist shall conduct a habitat assessment to locate all suitable chaparral, coastal sage scrub, and coastal scrub habitats within and directly</p>	<p>A. Conduct habitat assessment by qualified biologist</p>	<p>Prior to the issuance of a grading permit. To be repeated at two-year intervals until construction is complete.</p>	<p>Applicant / biological consultant</p>	<p>County of Los Angeles Department of Regional Planning</p>

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#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		<p>adjacent to the limits of disturbance that may potentially support the Trask shoulderband snail (<i>Helminthoglypta traskii traskii</i>). Prior to ground or vegetation disturbing activities, a terrestrial snail specialist shall conduct surveys in suitable habitats for the Trask shoulderband snail.</p> <p>The surveys shall be conducted in the winter to maximize the potential for detecting live snails. The project area shall be subject to a minimum of five (5) visual surveys, preferably spaced one (1) week apart, although surveys spaced more frequently may be acceptable in order to take advantage of wet weather. Surveys may be conducted during periods of rain, dense fogs, or heavy dews, but shall not be conducted during dry weather conditions.</p> <p>Each survey shall involve a general search for key features and likely places for snails followed by more intensive searching of areas with key habitat features. Surveys shall focus on careful examination of soil, leaf litter, downed wood, debris piles, beneath rocks and vegetation, and the undersides of branches and leaves. The U.S. Fish and Wildlife Morro shoulderband snail</p>	<p>B. Conduct survey of suitable habitat by terrestrial snail specialist for Trask shoulderband snail</p> <p>C. Prepare and submit report to LACDRP</p>	<p>Prior to the issuance of a grading permit. To be repeated at two-year intervals until construction is complete.</p> <p>Prior to the issuance of a grading permit. To be repeated at two-year intervals until construction is complete.</p>	<p>Applicant / biological consultant</p> <p>Applicant / biological consultant</p>	<p>County of Los Angeles Department of Regional Planning</p> <p>County of Los Angeles Department of Regional Planning</p>

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#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		<p>(<i>Helminthoglypta walkeri</i>) Protocol Survey Guidelines (June 2003) may be referred to for additional guidance on surveying for <i>Helminthoglypta</i> snails.</p> <p>If Trask shoulderband snails are found, they shall be moved to suitable habitat on the Malibu Institute property, such that the snails would not be subject to direct or indirect harm by the project, and would not migrate back into the project area. Handling time shall be minimized and attractants shall not be used, so as to avoid inadvertently attracting vandals or predators of the snail.</p> <p>The survey shall be valid for two years. Following the two-year period, surveys shall be required prior to new ground or vegetation disturbance in suitable habitat.</p> <p>Prior to the issuance of a grading permit, the surveying biologist shall provide a report to LACDRP covering the survey methods and results, including maps, photographs, and field notes documenting the area surveyed and any Trask shoulderband snails that were identified and relocated.</p>				

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#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
S.3-5	Biological Resources	<p><u>Capture, Management, and Release of Western Pond Turtles</u></p> <p>A Western Pond Turtle Mitigation and Monitoring Plan for the avoidance of impacts to the western pond turtle shall be prepared by a qualified biologist and approved by LACDRP and the CDFW prior to issuance of the grading permit for the Project. The Plan shall involve the capture of all western pond turtles at the Project site, the temporary containment and maintenance of the captured turtles at a suitable on-site or off-site location, and the release of the turtles back to the ponds at an appropriate time when the ponds would provide suitable habitat and the turtles would no longer be threatened by Project activities. The Plan shall at a minimum specify the following:</p> <ul style="list-style-type: none"> <li>• timing and methods of capture and removal of the turtles, and turtle eggs if applicable, from the golf course ponds and elsewhere within the Project limits;</li> <li>• site conditions necessary for the release of the turtles back to the ponds;</li> <li>• methods for release to the ponds;</li> <li>• monitoring program to document the status and condition of the</li> </ul>	<p>A. Prepare and submit a Western Pond Turtle Mitigation and Monitoring Plan</p> <p>B. Prepare and submit annual and final monitoring reports</p>	<p>Prior to issuance of grading permit</p> <p>Annually, beginning one year subsequent to initiation of construction until five years after construction or until performance standards have been met, whichever period is longer</p>	<p>Applicant / biological consultant</p> <p>Applicant / biological consultant</p>	<p>Los Angeles County Department of Regional Planning California Department of Fish and Wildlife</p> <p>Los Angeles County Department of Regional Planning California Department of Fish and Wildlife</p>

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#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		<p>turtle population following the release of the turtles back into the ponds;</p> <ul style="list-style-type: none"> <li>• a schedule and action plan for monitoring and reporting on the status of the turtle mitigation project;</li> <li>• criteria and performance standards by which to measure success; and,</li> <li>• contingency measures in the event that the mitigation effort is not successful.</li> </ul> <p>Alternatively, if feasible, the temporary containment of all or part of the turtle population at the golf course ponds may be avoided if it can be demonstrated that the timing and duration of the period that the ponds would be unsuitable for the species (i.e., lacking water, cover, or food supply) coincides with the seasonal periods that the turtles would move to upland habitats and if the safe dispersal of the turtles between the ponds and the native habitats in the surrounding area could be ensured throughout Project construction. In this case, the Plan shall also specify the timing and duration of the period that the ponds would be unsuitable and methods and monitoring activities to ensure that both direct impacts to individuals and the population</p>				

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#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		<p>of turtles at the Project site would be avoided.</p> <p>Annual reports discussing the implementation, monitoring, and management of the western pond turtle mitigation project shall be submitted to LACDRP and the CDFW. The fifth annual report shall discuss the implementation, monitoring and management of the mitigation project and indicate whether the mitigation project has, in part, or in whole, been successful based on established performance standards. If performance standards have been satisfied, the mitigation shall be considered complete, and no further reporting shall be required. If performance standards have not been met, mitigation efforts shall be extended, with the incorporation of contingency measures, as identified in the Western Pond Turtle MMP.</p>				
5.3-6	<p><b>Biological Resources</b></p>	<p><u>Special-Status Roosting Bats</u> To avoid the direct loss of bats that could result from removal of trees or structures that may provide maternity roost habitat (e.g., in cavities or under loose bark) or structures that contain a hibernating bat colony, the following steps shall be taken:</p>	<p>A. Conduct bat surveys</p> <p>B. Prepare and Present Letter</p>	<p>Prior to issuance of grading or demolition permit</p>	<p>Applicant / biological consultant</p>	<p>Los Angeles County Department of Regional Planning  California Department of Fish and Wildlife  Los Angeles County Department of</p>

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#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		<ul style="list-style-type: none"> <li>To the extent feasible, tree removal, tree relocation, and demolition of vacant buildings and other suitable man-made structures shall be scheduled between October 1 and February 28, outside of the maternity roosting season.</li> <li>If trees must be removed during the maternity season (March 1 to September 30), or structures must be removed at any time of the year, a qualified bat specialist shall conduct a pre-construction survey to identify those trees or structures proposed for disturbance that could provide hibernacula or nursery colony roosting habitat for bats.</li> <li>Each tree or structure identified as potentially supporting an active maternity roost and each structure potentially supporting a hibernating colony shall be closely inspected by the bat specialist no greater than 7 days prior to disturbance to the tree or structure to more precisely determine the presence or absence of roosting bats.</li> <li>If bats are not detected, but the bat specialist determines that roosting bats may be present at any time of</li> </ul>	<p>Report to LACDRP and CDFW</p> <p>C. Seal vacant buildings if bat surveys determine that bats are absent, install and maintain exclusionary devices</p> <p>D. Monitor the removal of trees and buildings with significant roosting bat potential</p>	<p>grading or demolition permit</p> <p>Prior to demolition activities, and maintained during construction</p> <p>During construction and demolition</p>	<p>consultant</p> <p>Applicant / biological consultant</p> <p>Applicant / biological consultant</p>	<p>Regional Planning California Department of Fish and Wildlife</p> <p>Los Angeles County Department of Regional Planning California Department of Fish and Wildlife</p> <p>Los Angeles County Department of Regional Planning California Department of Fish and Wildlife</p>

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#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		<p>year, it is preferable to push any tree down using heavy machinery rather than felling it with a chainsaw. In order to ensure the optimum warning for any roosting bats that may still be present, the tree shall be pushed lightly two to three times, with a pause of approximately 30 seconds between each nudge to allow bats to become active. The tree shall then be pushed to the ground slowly and shall remain in place until it is inspected by a bat specialist. Trees that are known to be bat roosts shall not be sawn up or mulched immediately. A period of at least 48 hours shall elapse prior to such operations to allow bats to escape. Bats shall be allowed to escape prior to demolition of buildings. This may be accomplished by placing one way exclusionary devices into areas where bats are entering a building that allow bats to exit but not enter the building.</p> <ul style="list-style-type: none"> <li>• Maternity season lasts from March 1 to September 30. Trees or structures determined to be maternity roosts shall be left in place until the end of the maternity season. A structure containing a</li> </ul>				

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#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		<p>hibernating colony shall be left in place until a qualified biologist determines that the bats are no longer hibernating.</p> <p>The bat specialist shall document all demolition monitoring activities and prepare a summary report to the County upon completion of tree disturbance or building demolition activities.</p>				
5.3-7	<p><b>Biological Resources</b></p>	<p><b>Bat Relocation</b>                      If confirmed occupied or formerly occupied bat roosting habitat is destroyed, artificial bat roosts of comparable size and quality shall be constructed and maintained at a suitable undisturbed area, preferably on the Malibu Institute property. The design and location of the artificial bat roosts shall be determined by the bat specialist in consultation with CDFW.</p> <p>In exceptional circumstances, such as when roosts cannot be avoided and bats cannot be evicted by non-invasive means, it may be necessary to capture and transfer the bats to appropriate natural or artificial bat roosting habitat in the surrounding area. Bats raising young or hibernating shall not be captured and relocated. Capture and relocation shall be performed by the bat specialist in coordination with CDFW, and shall be</p>	<p>A. Design and locate artificial bat roosts, if needed</p> <p>B. Capture and transfer bats, if needed</p> <p>C. Prepare and submit annual monitoring reports to LACDRP and CDFW</p>	<p>Prior to issuance of grading and demolition permits</p> <p>Prior to issuance of grading and demolition permits</p> <p>Annually for five years following relocation or until performance standards are met, whichever</p>	<p>Applicant / biological consultant</p> <p>Applicant / biological consultant</p> <p>Applicant / biological consultant</p>	<p>Los Angeles County Department of Regional Planning California Department of Fish and Wildlife</p> <p>Los Angeles County Department of Regional Planning California Department of Fish and Wildlife</p> <p>Los Angeles County Department of Regional Planning California Department of Fish and Wildlife</p>

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		<p>subject to approval by LACDRP and CDFW.</p> <p>A monitoring plan shall be prepared for the replacement roosts, which shall include performance standards for the use of the replacement roosts by the displaced species, as well as provisions to prevent harassment, predation, and disease of relocated bats.</p> <p>Annuals reports detailing the success of roost replacement and bat relocation shall be prepared and submitted to LACDRP and CDFW for five years following relocation or until performance standards are met, whichever period is longer.</p>		<p>period is longer</p>		
5.3-8	<p><b>Biological Resources</b></p>	<p><b>Nesting Bird Surveys</b></p> <p>Proposed project activities including, but not limited to, staging and disturbances to native and nonnative vegetation, structures, and substrates shall occur outside of the avian breeding season which generally runs from February 1-August 31 (as early as January 1 for some raptors) to avoid take of birds or their eggs. Take means to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill (Fish and Game Code Section 86), and includes take of eggs or young resulting from</p>	<p>A. Conduct weekly preconstruction bird or nest surveys</p> <p>B. Delay project activities within 300 or 500 ft. of nests or nesting habitat until August 31 or</p>	<p>From 30 – 3 days prior to disturbance to nesting habitat.</p> <p>During construction (February 1 through August 31)</p>	<p>Applicant / biological consultant</p> <p>Applicant / biological consultant</p>	<p>Los Angeles County Department of Regional Planning California Department of Fish and Wildlife</p> <p>Los Angeles County Department of Regional Planning California Department of Fish and Wildlife</p>

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		<p>disturbances which cause abandonment of active nests. Depending on the avian species present, a qualified biologist may determine that a change in the breeding season dates is warranted.</p> <p>If avoidance of the avian breeding season is not feasible, beginning thirty days prior to the initiation of construction activities, a qualified biologist with experience in conducting breeding bird surveys shall conduct weekly bird surveys to detect protected native birds occurring in suitable nesting habitat that is to be disturbed, including but not limited to site preparation, grading, construction, tree removal, landscaping removal, pond or detention basin maintenance, or building demolition and (as access to adjacent areas allows) any other such habitat within 300 feet of the disturbance area (within 500 feet for raptors). The surveys shall continue on a weekly basis with the last survey being conducted no more than 3 days prior to the initiation of project activities. If a protected native bird is found, the project proponent shall delay all project activities within 300 feet of on- and off-site suitable nesting habitat (within 500 feet for suitable raptor nesting habitat) until August 31. Alternatively, the</p>	<p>until nests are vacated, juveniles have fledged, and there is no evidence of a second attempt at nesting.</p> <p>C. Submit construction monitoring documentation</p>	<p>During construction (February 1 through August 31)</p> <p>During construction (February 1 through August 31)</p>	<p>Applicant / biological consultant</p> <p>Applicant / biological consultant</p>	<p>Los Angeles County Department of Regional Planning California Department of Fish and Wildlife</p> <p>Los Angeles County Department of Regional Planning California Department of Fish and Wildlife</p>

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		<p>qualified biologist could continue the surveys in order to locate any nests.</p> <p>If an active nest is located, project activities within 300 feet of the nest (within 500 feet for raptor nests) or as determined by a qualified biological monitor, must be postponed until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting. Flagging, stakes, or construction fencing shall be used to demarcate a buffer of 300 feet (or 500 feet) between the project activities and the nest. Project personnel, including all contractors working on site, shall be instructed on the sensitivity of the area. The project proponent shall provide LACDRP the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to the protection of native birds.</p> <p>If the biological monitor determines that a narrower buffer between the project activities and observed active nests is warranted, he / she shall submit a written explanation as to why (e.g., species-specific information; ambient conditions and birds' habituation to them; and the</p>				

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#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
5.3-9	<p><b>Biological Resources</b></p>	<p>terrain, vegetation, and birds' lines of sight between the project activities and the nest and foraging areas) to LACDRP and, upon request, CDFW. Based on the submitted information, LACDRP (and CDFW, if CDFW requests) will determine whether to allow a narrower buffer.</p> <p>The biological monitor shall be present on site during all grubbing and clearing of vegetation to ensure that these activities remain outside the demarcated buffer and that the flagging / stakes / fencing is being maintained, and to minimize the likelihood that active nests are abandoned or fail due to project activities. The biological monitor shall send weekly monitoring reports to LACDRP during the grubbing and clearing of vegetation, and shall notify LACDRP immediately if project activities damage active avian nests.</p>	<p>A. Demarcate the Project limits of disturbance</p> <p>B. Install and maintain exclusionary</p>	<p>Prior to issuance of grading permit and during construction</p> <p>Prior to issuance of grading permit</p>	<p>Applicant / biological consultant</p> <p>Applicant / biological consultant</p>	<p>Los Angeles County Department of Regional Planning</p> <p>Los Angeles County Department of Regional Planning</p>

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		<p>Prior to all ground disturbing and construction activities, the Applicant shall demarcate the Project limits of disturbance with sturdy exclusionary fencing to prevent encroachment of Project activities into native habitats adjacent to the Project limits of disturbance and to dissuade wildlife from entering the construction area. The fencing shall be marked with highly visible flagging and signed as a sensitive area. The LACDRP shall verify the fencing has been correctly installed prior to the start of ground disturbance or construction activities. The temporary fencing shall be routinely inspected and maintained in functional condition for the duration of Project construction.</p> <p>a) All construction and maintenance activities, except in an emergency, shall be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Saturday.</p> <p>b) If construction lighting is required, then lighting shall be pointed away from native habitats and shall be pointed downward and shielded to the extent practicable.</p> <p>c) All on-site construction equipment shall have properly operating</p>	<p>fencing</p> <p>C. Add flagging and signage to fencing</p> <p>D. Monitor ground disturbing and construction activities within 100 feet of sensitive native habitats</p> <p>E. Limit activities to designated hours</p> <p>F. Direct and shield construction lighting if required</p>	<p>and during construction</p> <p>Prior to issuance of grading permit and during construction</p> <p>During construction</p> <p>During construction</p> <p>During construction</p>	<p>Applicant / biological consultant</p>	<p>Los Angeles County Department of Regional Planning</p>

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#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
5.3-10	Biological Resources	<p>mufflers.</p> <p>d) All pets shall be on a leash and shall not be allowed to enter native habitats at the Project site.</p> <p>e) All food-related trash shall be disposed of in closed containers.</p> <p>Invasive Plant Species and Landscaping, Bio-detention Basins, and Bio-swales.</p> <p>Prior to the issuance of a grading permit, a Landscaping Plan shall be reviewed and approved by LACDRP to ensure that only non-invasive ornamental plant species or appropriate native plant species are used in landscaping, bio-detention basins, and bio-swales in future development of the project site. The review shall include a comparison of proposed plants with the following lists of invasive plant species: the California Invasive Plant Inventory (California Invasive Plant Council 2006, 2007), the California Invasive Plant Council Watchlist (December 2011), the Federal Noxious Weed List (December 10, 2010), the California Department of Food and Agriculture Pest Ratings of Noxious Weed Species and Noxious Weed Seed (January 2010), the Significant Ecological Area Draft Design Manual list of "L.A. County Non-Native</p>	<p>A. Submit approved Landscaping Plan</p> <p>B. Adhere to approved landscaping plan</p>	<p>Prior to issuance of grading permit</p> <p>Life of Project</p>	<p>Applicant / biological consultant</p> <p>Applicant</p>	<p>Los Angeles County Department of Regional Planning</p> <p>Los Angeles County Department of Regional Planning</p>

Mitigation Monitoring and Reporting Program

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		<p>Species to Avoid in Landscaping," (December 2012), and the draft Santa Monica Mountains Local Coastal Program list of "Plants to Avoid in the Santa Monica Mountains."</p> <p>The Landscaping Plan shall include all plant species that would be planted as part of the proposed project, including but not limited to plant species that would be planted within bio-detention basins and bio-swales and the drought-tolerant grasses for the golf course. Species used in bio-detention basins and bio-swales shall be locally-indigenous natives. Drought-tolerant grasses for the golf course shall be non-invasive and shall not be capable of hybridizing with native grasses in the surrounding habitat. LACDRP shall conduct site inspections to ensure the appropriate plant materials have been planted and are maintained through the life of the project.</p>				
5.3-11	Biological Resources	<p>Pest and Invasive Species Management Plan</p> <p>A. Pest and Invasive Species Management Plan shall be developed and implemented that emphasizes eradication and control of problem species within the development limits and fuel modification zones, including</p>	<p>A. Prepare and submit Pest and Invasive Species Management Plan</p> <p>B. Implement Pest and Invasive Species</p>	<p>Prior to grading permit, then updated every ten years</p> <p>Beginning with commencement of ground</p>	<p>Applicant / biological consultant</p> <p>Applicant / biological consultant</p>	<p>Los Angeles County Department of Regional Planning</p> <p>Los Angeles County Department of Regional Planning</p>

Mitigation Monitoring and Reporting Program

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		<p>pests that interfere with the management goals of the Malibu Institute and invasive plant and animal species that could adversely affect the quality of native habitats at the Project site and in the surrounding area. If invasive species from the Project site spread to natural areas, control of invasive species shall extend to those areas as well. The Plan shall incorporate sustainable methods, avoid or minimize the use of chemical fertilizers, insecticides, herbicides, fungicides, and rodenticides, and ensure that toxic chemicals or excessive nutrient loads do not adversely affect native habitats and wildlife. Success criteria shall be tied to the control and eradication of problem species, and the lack of adverse effects of pest management practices and fertilizer use on sensitive species and habitats both at the Project site and in the surrounding area, including downstream from the Project site. The Plan shall allow for adaptation of management strategies, as necessary, and shall include periodic monitoring, reporting, and evaluation of progress. In broad terms, the Plan shall at a minimum include:</p> <ul style="list-style-type: none"> <li>• Specific objectives;</li> <li>• Target species and problem</li> </ul>	<p>Management Plan</p> <p>C. Prepare monitoring reports</p>	<p>disturbance and continuing for life of project</p> <p>Biannually, beginning one year subsequent to commencement of ground disturbance for life of project</p>	<p>Applicant / biological consultant</p> <p>Applicant / biological consultant</p>	<p>Los Angeles County Department of Regional Planning</p>

Mitigation Monitoring and Reporting Program

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		<p>areas;</p> <ul style="list-style-type: none"> <li>• Prioritization of threats;</li> <li>• Success criteria;</li> <li>• Management strategies that would prevent the establishment of problem species;</li> <li>• Management strategies that would result in eradication and/or control of problem species;</li> <li>• Implementation plan;</li> <li>• Monitoring plan; and,</li> <li>• Contingency measures.</li> </ul> <p>The Plan shall incorporate but shall not be limited to the following practices and conditions:</p> <ul style="list-style-type: none"> <li>• Use of chemical fertilizers, insecticides, herbicides, and fungicides shall be avoided or minimized;</li> <li>• Pesticides and herbicides used within or near aquatic habitats shall be designated for use in aquatic habitats and shall be applied with techniques that avoid over-spraying and control application to avoid excessive concentrations.</li> <li>• Biological and organic controls shall be used to the maximum</li> </ul>				

Mitigation Monitoring and Reporting Program

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		<ul style="list-style-type: none"> <li>• extent feasible; Water quality shall be monitored and water quality test results evaluated with respect to potential adverse effects on sensitive species and habitats;</li> <li>• Chemical pesticides and fertilizers shall be limited to the immediate vicinity of buildings and exotic landscape plantings;</li> <li>• Bt (<i>Bacillus thuringiensis kurusaki</i>) or non-native predatory snails (i.e., decollate snails) shall not be used for pest control;</li> <li>• Rodent eradication efforts shall emphasize the use of traps and shall avoid chemical controls, unless otherwise directed by the Department of Health Services (DOHS);</li> <li>• Anticoagulant rodenticides shall not be used, as they are a risk to non-target species and have been identified as a factor in the deaths of large predators in the Santa Monica Mountains; and,</li> <li>• Application of non-anticoagulant rodenticides shall be limited to the vicinity of buildings, facilities, and developed areas and shall not extend to the landscaped areas on the golf course grounds.</li> </ul>				

Mitigation Monitoring and Reporting Program

#	Environmental Factor	Mitigation	Action Required	When Monitoring Occur	Responsible Agency or Party	Monitoring Agency or Party
		<p>The Plan shall be adhered to for the life of the Project and shall be updated every ten years. The Plan shall be prepared by qualified specialists in coordination with personnel responsible for pest and invasive species management at the Malibu Institute, and shall be approved by the Director of Planning prior to issuance of a grading permit for the Project. Implementation of the Plan shall begin with commencement of ground disturbance for the project. Biannual reports shall be prepared by a qualified specialists, which document methods, treatments, and monitoring, and evaluate the implementation of the Plan and whether success criteria have been met. The reports shall be submitted by December 31 to the Los Angeles County Director of Planning for review who will ensure the Plan has been fully implemented and that the success criteria have been met.</p>				
5.3-12	Biological Resources	<p>Prior to issuance of the grading permit, the Applicant shall prepare and submit to the USACE for verification a "Preliminary Delineation Report for "waters of the U.S."" and a Streambed Alteration Notification package to the CDFW for alterations to USACE jurisdictional "waters of the U.S." and</p>	<p>A. Prepare and submit a "Preliminary Delineation Report for waters of the U.S."</p>	<p>Prior to issuance of grading permit</p>	<p>Applicant</p>	<p>California Department of Fish and Wildlife United States Army Corps of Engineers Regional Water</p>

Mitigation Monitoring and Reporting Program

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
5.3-12	Biological Resources	<p>CDFW jurisdictional streambed and habitat. A Clean Water Act Section 404 permit shall be obtained from the USACE, and the Applicant shall comply with the permit conditions. A Streambed Alteration Agreement shall be entered into with the CDFW under Section 1602 of the California Fish and Game Code, and the Applicant shall comply with the associated conditions. A Clean Water Act Section 401 Water Quality Certification shall be obtained from the RWQCB, and the Applicant shall comply with the certification conditions. Mitigation for unavoidable impacts to USACE jurisdictional "waters of the U.S." and CDFW jurisdictional streambed and habitat shall be provided through implementation of the Habitat Mitigation and Monitoring Program, as required by MM5.3-13.</p>	<p>A. Prepare and submit a "Preliminary Delineation Report for waters of the U.S."                      B. Prepare and submit a Streambed Alteration Notification package to the CDFW                      C. Obtain Clean Water Act Section 404 permit from USACE                      D. Obtain Section 1602 Streambed Alteration Agreement from CDFW                      E. Obtain Clean Water Act Section 401 Water Quality Certification from RWQCB</p>	<p>Prior to issuance of grading permit                      Prior to issuance of grading permit                      Prior to issuance of grading permit                      Prior to grading permit                      Prior to grading permit</p>	<p>Applicant                      Applicant                      Applicant                      Applicant                      Applicant</p>	<p>Quality Control Board                      California Department of Fish and Wildlife                      United States Army Corps of Engineers                      California Department of Fish and Wildlife                      Regional Water Quality Control Board</p>

Mitigation Monitoring and Reporting Program

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
5.3-13	Biological Resources	<p>The Project shall implement the requirements of the final approved Habitat Mitigation and Monitoring Program, which shall mitigate for permanent impacts to 0.032 acres of CDFW jurisdictional habitat, 0.002 acres of USACE wetland "waters of the United States", and 0.03 acres of USACE non-wetland "waters of the United States" at a 2:1 ratio. Due to the overlap of the jurisdictional areas that would be permanently impacted, a total of 0.032 acres consisting of 0.002 acres of wetland "waters of the United States"/CDFW jurisdictional habitat and 0.03 acres of non-wetland "waters of the United States"/C</p> <p>DFW jurisdictional habitat shall be mitigated.</p> <p>Also as part of the Habitat Mitigation and Monitoring Program, the Project shall mitigate for temporary impacts to 4.42 acres of CDFW jurisdictional habitat, 2.19 acres of USACE wetland "waters of the United States", 1.63 acres of USACE non-wetland "waters of the United States", and 4.10 acres of single-parameter wetlands at a 2:1 ratio. Due to the overlap of jurisdictional areas that would be temporarily impacted, a total of</p>	<p>A. Prepare and Submit Final Habitat Mitigation and Monitoring Program to LACDRP, ACOE, CDFW, and RWQCB</p> <p>B. Implement Final Approved Habitat Mitigation and Monitoring Program</p>	<p>Prior to grading permit</p> <p>To be implemented over a five-year period, and initiated prior to development of the Project if feasible, but shall not interfere with Project development or the planned eradication of invasive animals from aquatic habitats at the site.</p>	Applicant	<p>Los Angeles County Department of Regional Planning</p> <p>California Department of Fish and Wildlife</p> <p>United States Army Corps of Engineers</p> <p>Regional Water Quality Control Board</p> <p>Los Angeles County Department of Regional Planning</p> <p>California Department of Fish and Wildlife</p> <p>United States Army Corps of Engineers</p> <p>Regional Water Quality Control Board</p>

Mitigation Monitoring and Reporting Program

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		<p>4.42 acres consisting of 0.32 acres of CDFW jurisdictional habitat, 0.28 acres of CDFW jurisdictional habitat/single-parameter wetlands, 2.19 acres of USACE wetland "waters of the United States"/CDFW jurisdictional habitat/single-parameter wetlands, and 1.63 of non-wetland "waters of the United States"/CDFW jurisdictional habitat/single-parameter wetlands shall be mitigated.</p> <p>The Habitat Mitigation and Monitoring Program shall mitigate for permanent and temporary impacts to jurisdictional areas by the on-site or off-site restoration of degraded in-kind wetland and riparian habitats, or by a contribution to an in-lieu fee program approved by the LACDRP, USACE, and the CDFW. Restoration should be implemented only where suitable conditions exist to support viable wetland and riparian habitat. If the mitigation will be performed off-site, to the extent feasible the restoration should be implemented within the Trancas Canyon Watershed. Also to the extent feasible, in-lieu fees shall be used for the restoration of in-kind wetland and riparian habitat within the Trancas Canyon Watershed.</p>	<p>C. Prepare and submit annual and final monitoring reports</p>	<p>Annual Reports shall be provided for a minimum of five years with the first report due within a year of the HMMP initiation. The report shall be the final report, unless success criteria have not been met to the satisfaction of the Director of Regional Planning, USACE, and the CDFW.</p>	<p>Applicant</p>	<p>Los Angeles County Department of Regional Planning  California Department of Fish and Wildlife  United States Army Corps of Engineers  Regional Water Quality Control Board</p>

Mitigation Monitoring and Reporting Program

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		<p>The final Habitat Mitigation and Monitoring Program shall be developed by a qualified biologist, restoration ecologist or resource specialist and submitted to and approved by the LACDRP, USACE, RWQCB, and CDFW, in compliance with Clean Water Act Sections 401 and 404 and California Fish and Game Code 1602 and supporting regulations, prior to issuance of a grading permit for the Project. The Program shall be based on the USACE Final Mitigation Guidelines and Monitoring Requirements (April 19, 2004) and the Los Angeles District's Recommended Outline for Draft and Final Compensatory Mitigation and Monitoring Plans. In broad terms, this Program shall at a minimum include:</p> <ul style="list-style-type: none"> <li>• Description of the project/impact and mitigation sites;</li> <li>• Specific objectives;</li> <li>• Success criteria;</li> <li>• Plant palette;</li> <li>• Implementation plan;</li> <li>• Maintenance activities;</li> <li>• Monitoring plan; and</li> <li>• Contingency measures.</li> </ul> <p>Success criteria shall at a minimum be evaluated based on appropriate survival rates and percent cover of planted native</p>				

Mitigation Monitoring and Reporting Program

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		<p>species, as well as eradication and control of invasive plant and animal species within the restoration area.</p> <p>The target species and native plant palette, as well as the specific methods for evaluating whether the project has been successful at meeting the above-mentioned success criteria shall be determined by the qualified biologist, restoration ecologist or resource specialist and included in the mitigation program.</p> <p>To the extent possible, the mitigation project or in-lieu fee contribution shall be initiated prior to development of the Project. If the compensatory mitigation involves the restoration of on-site wetland and riparian habitats that were removed or disturbed by project grading or pond maintenance, the mitigation project shall be initiated as the earliest possible date, but shall not interfere with project development or the planned eradication of invasive animals from aquatic habitats at the site. The mitigation project shall be implemented over a five-year period and shall incorporate an iterative process of annual monitoring and evaluation of progress and allow for adjustments to the</p>				

Mitigation Monitoring and Reporting Program

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		<p>program, as necessary, to achieve desired outcomes and meet success criteria. Annual reports discussing the implementation, monitoring, and management of the mitigation project shall be submitted to the LACDRP, USACE, and the CDFW. Five years after project start, a final report shall be submitted to the LACDRP, USACE, and CDFW, which shall at a minimum discuss the implementation, monitoring and management of the mitigation project over the five-year period, and indicate whether the mitigation project has, in part, or in whole, been successful based on established success criteria. The annual reports and the final report shall include as-built plans submitted as an appendix to the report. The project shall be extended if success criteria have not been met at the end of the five-year period to the satisfaction of the Director of Regional Planning, USACE, and the CDFW.</p>				
5.4-1	Cultural Resources	<p>A protective fence shall be installed and maintained surrounding site CA-LAN-527 prior to all earth moving activities that occur within 100-feet of the site (within the existing fairway for Hole #18, approximately 100 feet from the green).</p>	Installation of protective fencing	Prior to issuance of grading permit for the golf course area	Applicant	County of Los Angeles Department of Regional Planning

Mitigation Monitoring and Reporting Program

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
5.4-2	Cultural Resources	A qualified archaeologist shall monitor all stripping and other earthmoving activities occurring within 100-feet of site CA-LAN-527 (within the existing fairway for Hole #18, approximately 100 feet from the green).	A. Field monitoring  B. Maintain log demonstrating compliance	During stripping and earthmoving activities at this location	Applicant, Archaeological Monitor	County of Los Angeles Department of Regional Planning
5.4-3	Cultural Resources	In the event unknown archaeological resources are discovered during Project construction, all ground-disturbing activities within the vicinity of the find shall cease until a qualified archaeological or paleontological monitor inspects the resources, identifies appropriate treatment, and documents the resource as necessary. The archaeologist shall record all recovered archaeological resources on the appropriate California Department of Parks and Recreation Site Forms to be filed with the California Historical Resources Information System-South Central Coastal Information Center, evaluate the significance of the find, and if significant, determine and implement the appropriate mitigation in accordance with the U.S. Secretary of the Interior and California Office of Historic Preservation guidelines, including but	A. Field monitoring  B. Maintain log demonstrating compliance	During stripping and earthmoving activities.	Applicant, Archaeological Monitor	County of Los Angeles Department of Regional Planning

Mitigation Monitoring and Reporting Program

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		not limited to a Phase III data recovery and associated documentation. The archaeologist shall prepare a final report about the find to be filed with the Applicant, the County of Los Angeles Department of Regional Planning, and the California Historical Resources Information System-South Central Coastal Information Center, as required by the California Office of Historic Preservation. The report shall include documentation of the resources recovered, a full evaluation of the eligibility with respect to the California Register of Historical Resources, and treatment of the resources recovered. In the event of a find, archaeological and Native American monitoring shall be provided thereafter for any ground-disturbing activities within the boundary of the archaeological site.				
5.4-4	Cultural Resources	In the event human remains are encountered during construction activities, all ground-disturbing activities within the area of the human remains shall cease and the County coroner shall be notified. In the event the remains are determined to be of Native American descent, the coroner shall notify the California Native American Heritage Commission within 24 hours. The Native American Heritage Commission	A. Maintain documentation demonstrating compliance  B. Native American monitoring as applicable  C. Site inspection	During construction  During construction	Applicant/ Construction Manager/ Qualified Archaeologist  Applicant/ Construction Manager/ Qualified Archaeologist  Applicant/	County of Los Angeles Department of Regional Planning  County of Los Angeles Department of Regional Planning Native American Heritage Commission  County of Los

Mitigation Monitoring and Reporting Program

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		<p>shall identify the person(s) thought to be the Most Likely Descendant of the deceased Native American, who shall have 48 hours from notification by the Native American Heritage Commission to inspect the site of the discovery of Native American remains and to recommend to the Applicant or landowner means for the treatment and disposition of the human remains and any associated grave goods. The Applicant or landowner shall reinter the remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance. In the event Native American remains are found, Native American monitoring shall be provided thereafter for any ground-disturbing activities in the area of the remains.</p>	<p>as needed</p>	<p>construction</p>	<p>Construction Manager/ Qualified Archaeologist</p>	<p>Angeles Department of Regional Planning</p>
<p><b>5.4-5</b></p>	<p><b>Cultural Resources</b></p>	<p>A paleontological monitor, supervised by a qualified paleontologist, shall monitor all excavation activities within previously undisturbed sedimentary soils (Quaternary Alluvium) in the lower lying central-southern portion of the site. If fossils are found, the paleontological monitor shall be authorized to halt the ground-disturbing activities within 25 feet of the find in order to allow evaluation of the find and determination of appropriate treatment in accordance</p>	<p>A. Paleontological monitoring  B. Maintain log demonstrating compliance</p>	<p>During excavation in the referenced areas  During excavation in the referenced areas</p>	<p>Applicant/ Construction Manager/ Qualified Paleontologist  Applicant/ Construction Manager/ Qualified Paleontologist</p>	<p>County of Los Angeles Department of Regional Planning  County of Los Angeles Department of Regional Planning</p>

Mitigation Monitoring and Reporting Program

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
5.7-1	<b>Hazards/Hazardous Materials</b>	with Society of Vertebrate Paleontology guidelines for identification, evaluation, disclosure, avoidance or recovery, and curation, as appropriate. Any fossils recovered during mitigation shall be deposited in an accredited and permanent scientific institution for the benefit of current and future generations. The paleontologist shall prepare a final report on the monitoring. If fossils are identified, the report shall contain an appropriate description of the fossils, treatment, and curation. A copy of the report shall be filed with the Applicant, County of Los Angeles Department of Regional Planning, and the Natural History Museum of Los Angeles, and shall accompany any curated fossils.	A. Submit documentation summarizing the results of any soil testing and verify whether applicable regulatory contaminant thresholds are met  B. Evaluation, management,	During grading and excavation	Applicant/ Construction Manager/ Qualified Professional	County of Los Angeles Fire Department  South Coast Air Quality Management District  California Department of Toxic Substances Control, as applicable  County of Los Angeles Fire

Mitigation Monitoring and Reporting Program

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		Coast Air Quality Management District's Rule 1166, to make the area suitable for grading activities to resume. In the event contamination is found, the Applicant shall notify the Los Angeles County Fire Department, the South Coast Air Quality Management District, and/or the California Department of Toxic Substances Control, as applicable. The contaminated soil shall be evaluated and excavated/disposed of, treated in-situ (in-place), or otherwise managed and disposed of in accordance with all applicable federal, State, and local laws and regulations.	and disposal, as applicable	can resume in the contaminated areas	Manager/ Qualified Professional	Department South Coast Air Quality Management District California Department of Toxic Substances Control, as applicable
5.7-2	Hazards/Hazardous Materials	Prior to the commencement of demolition of the abandoned residence/hunting lodge building, appropriate biological samples shall be collected and analyzed to determine if conditions represent a biological hazard (e.g. hantavirus) due to large amounts of rat feces and urine. Prior to entering the building, appropriate personal protection equipment shall be worn by all personnel.	Collection and analysis of biological samples	Prior to issuance of demolition permit	Applicant	County of Los Angeles Department of Public Health
5.7-3	Hazards/Hazardous Materials	All hazardous materials within the Project site shall be acquired, handled, used, stored, transported, and disposed of in accordance with all applicable federal, State, and local requirements.	Maintain log demonstrating compliance	During construction and operation	Applicant/ Construction Manager	County of Los Angeles Fire Department

Mitigation Monitoring and Reporting Program

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
5.7-4	Hazards/Hazardous Materials	<p>Prior to any storage or usage of regulated hazardous materials on-site (including pool maintenance chemicals, fertilizers, herbicides, pesticides, insecticides, lubricants, etc.), the Applicant shall obtain approval from the Los Angeles County Fire Department for a Hazardous Materials Business Plan (HMBP) covering the use and storage of all regulated hazardous chemicals and materials to be used and/or stored onsite. Qualified environmental personnel or safety engineers shall develop and implement a business plan and a health and safety plan in order to ensure that compliance issues regarding the proper containment, usage, disposal and transportation practices are used, if required.</p>	<p>A. Preparation and approval of a Hazardous Materials Business Plan                      B. Maintain log demonstrating compliance</p>	<p>Prior to issuance of grading permit</p> <p>During construction and operation</p>	<p>Applicant, Safety Engineer</p> <p>Applicant/ Construction Manager</p>	<p>County of Los Angeles Fire Department</p> <p>County of Los Angeles Fire Department</p>
5.7-5	Hazards/Hazardous Materials	<p>Prior to occupancy, the payment of a Development Impact Mitigation Fee for the benefit of the Consolidated Fire Protection District would be required, for the purpose of supplementing funds for the acquisition, construction, improvement and equipping of facilities necessary to deliver fire protection services within the County. The fee shall be based on the applicable County of Los Angeles Developer Fee Program, last updated on November 26, 2013, to be effective February 1, 2014. The newly</p>	<p>Calculation and payment of Development Impact Mitigation Fee</p>	<p>Prior to issuance of certificate of occupancy</p>	<p>Applicant, Consolidated Fire Protection District of Los Angeles County</p>	<p>Consolidated Fire Protection District of Los Angeles County</p>

Mitigation Monitoring and Reporting Program

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		adopted current Developer Fee for Area of Benefit 1, which includes the Project site, will provide for the collection of \$0.8990 per square foot for new floor area development. Administration and collection of the Developer Fee shall be the responsibility of the Consolidated Fire Protection District of Los Angeles County.				
5.8-1	Hydrology and Water Quality	All grading associated with the implementation of the Project shall take place within the previously disturbed areas of the existing Malibu Golf Club, including the fairways, tee boxes, and greens, as indicated in Figure 5.3-7.	Preparation of Grading Plans	Prior to issuance of Grading Permit	Applicant, Grading Contractor	County of Los Angeles Department of Regional Planning
5.8-2	Hydrology and Water Quality	The Project shall remove all septic tanks throughout the Project site with the exception of the septic tank serving the caretaker's house in the northern portion of the Project site, and shall install an on-site wastewater treatment system with effluent meeting Title 22 standards for reuse as irrigation for the remodeled golf course.	A. Submit final plans that indicate where existing septic tanks are located, and which ones are to be removed  B. Install onsite Wastewater Recycling System	Plan Check	Applicant	County of Los Angeles Department of Sanitation
5.10-1	Noise	All construction and general maintenance activities, except in an emergency, shall be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday	Limit construction and maintenance noise to designated hours, except for	Prior to issuance of certificate of occupancy During construction	Applicant  Applicant, General Contractor	County of Los Angeles Department of Sanitation  County of Los Angeles Department of Regional Planning

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#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		through Friday and the hours of 7:00 a.m. to 7:00 p.m. on Saturday. Construction activities shall be prohibited on Sunday and legal holidays except for emergency maintenance or repair.	emergencies and maintain documentation demonstrating compliance			
5.10-2	Noise	All on-site construction equipment shall be equipped with noise shielding and muffling devices. All equipment shall be properly maintained in accordance with manufacturers' specifications to assure that no additional noise, due to worn or improperly maintained parts is generated.	Use properly maintained noise shielded, muffled equipment and maintain documentation demonstrating compliance	During construction	Applicant, General Contractor	County of Los Angeles Department of Regional Planning
5.10-3	Noise	All construction staging areas shall be located at least 500 feet from the nearest homes at which point peak noise levels would have diminished by at least 20 dB from their near-source maximum levels	Properly locate construction staging areas	During construction	Applicant, General Contractor	County of Los Angeles Department of Regional Planning
5.10-4	Noise	Use of outdoor amplified music, sounds, or public address systems shall cease by 10:00 p.m.	Provide employee education materials that describe this prohibition, provide such material to any vendor contracted to provide outdoor entertainment and maintain a log demonstrating compliance	During operations	Applicant	County of Los Angeles Department of Regional Planning

Mitigation Monitoring and Reporting Program

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
5.11.1-1	Public Services - Fire	The Project shall pay the fee required by the Consolidated Fire Protection District's Developer Fee Program for new residential and commercial construction to support fire stations and apparatus located within the City of Malibu that provide fire suppression and emergency services to the Project site, which is within Area of Benefit 1.	Pay fee required by the Consolidated Fire Protection District	Prior to issuance of building permit	Applicant	Consolidated Fire Protection District of Los Angeles County
5.11.1-2	Public Services - Fire	The Project shall comply with the applicable Uniform Fire Code (UFC) and LACFD ordinance requirements for development located in high fire danger areas regarding the following: building construction methods and materials; the ease of site access; the adequacy of water mains to maintain adequate fire-flow pressures and volumes; the location and numbers of fire hydrants; the use of indoor sprinklers and sensors; the re-vegetation of all manufactured slopes with fire retardant (native) landscaping; and brush clearance.	Comply with UFC and LACFD ordinances	Prior to issuance of building permit	Applicant	County of Los Angeles Fire Department
5.11.1-3	Public Services - Fire	The Applicant shall install and test, or bond for all required fire hydrants prior to recordation of the Final Map for the Project.	Install and test or bond for fire hydrants	Prior to issuance of building permit or recordation of Final Map, whichever occurs first	Applicant	County of Los Angeles Fire Department
5.11.1-4	Public Services - Fire	The Applicant shall obtain approval from LACFD of a final "Fuel Modification	Prepare and submit final Fuel	Prior to issuance of	Applicant	County of Los Angeles Fire

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#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
5.11.1-5	<b>Public Services - Fire</b>	<p>Plan" for the Project prior to commencement of construction.</p> <p>The Applicant shall provide detailed site plan maps and facilities drawings of the completed facilities and areas for the Project to the LACFD, which clearly illustrate access routes, building recognition/identification numbers/names, addresses, building and parking structure floor plans, the locations of emergency exits, and any other pertinent information that would facilitate LACFD response.</p>	<p>Modification Plan</p> <p>Provide detailed site plan map and facilities drawings</p>	<p>building permit</p> <p>Prior to issuance of building permit</p>	<p>Applicant</p>	<p>Department - Fuel Modification Unit</p> <p>County of Los Angeles Fire Department</p>
5.11.1-6	<b>Public Services - Fire</b>	<p>The Project shall comply with all applicable State Fire Marshall requirements for the installation of fire alarms, firewalls and dampers, and detector devices.</p>	<p>Comply with applicable State Fire Marshall and County of Los Angeles Fire Department requirements</p>	<p>Prior to issuance of building permit</p>	<p>Applicant</p>	<p>California Department of Forestry and Fire Protection (CAL FIRE)</p> <p>County of Los Angeles Fire Department</p>
5.13-1	<b>Traffic and Access</b>	<p>The Project shall be required to contribute to the cost of implementing intersection improvements for the U.S. 101 SB ramps/Kanan Road intersection as identified in the Agoura Village Specific Plan EIR as a mitigation measure. The planned improvements would implement widening the northbound approach to provide a third through-lane and restriping the southbound approach to provide an</p>	<p>Contribute the Project's fair share contribution to the cost of implementing intersection improvements for the U.S. 101 SB ramps/Kanan Road intersection as identified in the</p>	<p>Prior to issuance of building permit</p>	<p>Applicant</p>	<p>County of Los Angeles Department of Regional Planning</p>

Mitigation Monitoring and Reporting Program

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
5.14-1-1	Public Utilities - Water Supply	<p>additional left-turn lane. The westbound approach would also be widened to accommodate the dual southbound left-turns.</p> <p>The Project would contribute a total of 51 peak hour trips to this intersection, which would represent four percent of the 1,123 peak hour trips added to this intersection by the related projects. Therefore, the Project's fair share contribution to these intersection improvements would be four percent of the estimated \$169,000 cost, which would be \$6,760.00.</p> <p>The applicant shall install a detector check valve with its own pressure reducing valve parallel to the existing water meter and Pressure Reducing Valve (PRV) on the Project site approved by the Department of Public Works in accordance with LVMWD standards in order to provide a fire flow on the Project site as required by the County of Los Angeles Fire Department. This development may require fire flows up to 3,000 gallons per minute at 20 pounds per square inch residual pressure for up to a three hour duration. A reduction in the required fire flow for this development can be determined based on the total square footage of the</p>	<p>Agoura Village Specific Plan EIR</p>	<p>Prior to issuance of building permit</p>	<p>Applicant</p>	<p>County of Los Angeles Fire Department</p>
			<p>Install detector check valve as required</p>	<p>Prior to issuance of building permit</p>	<p>Applicant</p>	<p>County of Los Angeles Fire Department</p>
			<p>Submit plans for all required fire protection systems (fire hydrants, fire department connection, standpipes, fire sprinklers, etc) for review and approval</p>			

Mitigation Monitoring and Reporting Program

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
5.14.3-1	Public Utilities - Solid Waste Disposal	<p>largest building, the type of constructions used, and if the building is equipped with an approved fire sprinkler system. The required fire flow cannot be reduced below 2,000 gallons per minutes at 20 pounds per square inch residual pressure for up to a two hour duration. All required public and private fire hydrants shall comply with the required fire flow. All required fire protection systems (fire hydrants, fire department connection, standpipes, fire sprinklers, etc) shall be reviewed and approved prior to building permit issuance.</p> <p>The applicant shall implement a recycling program for the operational phase of the Project. The recycling program shall be monitored to ensure that the program advances along with technological advancements in waste management industry-wide. At a minimum the recycling program shall maintain existing levels of waste diversion with improvements in waste diversion over time that exceed existing levels and are in keeping with overall Countywide criteria. Some of the recycling criteria that shall be met or exceeded include:</p> <ul style="list-style-type: none"> <li>All green waste generated onsite (e.g. tree trimmings, brush</li> </ul>	Implement recycling program and maintain documentation demonstrating compliance	During operations	Applicant	County of Los Angeles Department of Regional Planning

Mitigation Monitoring and Reporting Program

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		<p>clearance, grass, etc.) shall be either chipped and reused for pathways or landscaping (e.g. wood chips), or shall be composted onsite for use within the Project;</p> <ul style="list-style-type: none"> <li>• Where trash receptacles are placed in common areas of the Project site for use by guests, clearly marked recyclable bins shall also be provided for beverage containers such as bottles and cans;</li> <li>• Food waste shall be separated from other refuse and recyclable materials and composted onsite utilizing a worm bin to convert non-fatty food wastes into potting soil (called ermicompost) for onsite landscape maintenance use;</li> <li>• Batteries, toner cartridges and other office tech equipment such as computer monitors, printers, and cell phones shall be recycled;</li> <li>• Offices shall promote recycled paper usage that contains at least 30 percent recycled content and is Green Seal Certified;</li> <li>• A Central Recycling Center (CRC) shall be located on-site in an area where all of recycled materials are to be stored until</li> </ul>				

Mitigation Monitoring and Reporting Program

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
		<p>transported to the processor, and will include roll-off containers for separation of various recycling commodities;</p> <ul style="list-style-type: none"> <li>• The Project shall provide an on-site baler for all cardboard and newspaper, equipment to crush glass items and cans, and compactors for all other waste to minimize volumes;</li> <li>• The Project shall provide bulk dispensing systems throughout the property for toiletry items such as soaps and shampoos to minimize packaging; and</li> <li>• The Project shall provide cloth towel rolls or hand dryers in common area restrooms instead of paper towels.</li> </ul>				

**STAFF ANALYSIS  
PROJECT NO. TR071735-(3)  
COASTAL DEVELOPMENT PERMIT NO. 201400006**

**PROJECT DESCRIPTION**

The applicant, Malibu Associates, LLC (Applicant), is requesting a major coastal development permit (CDP) pursuant to the recently adopted Santa Monica Mountains Local Coastal Program (LCP) for the development of the Malibu Institute project (Project). The Project would reconfigure the lot lines of 29 existing lots to create a total of seven (7) lots over the 650-acre Project site with two (2) lots containing the Project development and five (5) lots dedicated as permanent open space. On the development lots, the Project would create a sports-oriented educational retreat facility affiliated with the University of Southern California (USC) to complement a remodeled 18-hole golf course on a 650-acre property currently operating as the Malibu Golf Club in the unincorporated Santa Monica Mountains in Los Angeles County. In addition to the remodeled golf course, the Project would also develop a 48,164-square-foot Malibu Institute building consisting of educational and meeting facilities in which educational institutions, businesses, or other organizations could conduct seminars, conferences, and other events. Programming for these activities would consist of educational conferences, seminars, and lectures, and would be available for use by educational institutions and other organizations including charitable foundations. The facility could host seminars, banquets, or receptions for other organizations.

The Project would also develop visitor-serving overnight accommodations to facilitate multi-day programs that may be held on-site. The overnight accommodations would consist of 40 bungalow units in 37 individual structures with four bedrooms per unit, for a total of 160 bedrooms with a maximum occupancy of two persons per room or 320 overnight guests. The structures would be two-stories (four would be single-story) with floor areas ranging from 2,610 square feet to 2,885 square feet for the single bungalow units, and 5,310 square feet for structures with two bungalow units, for a total of 109,140 square feet of floor areas. Each bungalow would include four private bedroom/bathroom facilities and a common lounging area; no kitchen facilities would be included.

Other facilities that would be provided by the Project include a 30,147-square-foot clubhouse with dining and lounge facilities as well as a fitness and wellness center, and an outdoor swimming pool with a poolside shower and changing room. The facility would be available for hosting banquet, educational seminars/conferences, and reception events to be held either indoors or in an outdoor courtyard. The Project would also construct a 12,104-square-foot building containing a golf pro-shop that would provide retail space for golf-related merchandise, eight indoor computerized driving range bays (in place of an outdoor driving range facility), and grill/snack shop. The dining facility, restrooms, and golf-related amenities would be available to the visiting public, those attending conferences, as well as those staying in overnight accommodations.

The Project also would develop support facilities necessary for the upkeep of the Project, including a 10,500-square-foot maintenance building, a 9,162-square-foot golf cart storage barn, a 4,623-square-foot warehouse, and a 120-square-foot security/information building. In total, the Project would develop 224,760 square feet of structures. The structures would reuse the footprint of the existing clubhouse and cart barn for the proposed educational and meeting facilities of the Malibu Institute building. The project also would remove an abandoned residence located in the northern portion of the Project site. The Project would replace existing septic systems with an on-site wastewater treatment plant and relocate an existing unpaved emergency-use helipad to a more central location within the Project site on a relatively flat area that would not require grading or removal of native vegetation. An existing 875-square-foot guest house located in the northern portion of the Project site would be retained for use as a caretaker's residence. Upon completion, the Project would result in 224,760 square feet of structures on the Project site, or a net increase of 201,125 square feet. The Project would provide a total of 387 on-site surface parking spaces to serve its parking needs.

Currently, approximately 118 acres of the property is developed and the Project, as proposed, will be confined within this existing disturbed area. The remodeled golf course would be redesigned using the acreage of 17 of the existing holes (approximately 107 acres) allowing all of the proposed structures and the remodeled golf course to be constructed within the footprint of the previously disturbed areas and with all of the proposed structures clustered on 20 acres at the southern end of the project site near Encinal Canyon Road. With the clustering of development and the reduction in golf course acreage, over 450 acres of predominately undisturbed native coastal scrub and chaparral, including oak woodland forest, will become permanently dedicated open space.

The Project's structures would incorporate sustainable and green design features with the aim of achieving LEED Platinum Certification (or equivalent) as conditioned. Design features include the use of vegetated green roofs on many of the Project's buildings, the use of color and shade structures to reduce the heat island effect, charging stations for electric vehicles, the use of geothermal HVAC equipment, and the use of native, drought-tolerant landscaping. Project facilities would be constructed utilizing low-flow/ultra low-flow fixtures, energy star appliances, and the use of drip irrigation systems with features such as moisture sensors, drought-resistant turf and landscaping. The water treated in the on-site wastewater treatment plant would be used for irrigation of the landscaping and the golf course. Due to the use of these Project features, the Project is estimated to reduce on-site water demand by approximately 32 percent relative to existing conditions. The Project would incorporate solar panels over shade structures in the surface parking area and on some of the building's rooftops to generate most of the energy needs of the project. A total of 1,590 non-native trees would be removed and native, drought-tolerant landscaping would be provided to reduce water consumption, provide habitat features and a color palette more consistent with that of the surrounding environment. Additionally, the Project would replace over 185,000 square feet of existing impervious parking lots and cart paths with pervious

material to allow infiltration of storm water. The Project also would provide a shuttle service for individuals or groups of overnight guests arriving or departing from area airports, universities, or other facilities in the region where groups attending a retreat or conference may originate.

As part of the Project, the portions of Trancas Creek which flow through the Project site, primarily through a buried channel, would be dewatered to eradicate invasive species and to remove potentially toxic sediments and hydrologically connected, restored, and daylighted where possible.

In total, the Project would require 120,000 cubic yards of cut and 120,000 cubic yards of fill, which would be balanced on-site.

### **REQUESTED ENTITLEMENTS**

- Coastal Development Permit No. 201400006 to authorize the construction of the Malibu Institute within the Santa Monica Mountains Coastal Zone pursuant to the certified Santa Monica Mountains Local Coastal Program (LCP). The CDP is required to authorize the following: (1) To reconfigure lot lines of 29 existing lots to create a total of seven (7) lots over the 650-acre Project site with two (2) lots containing the Project development and five (5) lots dedicated as permanent open space, demolish existing structures and septic systems, and upgrade on-site infrastructure; (2) development of the Malibu Institute project and operation of a sports-oriented educational retreat facility on a 650-acre Project site containing a reconfigured 18-hole golf course, educational and meeting facilities with a cafeteria and lounge, overnight visitor-serving accommodations for a maximum of 320 guests, a clubhouse with a restaurant/lounge and fitness/wellness center, an outdoor pool with associated shower/changing room, warehouse, a cart storage building, a pro shop, and a maintenance building; (3) on-site accessory live entertainment in the clubhouse and conference facility; (4) on-site grading of 120,000 cubic yards of cut and 120,000 cubic yards of fill material, which would be balanced on-site with no import or export of fill material; (5) the relocation of an existing helipad for emergency use by LACFD; (6) the continued use of a caretaker's residence; and (7) shared use of 387 parking spaces for guests, visitors, and employees associated with proposed development on two (2) lots within the Project boundary.

The requested CDP would supersede CUP No. 201100122 (described below) as it pertains to the project development. The portions of the CUP related to the sale and consumption of alcohol on the project site would remain effective. The Vesting Tentative Tract Map (%TTM+) and Parking Permit previously approved for the Project would also remain effective.

### **PREVIOUSLY GRANTED ENTITLEMENT(S)**

In April 2014, the Regional Planning Commission (%Commission+) held a duly noticed public hearing on the proposed Project. The Commission approved the Project and associated permits and certified the environmental document. The Commission's action

was subsequently appealed to the Board of Supervisors (BOS). At a public hearing BOS in August 2014, the appeal was denied and the Commission's action upheld granting the following approvals (described below): (1) Vesting Tentative Tract Map No. TR071735; (2) Conditional Use Permit No. 201100122, and (3) Parking Permit No. 201100005.

- Vesting Tentative Tract Map No. 071735 to reconfigure lot lines of 29 existing lots to create a total of seven (7) lots over the 650-acre Project site with two (2) lots containing the Project development and five (5) lots dedicated as permanent open space, including the existing caretaker's residence.
- Conditional Use Permit No. 201100122 to authorize the following: (1) development of the Malibu Institute project and operation of an educational retreat facility on a 650-acre Project site containing an 18-hole golf course, educational and meeting facilities with a cafeteria and lounge, overnight visitor-serving accommodations for a maximum of 320 guests, a clubhouse with a restaurant/lounge and fitness/wellness center, an outdoor pool with associated shower/changing room, warehouse, a cart storage building, a pro shop, and a maintenance building; (2) the continued sale of a full-line of alcoholic beverages for on-site consumption; (3) on-site accessory live entertainment in the clubhouse and conference facility with an expected occupancy load of at least 200 people; (4) on-site grading of 120,000 cubic yards of cut and 120,000 cubic yards of fill, which would be balanced on-site with no import or export of fill material; (5) the relocation of a helipad in the R-R zone for emergency use by the Los Angeles County Fire Department (LACFD); and (6) the continued use of a caretaker's residence in the R-R zone.
- Parking Permit No. 201100005 to authorize shared use of 387 parking spaces for guests, visitors, and employees associated with proposed development on two (2) of the proposed lots (Lot No. 5 and 6) within the project boundary.

As detailed below, a small portion of the Project site is located outside of the Coastal Zone and would not be subject to the policies and provisions of the LCP. However, because the Project will retire development potential on this portion of the Project site and dedicate this land as permanent open space as a condition of recording a final tract map, the County does not have any concern that extinguishing some of the conditions applicable to the Project would allow for additional development not covered by the requested entitlements.

### **LOCATION AND ACCESS**

The Project site is located at 901 Encinal Canyon Road in the unincorporated Santa Monica Mountains in western Los Angeles County to the north of the City of Malibu and to the south of the Cities of Agoura Hills, Calabasas, Thousand Oaks, and Westlake Village. The majority of the Project site is located within the Coastal Zone segment of the Santa Monica Mountains; however, a small portion at the northern end of the project site is located outside of the Coastal Zone. Access to the Project site is provided by

Encinal Canyon Road on the southerly side of the Project site and Mulholland Highway on the northerly side of the Project site. The portions of Mulholland Highway near the Project site are designated as an official County Scenic Highway. The portions of Encinal Canyon Road near the project site are designated as an official scenic route.

The areas surrounding the project site are generally undeveloped privately- and publicly- owned lands and large lot rural residential development common along the northern and western boundaries. The County of Los Angeles Camp Kilpatrick secure detention facility is located to the east of the project site along Encinal Canyon Road.

### **SITE PLAN AND MAP DESCRIPTION**

The Project site is comprised of an assemblage of 29 lots that total approximately 650 acres spanning from Encinal Canyon Road on the south to the intersection of Mulholland Highway and Westlake Boulevard on the north. The Project site is currently improved with the Malibu Golf Club, an 18-hole golf course and associated facilities including a club house, a restaurant/bar, a snack shop, a pro-shop, maintenance facilities, and two surface parking lots with associated driveways. The Project site is also improved with infrastructure such as roads and drainage improvements and an abandoned residence and caretaker's residence, which are located in the northern portion of the Project site. All proposed development would occur on only six of the existing 29 parcels (Assessor Parcel Numbers (APN) 4471-001-034, 4471-001-035, 4471-002-010, 4471-002-011, 4471-021-034, and 4471-003-030) and would be located within the footprint of the previously disturbed area created by the existing golf course and associated facilities.

The majority of the Project site is located within the upper watershed area of Trancas Canyon. Topographically, the majority of the project site is situated in a bowl created by the crest of the upper Trancas Canyon drainage basin. The on-site topography ranges in elevation from valley floors at approximately 1,300 feet above mean sea level (msl) to peaks that reach 1,900 feet to 2,300 feet above msl in the northeast and northwest of the Project site. To the southeast of the Project site, adjacent mountain ridges range from 1,400 to 1,900 feet above msl. To the southwest of the Project site, land forms exhibit gentler slopes and range from 1,400 to 1,700 feet above msl. There are several debris basins located around the periphery of the golf course to dissipate runoff within defined drainage channels, collect sediments, and direct water flows from both the project site and surrounding properties. During construction of the existing golf course, two segments of the original Trancas Creek were culverted as they passed through the golf course. The result was two man-made ponds that exist on the site today and are used as water features for the golf course. All creek water eventually exits the Project site to the south near Encinal Canyon Road and returns to the main Trancas Creek channel.

The majority (approximately 635 acres) of the Project site is within the LCP area. The portion of the project site where development would occur has been designated as H3 habitat. The LCP generally defines H3 habitat as areas with natural vegetation

communities that have been significantly disturbed or removed as part of lawfully-established development. The areas surrounding the development area are designated predominantly as H2 habitat with small areas of H1 habitat to the north, east, south, and west. These H1 and H2 habitat areas would be left undisturbed and dedicated as permanent open space by the proposed Project. Due to the location of sensitive environmental resources meeting the definition of H1 and H2 habitat to the north, east, south, and west of the development area, the Project was required to be reviewed by the Environmental Review Board (ERB) for consistency with applicable resource protection policies. A review of biological resources on the Project site found that western pond turtles and other native animals inhabit the Project site and surrounding areas. Oak trees are located on-site and are to remain untouched and un-encroached upon by the proposed development. Native and non-native species of plants are located throughout the site, particularly within the existing developed areas.

Vesting Tentative Tract Map No. 071735 and Coastal Development Permit No. 201400006 Exhibit A map depict a subdivision of seven (7) lots consisting of two (2) development lots and five (5) open space lots. Lots 1, 2, 3, 4, and 7, totaling approximately 466 acres, would be dedicated as permanent open space while lots 5 and 6, totaling approximately 184 acres, would contain all development associated with the Project. Lots 1 through 4 would take access from Mulholland Highway, lots 5 and 7 would take access from Encinal Canyon Road; and lot 6 would not have frontage from any nearby street or highway and at a public hearing in August 2014, the Board of Supervisors granted the Applicant's request to waive frontage requirements for this lot.

All development associated with the proposed Project would be limited to lots 5 and 6. Lot 5 would contain 48,164-square foot Malibu Institute building; a 120-square foot information building; a 9,162-square foot cart storage building; a 4,623-square foot warehouse; a 30,147-square foot clubhouse; a 12,104-square foot pro shop/grille; a 10,500 maintenance building; and 40 overnight accommodations bungalows in 37 structures with 4 rooms each. In total, the Project would develop 224,760 square feet of structures. Lot 6 would contain a remodeled golf course. In addition to the dedication of permanent open space, lot 2 would remove an existing abandoned residence and lot 3 would retain an existing caretaker's residence.

## **ENVIRONMENTAL DETERMINATION**

The Department of Regional Planning (DRP) determined by way of an Initial Study and identified in the Notice of Preparation (NOP) sent to agencies, that an Environmental Impact Report (EIR) was necessary for the Project. The areas of potential environmental impact addressed in the EIR include the following:

- " Aesthetics
- " Air Quality
- " Biological Resources
- " Cultural Resources
- " Energy

- " Geology/Soils
- " Greenhouse Gas Emissions
- " Hazards/Hazardous Materials
- " Hydrology/Water Quality
- " Land Use/Planning
- " Noise
- " Public Services
  - o Fire
  - o Sheriff Services
- " Recreation
- " Transportation/Traffic
- " Utilities/Services
  - o Water Supply
  - o Wastewater Treatment
  - o Solid Waste Disposal
  - o Energy Supply

The DRP determined by way of an Initial Study that there was no evidence the Project would cause significant environmental effects in the following areas and no further environmental review was needed:

- " Agriculture/Forest Resources
- " Mineral Resources
- " Population/Housing
- " Public Services
  - o Schools
  - o Libraries
  - o Other Public Services

A Draft EIR (DEIR) was circulated for a 60-day public review and comment period from December 9, 2013 to February 7, 2014 and copies were delivered to the Commission. Oral comments were also received from members of the public at a Hearing Examiner public hearing held on January 16, 2014 at the Malibu Golf Club. A copy of the Hearing Examiner staff report and transcript of the proceeding have been included in the attachments to this report. In April 2014, the Commission held a duly noticed public hearing on the proposed Project. The Commission approved the Project and associated permits and certified the environmental document. The Commission's action was subsequently appealed to the BOS. At a public hearing in August 2014, the BOS denied the appeal and upheld the Commission's action and certified the project's Environmental Impact Report. Based on the Final Environmental Impact Report, after implementation of project mitigation measures, the Project will not have a significant and unavoidable impact on environmental resources for any of the issues analyzed. Staff finds that the permit is within the scope of the project covered by the previously certified EIR and nothing further is necessary or required to comply with CEQA.

### **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 Regional Planning Commission Hearing by mail, newspaper, property posting, and on the Department's website. Newspaper notices were published on October 16, 2014 and October 23, 2014 in the Malibu Times. Notices to property owners located within a 1,000-foot radius of the property boundaries were mailed on October 15, 2014. Notices were posted on the subject property on October 17, 2014 and were made available on the Department's website.

### **PREVIOUS CASES/PROJECT HISTORY**

#### **Golf Course Established**

The Malibu Country Club was developed on the Project site as an appurtenant use to a residential development in 1977. The residential development was never constructed due to subsequent litigation that set aside Zoning Cases 5844 and 5867 and changed density and zoning in the area to A-1-1 and R-R-1.

#### **Subsequent Approvals**

In 1982, the County issued CUP No. 1453 to authorize the use of a private golf course on the Project site. This CUP expired on November 11, 1999. In 1999, the County approved CUP No. 98-059 (attachment) to authorize the continued use of the Project site for the operation of an 18-hole golf course, clubhouse, and appurtenant facilities, including three caretaker's residences for a period of 20 years, expiring on November 14, 2019. CUP No. 98-059 limits golf course hours from 6:00 a.m. to dusk daily, prohibits night golfing, regulates outdoor lighting, requires implementation of feasible water conservation measures and integrated pest management, and requires the inclusion of local native plant species in the golf course open space perimeter buffer areas and within the Project site's natural open space areas that are located within the riparian corridor of Trancas Canyon Creek. Water quality monitoring and testing also are required. The CUP set specific performance goals in the areas of pesticide, herbicide, and fertilizer use and requires an annual report to the Department of Regional Planning, the National Park Service, the Department of Health Services, and the Resource Conservation District of the Santa Monica Mountains and an annual meeting with the National Park Service to discuss watershed issues.

The existing configuration of the 29 legal parcels is the result of three Lot Line Adjustments approved by the County.

#### **Project History**

In 2011, the Applicant submitted an application for the development of the Malibu Institute Project. This Project proposed to develop an educational retreat facility with a remodeled golf course on reduced acreage and associated facilities. The remodeled golf course would only consist of six (6) fairways, allowing for the restoration of approximately 40 acres of the Trancas Canyon Creek headwaters. The Project would include the development of a 118,395-square foot conference and event center, 46,485 square feet of meeting rooms, 58 guest bungalow units (four bedrooms each), an

underground parking facility, a 5,720-square foot administration/security building, a wellness center and a golf pro shop, 1-MW solar array, and a 1,000,000-gallon water tank. Additionally, two existing structures in the northern portion of the Project site, consisting of an abandoned residence and a caretaker's house, would remain as they currently exist. In total, 626,904 square feet of structures would be developed alongside the remodeled golf course. In order to accommodate the proposed structures, the structures would have been sited toward the edge of the existing development envelope. As a result of the Project, proposed fuel modification areas would have been expanded into undisturbed areas and numerous on-site oak trees would have been impacted.

As submitted, staff was concerned that the amount of proposed development and the siting of structures could result in substantial impacts to the Project site and the surrounding areas. Additionally, staff was concerned that the reduction in golf acreage down to six fairways would make the golf course effectively unusable, thus reducing public recreation opportunities in the Coastal Zone. Working to address these concerns, the Applicant submitted a revised Project as described in this report. The revised Project significantly reduced the amount of new development proposed (from 626,904 square feet of structures down to 224,760 square feet of structures), sited proposed structures within the existing disturbed footprint such that no new fuel modification would be required, and modified development plans such that no oaks or other tree species identified as contributing to H1 habitat would be impacted. The proposed Project also incorporates numerous other beneficial components as described in the Project Description section of this report. In addition, the Applicant also redesigned the tentative map to consolidate all the undeveloped portion of the Project site into five (5) open space lots for permanent dedication to the County or a public agency.

At a public hearing in April 2014, the Los Angeles County Regional Planning Commission (Commission) approved the Project and all associated entitlements including: (1) Vesting Tentative Tract Map No. TR071735 for the consolidation of 29 existing lots into seven (7) lots; (2) Conditional Use Permit No. 201100122 for the proposed Project as described herein and for the sale and consumption of alcohol on-site, and (3) Parking Permit No. 201100005 for the shared use of code-required parking across two lots and certified the Final Environmental Impact Report and Mitigation Monitoring and Reporting Program. The Commission's decision was subsequently appealed to the Los Angeles County Board of Supervisors. At a public hearing in August 2014, the Los Angeles County Board of Supervisors denied the appeal and approved the Project permits and certified the environmental document.

### **STAFF EVALUATION**

Project consistency with the 1980 County of Los Angeles General Plan and LCP, evaluation of Environmental Review Board (ERB) recommendations, compliance with the County Zoning Ordinance, and evaluation of the Applicant's ability to meet the Coastal Development Permit Burden of Proof, are determined by the Commission and

in consideration of findings made at the Project's public hearing before the Board of Supervisors, and on comments submitted to staff.

**Countywide General Plan ("General Plan"), Environmental Review Board Evaluation (ERB), and Santa Monica Mountains Local Coastal Program Land Use Plan ("LUP")**

The Project is consistent with the goals and policies of the General Plan Non-Urban land use designation and LUP land use designations CR (Commercial Recreation-Limited Intensity) and RL20 (Rural Lands 20). While a small portion of the Project site falls under the jurisdiction of the Santa Monica Mountains North Area Plan (SMMNAP), because no development would occur on that portion of the Project site and the land would remain undeveloped open space, no analysis of Project consistency is provided, as detailed in Tables 5.9-3 and 5.9-4, Section 5.9, Land Use, of the DEIR. Although an in-depth analysis of the Project's plan consistency is contained in the hearing package, the following is a summarized analysis of some key policies:

General Plan Consistency

The Project is consistent with the Countywide General Plan as follows:

- *General Policy 10. Protect areas that have significant resources and scenic values, including significant ecological areas (SEA), the coastal zone and prime agricultural lands.*

The Project would preserve approximately 450 acres of significant resources consisting of ridgelines and slopes in excess of 25 percent grade and H1 and H2 habitat surrounding the development area as open space. The Project would not impact designated SEAs in the area, all of which are located offsite and outside of the Coastal Zone, thus preserving scenic values and significant ecological areas in compliance with this policy. There are no prime agricultural lands on or adjacent to the Project site.

- *General Policy 23. Ensure that development in nonurban areas is compatible with rural lifestyles, does not necessitate the expansion of urban service systems, and does not cause significant negative environmental impacts or subject people and property to serious hazards.*

The Project is considered compatible with rural lifestyles as it provides low intensity recreational facilities (e.g. golf course) that are consistent with the site's General Plan category and zoning. The Project would not require the expansion of urban service systems beyond those already present. Development would not result in significant unmitigated environmental hazards nor would it expose people of property to serious hazards, as discussed in detail in Section 5.7, Hazards/Hazardous Materials, in the DEIR. In all respects, the Project would be consistent with this policy with the implementation of all regulatory requirements and mitigation measures.

- *Land Use Policy 7. Assure that new development is compatible with the natural and manmade environment by implementing appropriate locational controls and high quality design standards.*

The Project includes a remodel of an existing golf course and clubhouse, construction of new appurtenant facilities, and reconfiguration of surface parking. All development, including the remodeled golf course, would be located within the already disturbed footprint of the existing golf club. All structures would be clustered in the southern portion of the Project's development area and would be designed to be compatible with the surrounding natural environment and with each other. Accordingly, the Project is consistent with this Policy.

- *Land Use Policy 20. Establish land use controls that afford effective protection of significant ecological and habitat resources, and lands of major scenic value.*

The Project is not located within a County-designated significant ecological area (SEA); however, two SEAs are located east of the Project site. H1 and H2 habitat and a significant ridgeline are located on the Project site, but are outside of the proposed development area and would be protected in perpetuity by the permanent dedication of over 450 acres of pristine, undeveloped areas of the Project site as permanent open space. The Project would replace existing ornamental landscape and existing non-native trees with drought-tolerant native species and would avoid all impacts to on-site oak trees, including the one heritage oak tree on the Project site, and other tree species considered contributing to H1 habitat.

The Project is located at the headwaters of Trancas Canyon Creek, a State-designated Significant Watershed Area (SWA). The Project would implement approved water quality BMPs during its construction and operational phases and will be subject to permit requirements from Regional Water Quality Control Board. The Project would: (1) drain and dredge on-site water features to remove non-native aquatic species that have the potential to migrate off-site into the downstream creek area; (2) install and maintain two new detention basins with water quality functions to help filter debris and potential contaminants washed off of the parking lot and other paved areas by first flush precipitation; (3) install a sand cap over the golf course to filter nuisance runoff and precipitation-generated sheet flow; (4) reduce amount and toxicity of pesticides, herbicides and fertilizers used at the site and expand the use of organic alternatives to control pests and weeds; (5) install green roofs where feasible to reduce potentially polluted wash-off from building roof areas; and (6) utilize pervious pavement in parking lots and golf cart paths to allow percolation and filtration of rain and irrigation water and reduce potential contaminant wash-off. See Section 5.8, Hydrology and Water Quality.

Mulholland Highway, a designated scenic corridor, traverses the Project site near its northern boundary and Encinal Canyon Road, a designated scenic route, traverses

the Project site near its southern boundary; however, the development area would not be substantially visible from either roadway and all proposed structures would be designed to be visually compatible with the surrounding landscape. Residential uses in proximity to the Project site are visually separated from the development area by rugged terrain and ridgelines that block views. For these reasons, the Project would be consistent with this Policy.

- *Land Use Policy 24. Promote compatible land use arrangements that reduce reliance on the private automobile in order to minimize related social, economic, and environmental costs.*

The Project would provide transportation to/from LAX and other nearby airports and pick-up/drop-off service for large local groups via privately operated shuttle service to reduce the number of trips made by Institute visitors. The provision of onsite overnight accommodations for guests, as well as a restaurant, snack bar, and other visitor-serving facilities would reduce the number of off-site vehicle trips that visitors would be required to make, ensuring consistency with this Policy.

- *Land Use Policy 25. Promote land use arrangements that will maximize energy conservation.*

The Project would include solar arrays, which would supply approximately 50 percent of the Project's energy needs. The Project would incorporate energy efficiency features with the goal of achieving LEED™ Platinum certification or equivalent, which is the highest rating for sustainability. Efficiency features such as green roofs, building orientation, and window shielding would help provide passive cooling and reduce energy consumption in compliance with this Policy.

- *General Conditions and Standards for Development. It is the intent of the General Plan to permit uses that are compatible with hillside factors and suitability factors, that do not create demand for public investment in urban services and facilities, and that do not cause significant adverse environmental impacts. Uses compatible within non-urban hillside management areas include recreation and public uses, which by their nature can be appropriately located in remote hillside areas.*

The Project would remodel, and expand the facilities and services provided at the location of an approved and operating public golf course within the existing development footprint. Approval of the Project would permit the removal of existing non-native vegetation and its replacement with drought-tolerant native species. As a recreational use incorporating native vegetation and dedicating the majority of the site as natural open space, the Project would be compatible with its hillside surroundings. As a remodel of an existing use served by existing roads and utilities, the Project would not create a new demand for public investment in urban services and facilities. Implementation of mitigation measures, Conditions of Approval for the previously-approved VTTM and Conditions of Approval for the requested CDP,

compliance with the conditions of various required jurisdictional agency permits, and other existing regulatory requirements would ensure the reduction of any potentially adverse environmental impacts associated with the Project's development to a less than significant level while also ensuring that Project development is evaluated and conditioned consistent with its location within hillside areas, consistent with this Policy.

- *General Conditions of Development. Non-urban hillside management areas are defined as lands characterized by natural slopes of 25 percent or greater, not designated for future urban use nor scheduled to receive urban level of services as designated in the Conservation and Open Space Element Maps. Many non-residential uses may be appropriately located in non-urban hillside management areas. Certain uses, by their nature, require remote hillside locations. Nevertheless, for public safety, resource protection, and general land suitability, safeguards are necessary to discourage intensive development and to minimize environmental disruption and the loss of scenic and open lands. Where it is determined that specific uses may appropriately be located in hillside environs, they shall be reviewed for compliance with applicable performance criteria. Additional factors, such as the presence of significant ecological resources, may also impose special review requirements. Subject to the above conditions, the following uses may be appropriate: (5) commercial resort and recreational uses, including visitor accommodations, services, and facilities, when designed in a manner compatible with and sensitive to natural resources and scenic amenities. Performance Review Criteria include (1) Geologic, Seismic and Slope Stability; (2) Fire, Flood and Erosion; (3) Resource Projection – Drainage Networks; (4) Biotic Resources; (5) Cultural Resources; (6) Scenic Resources; (7) Suitability for Development; (8) Water Supply and Waste Disposal; (9) Road Capacity; (10) Quality of Design and Grading; (11) Building Placement and Design; (12) Landscaping; (13) Utility Lines; (14) Signage.*

While the Project site includes areas of slope in excess of 25 percent, these areas are located outside of, or along the edges of the proposed Project development area. The Project site is not designated or designed for future urban use. The proposed uses (golf course, overnight accommodations, educational facilities, clubhouse, restaurants, and related ancillary facilities) are consistent with the uses permitted in Non-Urban Hillside Management Areas and are additionally permitted with a major CDP under the existing zoning.

The DEIR includes review and analysis of potential adverse impacts that could be associated with Project implementation and imposes mitigation measures where needed to ensure that potentially significant environmental impacts are reduced to less than significant levels, and to require the applicant to demonstrate compliance with the above-mentioned performance review criteria. (1) Section 5.5, Geology and Soils, assesses geologic, seismic, grading design, and slope stability issues and imposes mitigation measures as needed to ensure less than significant impacts; (2)

Section 5.8, Hydrology and Water Quality, addresses flood, drainage networks, and erosion issues and imposes mitigation measures where necessary to ensure less than significant impacts. Erosion is also addressed in Section 5.5, Geology and Soils, and in Section 5.2, Air Quality; (3) Wildfire and issues associated with wildland/urban interface, including the provision of adequate fire suppression services, are addressed in Section 5.11.1, Fire Protection Services, and in Section 5.7, Hazards/Hazardous Materials; (4) Section 5.3, Biological Resources, addresses the protection of natural biotic resources including habitat preservation and enhancement. Section 5.8, Hydrology and Water Quality, addresses the preservation and protection of surface water and ground water resources both on and off-site; (5) Section 5.4, Cultural Resources, addresses the protection of any cultural resources associated with the Project site; (6) the quality of design, building place, landscaping, signage, and the protection of scenic resources are addressed in Section 5.1, Aesthetics and Visual Resources; (7) Sections 5.14.1 and 5.14.2, Utilities/Water Supply and Utilities/Wastewater Treatment, address water supply and waste disposal as well as the location and adequacy of utility lines; and (9) Section 5.13, Traffic and Access, addresses the issue of road capacity. Each discussion and analysis is supported by technical studies and/or other CEQA-acceptable technical data. Compliance with existing regulations and applicable mitigation measures would reduce any adverse impacts associated with the development of the Project to a less than significant level.

- *Conservation and Open Space Policy 2: support conservation of energy and encourage the development and utilization of new energy sources including geothermal, thermal waste, solar, wind, and ocean-related sources.*

Inclusion of sustainability features that would minimize consumption of gas and other carbon-based fuels is a central development concept of the Project. Internal site circulation would be via electric vehicles, bicycles, or walking via pedestrian walkways and golf cart paths. Installation of photovoltaic panels above the parking lot shade structures and on the roofs of selected buildings would generate most of the electrical needs of the Project. The Project also would include energy efficient design features including green walls, use of color and shade structures to reduce heat island effect, and the use of vegetated roofs for passive cooling. All of these efforts are consistent with this General Plan Policy.

- *Conservation and Open Space Policy 3: Promote the use of solar energy to the maximum extent possible.*

Installation of photovoltaic panels above the parking lot shade structures and on the roofs of selected structures would generate most of the electrical needs of the Project and would promote the use of solar energy, therefore it is consistent with this Policy.

- *Conservation and Open Space Policy 4: Protect ground water recharge and watershed areas, conserve storm and reclaimed water and promote water conservation programs.*

Water conservation for the Project would be accomplished through reduction of the golf course footprint, reducing the amount of turf requiring irrigation and installation of a new irrigation system. Water conservation would also be achieved through the removal of over 1,500 non-native trees and other existing ornamental landscaping with high water requirements and the incorporation of drought tolerant native species for landscaping and the replacement of turf grass with varieties that have lower water demands. The existing golf course irrigation system, consisting of older, less efficient components, would be replaced with smart irrigation systems with features that further reduce water use. Wastewater generated on the Project site would be treated in the site's wastewater treatment facility to a tertiary level appropriate for use as irrigation water for the public golf course and other landscaped areas, reducing use of potable water on the Project site as a preferred option. In the event that recycled water is not used for irrigation, the tertiary treatment level is appropriate for use in subsurface infiltration. Surface water quality would be enhanced by the use of water quality BMPs incorporated into the Project's design, including the installation of two detention basins and bioswales. This would improve the quality of water discharged downstream from the site as compared to the existing condition. Additional water quality improvement measures would include sand-capping of the golf course, use of pervious paving in the parking lot and other previously paved impervious areas, use of vegetated roofs, reduction in the level of pesticide, herbicide, and fertilizer use, and the use of nonchemical alternatives, therefore the Project is consistent with this Policy.

- *Conservation and Open Space Policy 7: Preserve significant ecological areas and habitat management areas by appropriate measures including preservation, mitigation, and enhancement.*

The Project would conserve existing habitat designated as H1 and H2 within the Project site through dedication of these areas as permanent open space. The Trancas Canyon Creek Significant Watershed Area (SWA) would be improved through implementation of water quality measures in compliance with this Policy. Where feasible, disturbed habitat at the existing golf course will be restored.

- *Conservation and Open Space Policy 8: Protect the quality of the coastal environment. Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resource conservation principles.*

The Project would protect the quality of the coastal environment by dedicating over 450 acres as permanent open space within the coastal zone and by preserving and

enhancing an existing recreational resource in a manner consistent with sound resource conservation principles consistent with this Policy.

- *Conservation and Open Space Policy 13: Encourage open space easements and dedication as a means of meeting scenic, recreational, and conservation needs.*

The Project would result in the dedication of over 450 acres as pristine open space within the Santa Monica Mountains National Recreation Area (SMMNRA). This dedication would help to conserve scenic resources, add to the recreational resources available within the SMMNRA, and help to meet conservation needs as provided in the NPS SMMNRA General Management Plan; therefore, the Project is consistent with this Policy.

- *Conservation and Open Space Policy 16: Protect the visual quality of scenic areas including ridgelines and scenic views from public roads, trails, and key vantage points.*

Mulholland Highway is a State-designated scenic Highway and Encinal Canyon Road is identified as a potential scenic route in the Scenic Highway Element of the General Plan. The Project site is intermittently visible from these roads. Hiking and biking trails also offer public views of the Project site. However, analysis in Section 5.1, Aesthetics, of the DEIR determined that significant ridgelines block most views of the development area. Rather, the ridgelines and undeveloped peaks are the areas of the Project site that are visible from public viewpoints. Roadside landscape and native vegetation and intervening ridgelines also screen the golf course from Encinal Canyon Road. Visual simulations provided in Section 5.1 of the DEIR illustrate the visual impact of the Project and demonstrate that the proposed structures would not interfere with views of ridgelines or other designated scenic resources. Mitigation measures also are proposed in Section 5.1 of the DEIR to further reduce any potential visual effects so that the Project would be fully consistent with this Policy.

- *Conservation and Open Space Policy 27: Provide low intensity outdoor recreation in areas of scenic and ecological value compatible with protection of these natural resources.*

The Project would remodel an existing public golf course and cluster development within the already disturbed footprint of the existing Malibu Golf Club and would preserve over 450 acres of undisturbed hillside and ridgeline areas surrounding the development site with scenic and ecological value, including areas that meet the definition of ESHA. Water quality improvements would contribute to the planned restoration of the downstream Trancas Canyon Creek SWA.

- *Transportation Policy 19: Support traffic-operation improvements for improved flow of vehicles.*

The Traffic Impact Study prepared for the Project demonstrates that existing street systems and potentially affected intersections currently operate at level of service A and would continue to operate at acceptable levels of service in the cumulative condition with the Project in the future. The Project can actually improve traffic flow as it provides overnight accommodations in the Santa Monica Mountains area, which it currently lacks, and thereby effectively reduces potential traffic trips generated by out of the area visitors. No street widening and no new traffic calming or traffic control measures would be required for the Project, which would not have an adverse impact on the flow of vehicles in the Project vicinity, consistent with the intent of this Policy.

- *Transportation Policy 26: Encourage the efficient use and conservation of energy used in Transportation.*

The use of passenger shuttles to transport Project guests to/from airports and other group pickup points would result in a more efficient use (and conservation) of energy used in transportation. In addition, electric golf carts would be used to provide on-site transportation and walking paths linking buildings and uses would encourage walking between locations by guests, also resulting in the conservation of energy used in transportation consistent with this Policy.

- *Scenic Highway Policy 3: Protect and enhance aesthetic resources within corridors of designated scenic highways.*

See consistency discussion regarding Conservation and Open Space Policy 16 above.

- *Water and Wastewater Policy 21: Design and construct new water and waste management facilities to maintain or protect existing riparian habitat.*

The Project site is located at the headwaters of Trancas Canyon Creek, a Significant Watershed Area. Existing riparian habitat exists upstream and downstream of the proposed development area of the Project site. Potable water is provided to the Project site by the Las Virgenes Municipal Water District and is used for domestic supply and irrigation. Irrigation water is also provided by on-site wells and by potable water supplied by LVMWD. The Project site is not served by a municipal sewer system and it is currently relying on existing septic systems for wastewater disposal. The Project would construct its own Onsite Wastewater Treatment Facility (OWTF) to treat and recycle wastewater to meet Los Angeles Regional Water Quality Control Board (LARWQCB) standards for use in irrigating the golf course or in subsurface infiltration. With the exception of the system for the caretaker's residence near Mulholland Highway, all existing septic systems currently serving the Project site would be abandoned pursuant to applicable requirements. All storm and irrigation runoff and first flush storm flows would be held and filtered by onsite water quality

BMPs, including detention basins. With implementation of existing State and local regulations and permit requirements, the Project would be consistent with this Policy.

#### LUP Consistency

Many policies of the LUP reinforce policies of the General Plan cited above. The Project is consistent with the policies of the LUP. In addition to similar General Plan policies already discussed above, applicable LUP Policies are summarized as follows:

- *Policy CO-4: Minimize impervious surfaces in new development, especially directly-connected impervious areas. Require redevelopment projects to increase the area of pervious surfaces, where feasible.*

The Project is designed to help improve water quality, as discussed in Section 5.8, Hydrology and Water Quality, of the Project's Draft EIR. Specifically, the Project would replace the current 185,000 square foot of asphalt parking lot, entrance road and cart paths with pervious surfaces and create bioswales to improve water quality and reduce impacts from first flush contaminants to Trancas Creek. The Project also would construct a sand cap under the turf on the golf course, provide green roofs on certain Project buildings and implement other pathways to increase infiltration of nuisance and storm water runoff. A detention basin also would be located at the south end of the parking lot to improve water quality.

- *Policy CO-6: Require development to protect the absorption, purification, and retention functions of natural drainage systems that exist on the site. Where feasible, site and design development, including drainage, to complement and utilize existing drainage patterns and systems, conveying drainage from the developed area of the site in a non-erosive manner. Disturbed or degraded natural drainage systems should be restored where feasible.*

During construction of the golf course in the 1970s, flows of Trancas Creek through the golf course were placed in underground culverts and pipes. The Project would daylight some of these flows where feasible, while leaving the underground culverts and pipes for flood protection, to avoid potential erosion in the daylighted sections, and eliminate the potential increase in siltation downstream.

The Project is designed to help improve water quality within Trancas Canyon, a designated Significant Watershed Area. Storm water runoff during construction and operational phases of the Project has the potential to contain pollutants that could adversely impact sensitive biological resources. However, implementation of a Storm Water Pollution Prevention Plan (SWPPP), compliance with the County's MS4 requirements, observance of proper Best Management Practices (BMPs), and compliance with treatment measures in compliance with the County's Low Impact Development (LID) requirement would be required for this Project during construction and operational phases.

Specific BMPs to be implemented include the use of a sand cap under the turf on the golf course, the use of green roofs, and the installation of pervious surfaces in the parking lots and other pathways to increase infiltration of nuisance and storm water runoff as compared to the existing conditions. Section 5.8, Hydrology and Water Quality, of the Project's Draft EIR contains a detailed discussion of site drainage in the existing and post-Project condition and Hydrology and Water Quality reports contained in Appendix G of the Draft EIR provide calculations that support the analysis, consistent with this policy.

Further, construction phase impacts to site hydrology would be minimized through compliance with the regulatory requirements of the Construction General Permit as implemented by the Project's SWPPP. All grading activities would be limited to the already disturbed portions of the Project site. The proposed grading would not change the natural topography of the Project site. Implementation of BMPs would reduce any construction phase and post-construction phase erosion impacts to a less than significant level, consistent with this policy.

A detention basin also would be located at the south end of the parking lot to improve water quality. The Project would remove the majority of existing non-native ornamental landscaping and replace the non-native vegetation with native, drought-tolerant species designed to use water more efficiently and to prevent the spread of invasive non-native species downstream. Existing golf course ponds would be temporarily drained, dredged and cleaned to remove non-native aquatic invasive species, particularly crayfish, to prevent the spread of these species downstream and to restore habitat for the California newt and Western pond turtle.

- *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.*

All grading activities would be limited to the already disturbed and/or developed portions of the Project site. The proposed grading would not change the natural topography of the Project site. Grading would be required within the already graded and disturbed areas of the existing golf course to create building pads for proposed structures, install needed infrastructure, and remodel the golf course. All cut and fill would be balanced on the Project site. The grading would meet the requirements for Hillside Grading established by the County Engineer, consistent with this policy.

The Project site is located within a natural bowl surrounded by steep hillsides and defined ridgelines. Permits for site grading would require a SWPPP and installation and maintenance of BMPs to reduce erosion during the construction phase. Landscaping and buildings would ultimately cover the site and eliminate potential for

site-generated erosion. The Project would comply with all required conditions in its grading permit, consistent with the policy.

Upon completion of final grading, the Project site would be landscaped and/or paved with permeable surfaces. Native, drought tolerant species would replace the majority of the existing ornamental landscape and turf on the golf course, which comprises the majority of the Project site.

The Project would reduce the acreage of the golf course from 118 to 107 acres and cluster development on 20 acres in the southern portion of the Project site by Encinal Canyon Road in an area already disturbed by construction and operation of the existing golf course. The Project then would dedicate the remainder of the Project site, which is over 450 acres and contains pristine open space, as permanent open space in the Santa Monica Mountains National Recreation Area in conformance with this policy.

- *Policy CO-31: Channelizations or other substantial alterations of streams shall be prohibited except for: (1) necessary water supply projects where no feasible alternative exists; (2) flood protection for existing development where there is no other feasible alternative, or (3) the improvement of fish and wildlife habitat. Any channelization or stream alteration permitted for one of these three purposes shall minimize impacts to coastal resources, including the depletion of groundwater, and shall include maximum feasible mitigation measures to mitigate unavoidable impacts. Bioengineering alternatives shall be preferred for flood protection over "hard" solutions such as concrete or riprap channels.*

The ponds on the existing golf course would be temporarily dewatered, dredged and cleaned to eradicate invasive, non-native aquatic species and improve water quality. The dewatering process would occur over a period of several months to allow the habitat to completely dry. Once water is reintroduced with a new pump system, the re-circulation of water in the ponds would improve water quality on the Project site and downstream and control mosquito populations by eliminating standing water areas, which allow for breeding of mosquitoes. Ultimately, the restoration of the ponds would improve fish and wildlife habitat, particularly for the California newt and the western pond turtle both on the Project site and downstream in the Trancas Creek, consistent with this policy.

- *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 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. The Project would support numerous 2014 SMMLCP goals and policies related to biological resources by the following: preserving natural site elements; enhancing existing riparian areas and restoring degraded streams and ponds; removing invasive biological species and re-introducing native species; daylighting segments of Trancas Creek and minimizing the transport of sediment into Trancas Creek and its tributaries; revegetating graded areas and slopes with native, drought-tolerant plants; preserving all oak and heritage trees; planting hundreds of new oak trees; and limiting existing exterior lighting with lighting that complies with the Dark Skies initiatives.

The Project would provide visitor-serving commercial accommodations clustered in the southern portion of the site adjacent to Encinal Canyon Road, an area which already is disturbed by construction and operation of the existing golf course, clubhouse/cart barn, maintenance buildings and parking lots while maintaining the rural nature of the rest of the Project site. The Project site is comprised of 650 acres on 29 legal lots. Rather than propose residential estate development on each of these lots, many of which contain H1 habitat, the Applicant proposes a project that would develop an educational retreat with meeting rooms and visitor-serving overnight guest accommodations, all clustered on previously disturbed and/or developed areas of the Project site. Over 450 acres of the Project site would be dedicated as permanent open space, thereby preserving the vast majority of the Project site as natural habitat.

In order to minimize grading and cluster the Project within the previously disturbed and/or developed portions of the site, the Project would be located within the same development footprint as the existing Malibu Golf Club. With the exception of the proposed 120 square foot security/information building to be located in the current entrance road near the site entrance, the Project's northernmost and southernmost buildings would occupy the building footprint of existing structures (maintenance facilities, clubhouse/cart barn buildings, and parking lots, respectively), with additional buildings constructed in between.

The Project's proposed development area is predominantly designated as H3 habitat. Development occurring in small portions of the development area designated as H1 habitat would be limited to restoration of the habitat. No other activities would occur within H1 Habitat the current entrance, access road, and

asphalt parking lot to the east of the entrance do not meet the definition of H1 habitat.

- *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 be sited entirely within existing developed/disturbed areas of the Project site, therefore avoiding the most biologically-sensitive habitat on the Project site. Fuel modification only would be required in existing disturbed areas.

The Project would provide visitor-serving commercial accommodations clustered in the southern portion of the site adjacent to Encinal Canyon Road, an area which already is disturbed by the construction and operation of the existing golf course, clubhouse/cart barn buildings, maintenance facilities, and parking lots, while maintaining the rural nature of the rest of the Project site. The Project site is comprised of 650 acres on 29 legal lots. Rather than propose residential estate development on each of these lots, many of which contain H1 habitat, the Applicant proposes a project that would develop an educational retreat with meeting rooms and visitor-serving overnight guest accommodations, all clustered on previously disturbed areas of the Project site. Over 450 acres of the Project site would be dedicated as permanent open space, thereby preserving the vast majority of the Project site (and H1 and H2 habitat) as undisturbed natural habitat.

In order to minimize grading and cluster the Project within the previously disturbed and/or developed portions of the site, the Project would be located within the same development footprint as the existing Malibu Golf Club. With the exception of the proposed 120 square foot security/information building to be located in the current entrance road near the site entrance, the Project's northernmost and southernmost buildings would occupy the building footprint of existing structures (maintenance facilities, clubhouse/cart barn buildings, and parking lots, respectively), with additional buildings constructed in between.

The Project's proposed development area and the proposed renovated golf course area are not designated as H1, H2 High Scrutiny, H2, or H3 habitat. No new development would occur within H1 Habitat and the current entrance and access road and asphalt parking lot to the north of the entrance are not H1 habitat.

- *Policy CO-45: Place primary emphasis on preserving large, unbroken blocks of undisturbed natural open space and wildlife habitat areas. As part of this emphasis, all feasible strategies shall be explored to protect these areas from disturbance. Such strategies include, but are not limited to, purchasing open space lands, retiring development rights, clustering development to increase the amount of preserved open space, requiring the dedication of open space conservation easements in all CDPs that include approval of structures within H2 habitat, and minimizing grading and the removal of native vegetation.*

The Project site is comprised of 650 acres on 29 legal lots. Rather than propose residential estate development on each of these lots, many of which contain H1 habitat, the Applicant proposes a project that would develop an educational retreat with meeting rooms and visitor-serving overnight guest accommodations, all clustered on previously disturbed and/or developed areas of the Project site. Over 450 acres of the Project site would be dedicated as permanent open space in the Santa Monica Mountains National Recreation Area, thereby preserving the vast majority of the Project site as natural habitat.

The Project's proposed development area is predominantly designated as H3 habitat. Development occurring in small portions of the development area designated as H1 habitat would be limited to restoration of the habitat. No other activities would occur within H1 Habitat the current entrance, access road, and asphalt parking lot to the east of the entrance do not meet the definition of H1 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 Project would remove the majority of existing non-native ornamental landscaping (palms, eucalyptus, pines) and replace the non-native vegetation with native, drought-tolerant species designed to use water more efficiently and to prevent the spread of invasive non-native species downstream. Existing golf course ponds would be drained, dredged and cleaned to remove non-native aquatic invasive species, particularly crayfish, to prevent the spread of these species downstream and to restore habitat for the California newt and Western pond turtle as discussed in Section 5.3, Biological Resources, of the Project's Draft EIR, pursuant to the goals for this SWA.

The Project would incorporate native, drought-tolerant landscaping, replacing most of the existing ornamental non-native landscaping at the Malibu Golf Club, and would remove 1,590 non-native trees (palms, eucalyptus, pines) relocate some non-native pine trees, and plant native oak and sycamore trees at the Project site. Over

50% of the non-native trees at the Project site would be removed. All new trees planted at the site would be native California trees.

The golf course would be planted with non-invasive, drought-tolerant grass species suitable and conducive to the sport of golf, which would not be capable of hybridizing with native grasses in the surrounding habitat. Proposed maintenance of the golf course grasses would include decreased use of herbicides and other similar substances consistent with the requirements of the LIP, while using the best available environmentally-friendly products on the market, when required. While the proposed golf course grasses would be drought-tolerant, they would not be native, as indigenous and native grass species would require significantly higher usage of fertilizers, herbicides, insecticides and other potentially toxic chemical substances on the proposed remodeled golf course and also would require increased volumes of irrigated water to ensure survival. The proposed remodeled golf course grasses on the Project site, on balance, would better facilitate the proposed use and minimize potential environmental degradation.

- *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 Project's proposed structures would be designed to be sensitive to the surrounding environment and would work together as a cohesive whole. Buildings would be clustered in the southernmost area of the Project site, and located within the already disturbed and/or developed area of the existing golf course, clubhouse/cart barn buildings, maintenance buildings and parking lots. The Project would locate structures at various elevations that make use of the existing topography and follow the existing contours so the proposed buildings are organized and articulated within the landscape to not stand out in the viewshed. The proposed structures would occupy elevations that are lower than the identified public viewpoints, and would incorporate design elements that blend the new building designs with the surrounding topography and color palette, such as earth-tone exteriors with wood and stone facades, and green roofs. The Project structures would not exceed the height limitations indicated in the LUP. Green roofs, natural materials, native landscape and the open space of the golf course would blend together to create a built environment compatible with the steep slopes and ridgelines surrounding its valley setting and maintaining the surrounding viewshed. The Project would not be visible from most of the parkland south of the property because the parkland is at a much lower elevation than the Project site, and is otherwise sheltered by undeveloped ridgelines. While visible from some parklands, the Project would not block or impede views of scenic resources from a designated scenic highway or parklands. Mature landscaping would act as a vegetation buffer around the proposed buildings. Few Project components would be visible from Mulholland Highway and surrounding hillsides due to the sloping nature of the Project site and Project development strategy. Because the development area is located at a much

lower elevation than Mulholland Highway, the proposed buildings would not interfere with public views from Mulholland Highway. With its proposed facilities, the Project would be consistent with this Policy.

The Project would replace existing outdoor overhead parking lot lighting with new lighting complying with the County's Rural Outdoor Lighting District Ordinance that would limit wattage and hours of operation and comply with Dark Skies initiatives.

The Project would not alter the "natural landscape". All grading would occur within areas previously disturbed and/or developed during construction of the golf course in the 1970s. The initial historic grading occurred without permits. The proposed grading would not change the natural topography of the Project site.

- *Policy CO-135: Preserve topographic features of high scenic value in their natural state, including canyon walls, geological formations, creeks, ridgelines, and waterfalls.*

The Project would not alter the "natural landscape". None of the Project's structures would break a ridgeline view as seen from public places. High scenic value features such as waterfalls, canyon walls, and creeks would be preserved and protected.

- *Policy CO-142: Maintain dark skies in the Coastal Zone by reducing light pollution and requiring best available Dark Skies technology in all permitted lighting and compliance with Dark Skies principals and best practices to the maximum extent feasible. Night lighting for sport courts or other private recreational facility shall be prohibited.*

The Project would be sited and designed to protect public views from County-designated scenic highways and corridors as well as from public trails in the vicinity of the Project site. Development would be confined to the footprint of the existing golf course, clubhouse/cart barn buildings, maintenance buildings and parking lots. The Project would replace existing outdoor overhead parking lot lighting with new lighting complying with the County's Rural Outdoor Lighting District Ordinance that would limit wattage and hours of operation and comply with Dark Skies initiatives.

- *Policy CO-144: New development shall incorporate colors and exterior materials that are compatible with the surrounding landscape. The use of highly-reflective materials shall be prohibited, with the exception of solar panels.*

The Project's proposed structures would be designed to be sensitive to the surrounding environment and would work together as a cohesive whole. Buildings would be clustered in the southernmost area of the Project site, and located within the already disturbed and developed area of the existing golf course, clubhouse/cart barn buildings, maintenance buildings and parking lots. The Project would locate structures at various elevations that make use of the existing topography and follow

the existing contours so the proposed buildings are organized and articulated within the landscape to not stand out in the viewshed. The proposed structures would occupy elevations that are lower than the identified public viewpoints, and would incorporate design elements that blend the new building designs with the surrounding topography and color palette, such as earth-tone exteriors with wood and stone facades. The Project structures would not exceed the height limitations indicated in the LUP. Green roofs, natural materials, native landscape and the open space of the golf course would blend together to create a built environment compatible with the steep slopes and ridgelines surrounding its valley setting and maintaining the surrounding viewshed.

- *Policy CO-155: The beaches, parklands and trails located within the LUP area provide a wide range of recreational opportunities in natural settings which include hiking, equestrian activities, bicycling, camping, educational study, picnicking, and coastal access. These recreational opportunities shall be protected, and where feasible, expanded or enhanced as a resource of regional, State and national importance.*

The Project would improve recreational opportunities within the Santa Monica Mountains National Recreation Area by remodeling an existing, public access, 18-hole golf course that has served the public and visitors to the Santa Monica Mountains Coastal Zone for decades and expanding the services and facilities available visitors to include an educational retreat, overnight accommodations in 40 bungalows, a wellness center and an expanded clubhouse. The Project would allow the continuation of the only public golf course in the Santa Monica Mountains Coastal Zone. While the golf course would remain available to the general public, the availability of restaurants, a snack bar, and other amenities would serve the needs of overnight guests while also providing access to public facilities for the public, including hikers and bicycle riders using nearby trails or the proposed Class 3 bike lane between Mulholland Highway and Pacific Coast Highway. With its proposed facilities, the Project would be consistent with this Policy.

- *Policy CO-169: The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall be given priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry. New visitor-serving commercial uses shall not displace existing low-cost visitor-serving commercial recreational uses unless a comparable low-cost visitor-serving commercial recreational use is provided.*

The Project is a private commercial recreational facility (a golf course) open to the public. The alternative use for the Project site based on its zoning and general plan designation is for large and very large lot residential estate development. Continuation and improvement of the golf facilities and the addition of educational

facilities, overnight guest accommodations, and related uses rather than development of residential uses is consistent with this Policy.

- *Policy SN-I: All new development shall be sized, designed and sited to minimize risks to life and property from geologic hazard.*

Thorough geotechnical investigations have been conducted for the Project. The County of Los Angeles Department of Public Works approved the Geotechnical Investigation for the Project on August 19, 2013. Geologic hazards related to the Project are evaluated in Section 5.5, Geology and Soils, of the Project's Draft EIR. With compliance with current building, grading, and structural codes, impacts would be reduced to less than significant levels, consistent with this Policy.

- *Policy SN-14: Require retention of drainage courses in their natural state, and development designs that maintain natural flow.*

During construction of the golf course in the 1970s, flows of Trancas Creek through the golf course were placed in underground culverts and pipes. The Project would daylight some of these flows, while leaving the underground culverts and pipes for flood protection, to avoid potential erosion in the daylighted sections, and eliminate the potential increase in siltation downstream.

The Project is designed to help improve water quality within Trancas Canyon, a designated Significant Watershed Area. Storm water runoff during construction and operational phases of the Project has the potential to contain pollutants that could adversely impact sensitive biological resources. However, implementation of a Storm Water Pollution Prevention Plan (SWPPP), compliance with the County's MS4 requirements, observance of proper Best Management Practices (BMPs), and compliance with treatment measures in compliance with the County's Low Impact Development (LID) requirement would be required for this Project during construction and operational phases.

Specific BMPs to be implemented include the use of a sand cap under the turf on the golf course, the use of green roofs, and the installation of pervious surfaces in the parking lots and other pathways to increase infiltration of nuisance and storm water runoff as compared to the existing conditions. Section 5.8, Hydrology and Water Quality, of the Project's Draft EIR contains a detailed discussion of site drainage in the existing and post-Project condition and Hydrology and Water Quality reports contained in Appendix G of the Draft EIR provide calculations that support the analysis, consistent with this policy.

Further, construction phase impacts to site hydrology would be minimized through compliance with the regulatory requirements of the Construction General Permit as implemented by the Project's SWPPP. All grading activities would be limited to the already disturbed portions of the Project site. The proposed grading would not

change the natural topography of the Project site. Implementation of BMPs would reduce any construction phase and post-construction phase erosion impacts to a less than significant level, consistent with this policy.

A vegetated detention basin also would be located at the south end of the parking lot to improve water quality by collecting and filtering all parking lot run-off. The Project would remove the majority of the existing non-native ornamental landscaping (palms, eucalyptus, pines) and replace the non-native vegetation with native, drought-tolerant species designed to use water more efficiently and to prevent the spread of invasive non-native species downstream. Existing golf course ponds would be temporarily drained, dredged, and cleaned to remove non-native aquatic invasive species, particularly crayfish, to prevent the spread of these species downstream and to restore habitat for the California newt and Western pond turtle.

- *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 buildings would be designed pursuant to code for fire resistance, have green roofs that would be irrigated, would be fitted with appropriate interior sprinkler systems, and would observe Fire Department required fuel modification zones. The Fire Department has reviewed and approved the preliminary fuel modification plan for the Project. Occupied buildings would be physically separated from areas with highly flammable fuels by paved parking lots and the irrigated golf course. The Project would include fire alarms, firewalls and dampers, and detector devices in accordance with the State Fire Marshall requirements. The Project's proposed buildings would have fire retardant roofing in compliance with the County Code, consistent with this Policy. Fire lane access throughout the development area, adequate turning radii for fire equipment, and turnarounds for fire protection equipment would be incorporated into the Project design subject to review and approval by the Fire Department. The water system would provide adequate fire flow as determined by the Fire Department, consistent with this Policy. Additionally, the existing sub-standard helicopter landing area used for emergency purposes will be relocated on-site with a helipad complete with a high-pressure fire hydrant.

The Project is designed so the proposed development and the required fuel modification areas provide a setback at least 50 feet from the outer limit of existing sensitive riparian vegetation, consistent with this policy. All grading activities, including grading required for fuel modification, would be limited to the already disturbed portions of the Project site.

The Project would include the removal of non-native ornamental landscaping and would plant native, drought tolerant species as required within ESHAs and Significant Watersheds. Species used would comply with fire safety requirements,

including requirements for fuel modification in the vicinity of occupied structures, consistent with this Policy.

The Applicant would prepare and submit an emergency response plan for approval by the County of Los Angeles Fire Department, which will include mapping of site access and emergency exits, evacuation routes for vehicles and pedestrians, and locations of the nearest hospitals and fire stations. Further, all Project construction managers and supervisory personnel would be trained in emergency response and fire safety operations.

- *Land Use Policy Map: The portion of the project site where development would occur is designated CR (Commercial Recreation – Limited Intensity) while the majority of the rest of the project site is designated RL20 (Rural Lands 20).*

*The CR designation allows for the establishment of visitor-serving, resource-based commercial recreation uses characterized by large open space areas, limited building coverage, and minimal modification of the natural environment. The principal permitted use is low-intensity commercial establishments offering a variety of goods and services to visitors. Other permitted uses - consistent with all development standards - include restaurants, general stores, bed-and-breakfast facilities, hostels, public recreation areas and facilities, trails, low-intensity conference centers, and private commercial recreation including fish ponds, equestrian facilities, and club houses. Maximum land use intensity of 0.3 floor-area ratio (FAR).*

The Project would be consistent with the low-intensity development mandate of the 2014 SMMLCP. The Project would create a project far below the maximum allowable density. The portion of the site designated Commercial Recreation in the 2014 SMMLCP, which consists of approximately 330.5 acres of the 650-acre site, could be developed at a maximum land use intensity of 0.3 FAR (Floor to Area Ratio). However, the Project would create just 224,760 square feet of development, which would be a FAR of under .016, which is only 5% the 4,318,974 square feet of development allowed under the 2014 SMMLCP.

Allowing building development of 224,760 square feet on 20 acres within the larger 650-acre property (approximately 0.3% of the total Project site) would balance the need for conference and educational retreat facilities and economic sustainability and growth in the County with protection of the surrounding rural environment. It would allow clustered development in the southern portion of the Project site, an area which is highly disturbed from its natural state and adjacent to the Encinal Canyon Road, while maintaining the rural nature of the remaining portions of the Project site.

The majority of the remaining areas of the Project site is designated as RL20. The RL20 designation allows for low-impact single-family homes and other sensitively

located uses, such as retreats, monasteries, public recreation areas and facilities, trails, campgrounds, tent camps, bed-and-breakfast facilities, public and local-serving private schools, water tanks, and telecommunications facilities. The 2014 SMMLCP Land Use Element refers to the underlying zoning designation for specific allowable uses and development standards within this land use designation. This entire area, as well as the portion designated as Open Space, consisting of approximately 450 acres would be permanently dedicated as open space.

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

The Project site is comprised of 650 acres on 29 legal lots. Over 450 acres of the Project site would be dedicated as permanent open space in the Santa Monica Mountains National Recreation Area, thereby preserving the vast majority of the Project site as natural habitat.

The Project's proposed structures would be designed to be sensitive to the surrounding environment and to work together as a cohesive whole. Buildings would be clustered in the southernmost area of the Project site, and located within the already disturbed and developed area of the existing golf course, clubhouse/cart barn buildings, maintenance buildings, and parking lots. The Project would locate structures at various elevations that make use of the existing topography and follow the existing contours so the proposed buildings are organized and articulated within the landscape to blend in with the viewshed. The proposed structures would occupy elevations that are lower than the identified public viewpoints, and would incorporate design elements that blend the new building designs with the surrounding topography and color palette, such as earth-tone exteriors with wood and stone facades. The Project structures would not exceed the height limitations indicated in the LUP. Green roofs, natural materials, native landscape and the open space of the golf course would blend together to create a built environment compatible with the steep slopes and ridgelines surrounding its valley setting and maintaining the surrounding viewshed.

The Project would not be visible from most of the parkland south of the Project site because the parkland is at a much lower elevation than the Project site, and is otherwise sheltered by undeveloped ridgelines. While visible from some parklands, the Project would not block or impede views of scenic resources from a designated scenic highway or parklands. Mature landscaping would act as a vegetation buffer around the proposed buildings. Few Project components would be visible from Mulholland Highway and surrounding hillsides due to the sloping nature of the Project site and Project development strategy. Because the development area is located at a much lower elevation than Mulholland Highway, the proposed buildings would not interfere with public views from Mulholland Highway. With its proposed facilities, the Project would be consistent with this Policy.

- *Policy LU-20: Land divisions shall be designed to cluster development, including building pads, if any, in order to minimize site disturbance, landform alteration, and removal of native vegetation, to minimize required fuel modification, and to maximize open space.*

The Project would provide visitor-serving commercial accommodations clustered in the southern portion of the site adjacent to Encinal Canyon Road, an area which already is disturbed by construction and operation of the golf course and its clubhouse/cart barn buildings, maintenance buildings, and parking lots, while maintaining the rural nature of the rest of the Project site. The Project site is comprised of 650 acres on 29 legal lots. Rather than propose residential estate development on each of these lots, which would require the removal of ESHA for not only development of the separate, individual residential estates, but also larger fuel modification buffers, the Applicant proposes a project that would develop an educational retreat with meeting rooms and visitor-serving overnight guest accommodations, all clustered on previously disturbed and/or developed areas of the Project site. Over 450 acres of the Project site would be dedicated as permanent open space, thereby preserving the vast majority of the Project site as natural habitat.

All grading activities would be limited to the already disturbed and/or developed portions of the Project site. The proposed grading would not change the natural topography of the Project site. Implementation of BMPs would reduce any construction phase and post-construction phase erosion impacts to a less than significant level, consistent with this Policy. Grading would be required within the already graded and disturbed areas of the existing golf course to create building pads for proposed structures, install needed infrastructure, and remodel the golf course. All cut and fill would be balanced on the Project site, thereby avoiding the need for a haul route along Encinal Canyon Road. The grading would meet the requirements for Hillside Grading established by the County Engineer, consistent with this Policy.

A vegetated detention basin also would be located at the south end of the parking lot to improve water quality. The Project would remove the majority of the existing non-native ornamental landscaping and replace the non-native vegetation (palms, eucalyptus, and pines) with native, drought-tolerant species designed to use water more efficiently and to prevent the spread of invasive non-native species downstream. Existing golf course ponds would be temporarily drained, dredged and cleaned to remove non-native aquatic invasive species, particularly crayfish, to prevent the spread of these species downstream and to restore habitat for the California newt and Western pond turtle.

Upon completion of final grading, the Project site would be landscaped and/or paved with permeable surfaces. Drought tolerant species would replace existing

ornamental landscape and turf on the golf course, which comprises the majority of the Project site.

- *Policy LU-28: Maintain low densities within Rural Lands and Rural Residential areas and protect the features that contribute to rural character and rural lifestyles.*

According to the Land Use Policy Map within the 2014 SMMLCP Land Use Element, the development area and golf course at the Project site is designated as Visitor-Serving Commercial Recreation-Limited (CR), while the areas located around the development area, which make up the majority of the Project site, are designated Rural Lands (RL20). The portion of the Project site located to the east of Clubhouse Drive from Encinal Canyon Road is designated Open Space (OS). The CR designation allows for the establishment of visitor-serving, resource-based commercial recreation uses characterized by large open space areas, limited building coverage, and minimal modification of the natural environment. The principal permitted use is low-intensity commercial establishments offering a variety of goods and services to visitors. Other permitted uses - consistent with all development standards - include restaurants, general stores, bed-and-breakfast facilities, hostels, public recreation areas and facilities, trails, low-intensity conference centers, and private commercial recreation including fish ponds, equestrian facilities, and club houses. Maximum land use intensity of 0.3 floor-area ratio (FAR).

The Project would be consistent with the low-intensity development mandate of the LCP. The Project would create a project far below the maximum allowable density. The portion of the site designated Commercial Recreation in the 2014 LCP, which consists of approximately 330.5 acres of the 650-acre site, could be developed at a maximum land use intensity of 0.3 FAR (Floor to Area Ratio). However, the Project would create just 224,760 square feet of development, which would be a FAR of under 0.016, which is only 5% the 4,318,974 square feet of development allowed under the 2014 LCP.

Allowing building development of 224,760 square feet on 20 acres within the larger 650-acre property (approximately 0.3% of the total Project site) would balance the need for conference and educational retreat facilities and economic sustainability and growth in the County with protection of the surrounding rural environment. It would allow clustered development in the southern portion of the Project site, an area which is highly disturbed from its natural state and adjacent to the Encinal Canyon Road, while maintaining the rural nature of the remaining portions of the Project site. These uses and the amount of development proposed are consistent with this land use category.

The majority of the remaining areas of the Project site are designated as RL20 (Rural Land). The RL20 designation allows for low-impact single-family homes and other sensitively located uses, such as retreats, monasteries, public recreation areas

and facilities, trails, campgrounds, tent camps, bed-and-breakfast facilities, public and local-serving private schools, water tanks, and telecommunications facilities. The 2014 SMMLCP Land Use Element refers to the underlying zoning designation for specific allowable uses and development standards within this land use designation. This entire area, as well as the portion designated as Open Space, consisting of approximately 450 acres would be permanently dedicated as open space, which is consistent with this land use category.

Consistent with Policy LU-43, the Project would incorporate native, drought-tolerant landscaping, replacing most of the existing ornamental non-native landscaping at the Malibu Golf Club, and would remove 1,590 non-native trees (palms, eucalyptus, pines) relocate some non-native pine trees, and plant native oak and sycamore trees at the Project site. Over 50% of the non-native trees at the Project site would be removed. All new trees planted at the site would be native California trees. The Project also would include removal of all septic tanks throughout the Project site with the exception of the septic tank serving the caretaker's house in the northern portion of the Project site, and would install a wastewater treatment system with effluent meeting Title 22 standards for reuse as irrigation for the remodeled golf course. The remodeled 18-hole golf course would use a smart-irrigation system, which would use 32% less water than the existing golf course.

As indicated above, the 2014 LCP Land Use Element includes policies to preserve public health, safety, and welfare; preserve and protect significant environmental resources; recognize and avoid natural hazards; enhance recreational opportunities; protect the integrity of existing rural communities; and protect the unique cultural and social characteristics of the region's rural residential communities, including equestrian activities. The Project meets these policy objectives through the creation of a use which is sensitive to the surrounding environment and rural characteristics of the area, while also improving the environment and recreational activities in the Santa Monica Mountains.

Rather than proposing residential estate development on each of these parcels, which would require removal of H1 and H2 habitat for not only the development of the separate, individual residential estates, but also larger fuel modification buffers, the Project would develop a retreat, with buildings clustered on just 20 previously disturbed and/or developed acres or three percent of the property. By clustering development on the southern portion of the property, the Project would provide over 450 acres of mostly undisturbed native habitat, nearly all of it Environmental Sensitive Habitat Area (ESHA), as permanently dedicated open space. This open space area includes significant ridgelines, which would be permanently protected as part of the Project and helps maintain the rural character of the Project site.

The Project would be designed to provide state-of-the-art conference and educational facilities with high-quality accommodations constructed in a manner that would blend with the surrounding environment and minimize any adverse impact to

the natural environment. The buildings would be LEED® Platinum or equivalent designed to reflect the existing mountainous and rustic character of the property. The Project design would be simple in form, function and architectural character, with the intent of complementing the surrounding rural setting. Buildings would be screened from Encinal Canyon Road and Mulholland Highway with landscaping, including mature oaks trees and other native trees. Sustainability features incorporated into the Project would minimize the consumption of natural gas and other carbon-based fuels and their associated greenhouse gas emissions.

- *Policy CI-7: Emphasize other transportation system management solutions, including improved public transit and non-motorized transportation, such as bicycles.*

The Department of Public Works approved the Project's traffic study on October 10, 2013. The Project would support the transportation goals and policies of the LCP since the Project's traffic study is based on traffic projections that reflect the anticipated land use changes both on the Project site and within the general vicinity. The Project would not conflict with any policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities. The Project would promote onsite circulation by foot by providing pedestrian facilities consisting of ample walkways that connect the Project's various components and structures. The Project would provide charging stations for electric vehicles and a shuttle service to and from area airports for overnight guests. In addition, the Project would install bicycle stalls to serve guests and employees who may bicycle to work.

- *Policy CI-17: Provide other opportunities, such as centralized learning centers with computer access, to reduce the need to commute long distances to colleges and universities.*

The Project would provide a venue for educational programs through the Malibu Institute's affiliation with the University of Southern California and a wellness center, consistent with this Policy.

- *Policy CI-19: Limit the density and intensity of development in rural and mountainous areas to a level that can be accommodated by existing road capacity and without creating significant adverse impacts.*

The Project would remodel an existing golf club that would retain its existing use and public access while increasing the facilities available on the site, all within the existing disturbed and/or developed footprint of the original golf course. The Project site is accessed primarily from Encinal Canyon Road via Pacific Coast Highway and/or Mulholland Highway. No change in access is anticipated. As discussed in the Project's Draft EIR and the Project's traffic study, which was approved by County Public Works, the Project would have a less than significant impact on traffic and circulation. All potentially affected intersections and street segments are currently operating at an acceptable level of services (LOS C or better), which would not

change with the development of the Project in either the existing plus Project or the cumulative plus Project scenarios. Accordingly, the Project would be consistent with this Policy.

- *Policy PF-I: New development of a sewage treatment plant or improvements to an existing plant shall be sited and designed to avoid impacts to coastal resources.*

The Project site is located in an area that is not served, and would not be served by a municipal sewer system. Therefore, the Applicant proposes to use an Onsite Wastewater Treatment System (OWTS) that would include a water recycling feature. The proposed OWTS would consist of a sewer network within the proposed 20-acre development area gravity draining the resulting wastewater to a proposed treatment facility installed underground near the information building at the entrance of the Project site on Clubhouse Drive, near Encinal Canyon Road. The OWTS would use a combination of aeration, ultrafiltration, and disinfection to treat effluent to Title 22 standards, which would be suitable for unrestricted, non-potable uses onsite.

Because the Project is not a residential use, the County of Los Angeles would not be obligated to operate, maintain or monitor the proposed treatment facility. Also, as the Project is a commercial use, regulatory agencies could order Project operations to cease in the event of failure of the proposed treatment facility until it was repaired. As such, to ensure the facility would be properly operated, the OWTS would be operated, managed and maintained by the Ventura Regional Sanitation District (VRSD), and the Applicant would post a bond or security to ensure VRSD or its successor will have adequate funds to operate, maintain and monitor the proposed treatment facility.

There are two options for dispersal of the treated effluent/recycled water generated by the OWTS. Under the preferred option, the treated effluent/recycled water would be dispersed as irrigation on the eastern portion of the 122-acre golf course, to supplement potable water supplies currently being used to irrigate. The recycled water would be dispersed either through spray irrigation or subsurface drip lines at least nine inches below ground surface. Under the second option recycled water would be dispersed to a conventional subsurface dispersal system, which would be regulated by the County Department of Public Health, and the treated water would be allowed to percolate to groundwater. Under either dispersal option, the proposed OWTS is the appropriate long-term wastewater management solution for the Project site, as there is no private or public wastewater utility infrastructure in the vicinity that could serve the Project site.

Under the first dispersal option, the Project would provide a unique opportunity to use wastewater treated to applicable standards to irrigate a portion of the golf course, reducing the demand for potable water supplies. Under the second dispersal option, the treated effluent would be allowed to recharge the groundwater under the Project site.

- *Policy PF-3: Reduce potable water consumption and the need for new water supplies through required and active water conservation programs.*

The Project site currently receives potable water from the Las Virgenes Municipal Water District (LVMWD), which has adequate facilities to provide the amount of water required by the Project. The LVMWD has issued a will serve letter for the Project, in compliance with this Policy. In addition, there are six operating groundwater wells on the site, which produce water used for irrigation of the golf course. This supply would be supplemented by recycled water made available through the Project's wastewater treatment facility and recycling program, which would help to reduce by 32% the amount of potable water needed for landscape maintenance from the LVMWD, consistent with this policy.

The Project would be consistent with applicable provisions of Title 20 regulations by using high-efficiency plumbing fixtures. Further, the Project's water demand would be consistent with the LVMWD Urban Water Management Plan and the Project would comply with the County's Drought Tolerant Landscaping Ordinance. Specifically, the Project would support numerous LCP goals and policies related to water by: incorporating water conservation measures into the Project design, including appropriate water infrastructure improvements and mitigating any associated impacts, ensuring a guaranteed supply of water and associated storage capacity, protecting groundwater recharge, and introducing drought-tolerant landscaping.

As indicated above, the Project would reduce the demand for potable water provided by Las Virgenes Municipal Water District at the Project site relative to current water usage regardless of the Project's plans to supplement its irrigation demands with onsite supplies of well water or recycled water. The Project would result in a net reduction in demand for potable water to be supplied by LVMWD, primarily due to the incorporation of water saving features into the remodeled golf course. The provision of recycled water supplies from the onsite wastewater treatment system under the preferred option for wastewater treatment would further reduce the demand for potable water by using recycled effluent to irrigate the golf course and other landscaping.

#### Environmental Review Board Compliance

Because much of the project site contains sensitive environmental resources that meet the definition of H1 and H2 habitat, the proposed Project was required to be reviewed by the Environmental Review Board (ERB). The Project was initially reviewed by the ERB in November 2012. At this meeting, the ERB made several recommendations to mitigate potential resource impacts and noted that further ERB review would be required. ERB materials from November 2012 are attached to this staff report.

The Project returned to ERB for follow-up review in February 2014. For this meeting, the County staff biologist submitted a report (attached ERB materials) discussing the Project's responsiveness to the ERB's recommendations. The County staff biologist found that the Project incorporated ERB's recommendations and that the Project, as designed, is consistent with the conservation goals of the Malibu Land Use Plan. At this meeting, ERB members approved additional recommendations for the Project as well as the findings of the County staff biologist's report. The Applicant agreed to the additional recommendations made by ERB. Materials from the February 2014 ERB meeting are attached to this staff report. Despite the Project's compliance with and incorporation of ERB recommendations, however, ERB concluded later during the same meeting and without the applicant or staff present, that the Project is inconsistent with the resource protection policies of the Malibu Land Use Plan due to concerns regarding the Project's intensity, its location within a significant watershed, and that the Project would introduce too much construction and too many visitors.

At a public hearing in August 2014, based on Project design features that implement ERB's recommendations, the sensitivity to site design, the numerous benefits of the Project, analysis of applicable resource protection policies, the land use and zoning consistency analyses contained in this report, the environmental impact analysis contained in the DEIR, and the mitigation measures contained in the MMRP, that the Board of Supervisors affirmed the Commission's action and found that the Project is consistent with the resource protection policies of the Malibu Land Use Plan and would not result in any significant impacts to sensitive environmental resources.

The Director has determined, based on the findings of the Board of Supervisors, the Department biologist, and the environmental analysis contained in the DEIR and the supplemental biological analysis, the project would not result in any significant impact to sensitive biological resources and no further review by ERB is needed.

### **LIP Compliance**

#### Land Division Requirements

The Project complies with the requirements of Section 22.44.640, Land Divisions. This section requires that tract maps obtain a major coastal development permit. As the project would reconfigure lot lines of 29 existing lots to create a total of seven (7) lots over the 650-acre Project site with two (2) lots containing the Project development and five (5) lots dedicated as permanent open space, a major coastal development permit is required. The requested entitlement would satisfy this requirement.

#### Zoning Requirements

The Project complies with the development standards of the R-R (Resort and Recreation). The R-R zone permits the following use with the granting of a major coastal development permit:

Modifications to, or replacement of, golf courses first established prior to the certification of the LCP, and any new or replacement clubhouse,

meeting, seminar, dining, and other appurtenant facilities, provided that new visitor-serving overnight accommodations shall only be permitted if not less than 10 acres of open space area is dedicated to a public agency per each individually keyed guest room or guest bungalow permitted.

The proposed Project is comprised of a reconfigured golf course, a replacement clubhouse containing a pro shop, cart barn, and restaurant/bar/cocktail lounge, the Malibu Institute (meeting rooms and lecture hall), an administration/security building, maintenance and warehouse buildings, accessory live entertainment associated with the conference center and restaurant, and the retention of an existing water tank. Because the Project will be dedicating over 450 acres of permanent open space, the Project will also incorporate accessory visitor-serving overnight bungalow accommodations. The proposed Project would involve 120,000 cubic yards of cut and fill grading to be balanced on site. The volume of grading requires a major coastal development permit. Finally, the Project would include a relocated helipad for use by emergency response services (predominantly the Los Angeles County Fire Department), which is permitted in any zone with a major coastal development permit as long as the facility is operated by a public entity.

Parking Requirements

LIP Section 22.44.1410 requires that the proposed Project provide on-site parking for each of the following Project components: information building, Malibu Institute, cart storage building, warehouse, clubhouse, golf course (18 holes) with pro shop and grill/snack shop, maintenance building, and 40 bungalows for overnight visitor accommodations. In total, the LIP requires that the proposed Project provide a total of 377 on-site parking spaces to accommodate the afore-listed project components. Additionally, parking is required to be provided on the same lot or parcel on which the proposed use is located.

<b>Proposed Use</b>	<b>Square Feet (GSF)</b>	<b>Spaces/Square Footage</b>	<b>Required Parking</b>
Information Building	120 sq. ft.	1/250 sq. ft.	1
Malibu Institute	48,164 sq. ft.	1:3 occ, based on 193 occupant load	64
Cart Storage	9,162 sq. ft.	1:2 full-time employees	1
Warehouse	4,623 sq. ft.	1/1000 sq. ft	5
Clubhouse	30,147 sq. ft.	1:3 occ, based on 121 occupant load	40
Golf Course (18 holes) with Pro Shop and Grill/Snack Shop	12,104 sq. ft.	10/each hole	180
Maintenance Building	10,500 sq. ft. (12 employees)	1:2 full-time employees	6

40 Guest Bungalows	160 rooms 109,140 sq. ft.	1 per 2 guestrooms	80
<b>Total Spaces</b>			<b>377</b>

The proposed Project would provide 387 parking spaces in two on-site, surface parking lots. The existing surface parking lot at the southern end of the Project site would be retained while the existing surface parking lot on the western side of the Project site would be expanded. The provision of 387 on-site parking spaces exceeds what is required by the LIP. However, the Project is proposing to locate all code-required parking on one lot of the project site. As such, the applicant will be relying on a previously-approved parking permit (PKP No. 201100005) consistent with the requirements of LIP Section 22.44.1415 to allow for the sharing of code-required parking across two lots.

Section 22.44.1415 of the LIP establishes Parking Permit requirements. Section 22.44.1415.A of the LIP states *“The parking permit procedure is established to provide an alternative to the parking requirements of Section 22.44.1410 in the event that a particular use does not have the need for such requirements.”* The parking requirements of the Malibu Institute Project are unique due to several Project features. In order to cluster all proposed buildings in the southern portion of the Project site within the footprint of the existing disturbed area in order to preserve and dedicate a significant amount of permanent open space over 450 acres of the Project site while providing all code-required parking, modified standards for the siting of parking are necessary.

In consideration of the above facts, the previously-approved Parking Permit shall allow for the shared use of all code-required parking across two lots and the conditions of approval will ensure that the spaces are available to meet parking requirements.

#### Development Standards

In addition to the land division, use, and parking requirements contained in the LIP and with adherence to the attached conditions, the proposed Project would comply with 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); Exterior Lighting (22.44.1270); Fences, Gates, and Walls (22.44.1310); 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.), Scenic Resource Areas (22.44.1990 et. Seq.), and Hazards Area (22.44.2050 et. Seq.).

## **Burden of Proof**

### Coastal Development Permit Burden of Proof

The applicant is required to meet the Coastal Development Permit Burden of Proof. According to Section 22.44.850 of the LIP, in addition to the information required in the permit application, the applicant shall substantiate to the satisfaction of the Commission, the following facts:

- A. *“That the proposed development is in conformity with the certified local coastal program.”*

The Project would be a natural extension of the existing public golf course with related ancillary uses that have existed on the property since the 1970s, and would allow the golf course to continue to be open to the public. The Project would create an educational retreat, with educational and meeting facilities associated with the University of Southern California, overnight accommodations with 40 bungalow units in 37 individual structures, a new clubhouse with a spa and pool, and a reconfigured 18-hole public golf course at the property.

The Malibu Institute and appurtenant amenities would be clustered on 20 acres in the southern portion of the 650-acre property in a 145-acre area subject to significant previous disturbance for development and operation of the existing 18-hole golf course. The remodeled 18-hole golf course would cover 107 acres of the existing 118-acre golf course. By clustering development on the southern portion of the property, the Project would preserve over 450 acres of mostly undisturbed native habitat, nearly all of it H2 habitat, as permanently dedicated open space. The location of development would limit project-related disturbance to the already disturbed area, limit fuel modification to these already disturbed areas, and would not divide any portion of the property containing entirely H1, H1 buffer, or H2 high scrutiny habitat.

Allowing building development of 224,760 square feet on 20 acres within the larger 650-acre property (approximately 0.3 percent of the total property) would balance the need for conference and educational retreat facilities and economic sustainability and growth in the County with protection of the surrounding rural environment. The Project has clustered the development in the southern portion of the property, areas which are highly disturbed from their natural state and adjacent to the Encinal Canyon Road, while maintaining the rural nature of the remaining portions of the property.

The Project would also be consistent with the low-intensity development mandate of the LCP. Pursuant to the LIP, the portion of the site designated Visitor-Serving Commercial Recreation . Limited in the LCP, which consists of approximately 330.5 acres of the 650-acre site, could be developed at a maximum land use intensity of 0.3 floor area ratio (FAR). However, the proposed 224,760 square feet of development proposed for the Project constitutes an FAR of just 0.016,

which is only 5 percent of the 4,318,974 square feet of development allowed under the LIP.

The Project and appurtenant amenities would be separated from other developments, particularly residential estates one-half mile to the west, on the north, south, east, and west by rugged terrain and steep hillsides and would not be located on or within the protected zone of any designated significant ridgelines. As the development area is within the low-lying areas of the property, the proposed buildings would not affect views from nearby residential areas.

The Project would be designed and located so as to not significantly impact views of and from scenic features in the vicinity of the project site and associated with Encinal Canyon Road and Mulholland Highway. The Project would be designed to be low profile and compatible with the natural environment and blend with the existing natural contours and topography of the surrounding area and minimize visual intrusion from surrounding scenic highways, routes, and public viewing areas.

The Project would be designed to provide state-of-the-art conference and educational facilities with high-quality accommodations constructed in a manner that would blend with the surrounding environment and minimize any adverse impact to the natural environment. The buildings would be designed to reflect the existing mountainous and rustic character of the property. The Project design would be simple in form, function, and architectural character, with the intent of complementing the surrounding rural setting. Buildings would be screened from Encinal Canyon Road and Mulholland Highway with landscaping, including mature oak trees and other native trees.

Central to the development concept for the Project are sustainability features that would minimize the consumption of natural gas and other carbon-based fuels and their associated greenhouse gas emissions. The Institute building would use the building footprint of the existing clubhouse and cart barn. The remodeled 18-hole golf course would use a smart+ irrigation system and drought-tolerant grasses and native vegetation for on-site landscaping, which would use approximately 32 percent less water than the existing golf course. As part of the golf course remodel, the Project would remove 1,590 non-native trees, including palm trees, and plant only native, drought-tolerant trees within the remodeled areas around the golf course. The Project would replace over 185,000 square feet of existing non-pervious parking lots and cart paths with pervious material to allow infiltration of storm water and improve water quality. Design features also would include green roofs on many of the Project buildings, the use of color and shade structures to reduce the heat island effect, the use of highly efficient geothermal heating, ventilation, and air conditioning (HVAC) equipment, and the use of native, drought-tolerant landscaping. Water conservation and design features would include low-flow/ultra low-flow fixtures, energy star appliances,

and the use of drip irrigation systems. The Project would incorporate a recycling program as part of its operations as well as additional sustainability features from the County's Green Building Ordinance, Low Impact Development Ordinance, and Drought Tolerant Landscaping Ordinance, as consistent with the LCP. In particular, the majority of the proposed buildings would be constructed with the goal of achieving LEED Platinum Certification (or equivalent). Pervious pedestrian bicycle and electric cart pathways would be provided throughout the development area to enhance non-motorized circulation, and get guests out of their cars as soon as they arrive at the Malibu Institute. All required parking would be provided on-site at pervious surface parking lots using photovoltaic panels over shade structures in the parking area to generate most of the energy needs for the Project. The Project would replace existing outdoor overhead parking lot lighting, which currently can be seen from off-site, with lighting complying with dark skies provisions contained in the LCP. Finally, the Project would remove multiple septic tanks throughout the property and install an on-site wastewater treatment system with effluent meeting all standards for reuse as irrigation for the remodeled golf course and other on-site landscaping.

- B. *"That any development located between the nearest public road and the sea or shoreline of any body of water located within the Coastal Zone, is also in conformity with the public access and public recreation policies of Chapter 3 of Division 20 of the Public Resources Code."*

The Project is not located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone. The project would comply with the requirements and development standards of the Local Implementation Program (LIP) related to yards, walls, fences, parking and loading facilities, landscaping, and other development features. All fences would conform to County requirements and the Project's landscaping would comply with the requirements of the County's Drought Tolerant Landscaping Ordinance and LIP.

The Malibu Institute and appurtenant amenities would be clustered on 20 acres in the southern portion of the 650-acre property in a 145-acre area subject to significant disturbance for the development and continued operation of the existing 18-hole golf course. The Project would reconfigure the existing 18-hole golf course and continue to keep the facility open to the general public subsequent to the remodel. By clustering development in the previously disturbed areas of the Project site, the Project would provide over 450 acres of mostly undisturbed native habitat, nearly all of it H1, H2 High Scrutiny, and H2 habitat, as permanently dedicated open space.

The Malibu Institute also would be consistent with the low-intensity development mandate of the Santa Monica Mountains LCP. Pursuant to the LIP portion of the LCP, the portion of the site designated Commercial Recreation, which consists of

approximately 330.5 acres of the total site, could be developed at a maximum land use intensity of 0.3 FAR. However, the proposed 224,760 square feet of development proposed for the Project constitutes an FAR of just 0.016, which is 5 percent of the 4,318,974 square feet of development contemplated under the LIP.

Staff concludes and is of the opinion that the burden of proof for a coastal development permit has been met by the applicant, subject to compliance with the attached conditions. The applicant's responses are also attached.

### **COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS**

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

The Department of Parks and Recreation, in its letter dated February 10, 2014, recommends approval of the Project and requires no conditions.

The Department of Public Works, in its letter dated February 10, 2014, recommends approval of the Project and requires conditions regarding Project design, easements, activities required prior to final map recordation, hydrology, geological hazards and grading, drainage, right-of-ways, wastewater, and water.

The Fire Department, in its letter dated February 27, 2014, recommends approval of the Project and requires conditions of approval related to access, final map markup, fuel modification, identification signage, the on-site water system, hydrants, the on-site helipad, the proposed solar shade structures, proposed vegetated roofs, and phasing.

The Department of Public Health, in its letter dated February 20, 2014, recommends approval of the Project and requires conditions regarding the on-site wastewater treatment system and verification of adequate water supplies to serve the proposed Project.

### **PUBLIC COMMENTS**

#### **Hearing Examiner Public Hearing**

A Hearing Examiner Public Hearing was held at the Malibu Golf Club on January 16, 2014 to take public testimony on the DEIR. Including staff, approximately 25 people attended the hearing but not all attendees testified. Testimony, as recorded in the attached transcript was received from the applicant and two (2) members of the public. Both individuals expressed their support for the Project noting that the Project is environmentally excellent, has taken into account community outreach, and supports the improvements to Trancas Creek and the greater watershed that come with this Project.

**Other Public Comments**

By the close of the public comment period on the DEIR, 46 written comments regarding the Project had been submitted. Comments were received from local governments and agencies as well as individuals.

Written testimony in favor of the Project emphasized the benefits to both the community and the environment, including the provision of overnight accommodations and the remodeling and maintenance of a public-use golf course in the National Recreation Area and the improvements to the environment like eradication of on-site invasive species, a significant reduction in on-site water consumption, and the dedication of over 450 acres of undeveloped land as permanent open space. Other environmental benefits cited include constructing LEED Platinum (or equivalent) buildings and the overall sustainability of the Project.

Only one written letter expressed concern with the Project. Concerns were related to the overall built footprint of the Project and what was being done with the portions of Trancas Creek that had been previously altered and culverted through the Project site.

**PUBLIC COMMENTS**

Staff has not received any public comments regarding the pending CDP at the time of the writing of this report.

**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. TR071735-(3), Coastal Development Permit No. 201400006, subject to the attached conditions. Staff is of the opinion that the permit is within the scope of the project covered by the previously certified EIR and nothing further is necessary or required to comply with CEQA. Further, Staff is of the opinion that this EIR and the associated Mitigation Monitoring and Reporting Program adequately mitigate potential Project impacts on air quality, biological resources, cultural resources, hazards and hazardous materials, hydrology and water quality, noise, Fire Department services, recreation, cumulative traffic impacts, water flow rates, wastewater, and solid waste. Finally, Staff is of the opinion that the Coastal Development Permit conditions adequately address uses 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.

**SUGGESTED APPROVAL MOTION**

**“I MOVE THAT THE REGIONAL PLANNING COMMISSION FIND THE PREVIOUSLY CERTIFIED EIR IS ADEQUATE WITHOUT MODIFICATION FOR COASTAL DEVELOPMENT PERMIT NO. 201400006.”**

**“I MOVE THAT THE REGIONAL PLANNING COMMISSION CLOSE THE PUBLIC HEARING AND APPROVE COASTAL DEVELOPMENT PERMIT NO. 201400006 WITH THE ATTACHED FINDINGS AND CONDITIONS.”**

Prepared by: Mr. Kevin A. Finkel, AICP, Regional Planner  
Reviewed by: Samuel Z. Dea, Supervising Regional Planner

Attachments:

Certified EIR including Final EIR, DEIR, CEQA Findings of Fact, and MMRP on disc  
CDP Findings  
CDP Conditions  
Applicant's CDP Burden of Proof  
Hearing Examiner Public Hearing Transcript  
Tentative Maps  
Exhibit Maps  
Approved Vesting Tentative Tract Map TR071735 with Findings and Conditions  
Approved CUP No. 201100122 with Findings and Conditions  
Approved Parking Permit No. 201100005 with Findings and Conditions  
ERB Materials  
Correspondence

SZD:KAF:kaf  
11/3/14