



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Amy J. Bodek, AICP
Director

Dennis Slavin
Chief Deputy Director

October 23, 2018

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**PROJECT NO. 98-187-(3)
REVISED VESTING TENTATIVE TRACT MAP NO. 52805-1
CONDITIONAL USE PERMIT NO. RPPL2016003948
ENVIRONMENTAL ASSESSMENT NO. RENV-201400279
APPLICANT: LAND DEVELOPER ASSOCIATES CORPORATION
THE MALIBU ZONED DISTRICT
(THIRD SUPERVISORIAL DISTRICT) (3-VOTES)**

The Applicant, Daniel Singh of Land Developer Associates Corporation (Applicant), has appealed the Regional Planning Commission's (Commission) decision to deny the application for a revised Vesting Tentative Tract Map (VTTM) to create five single-family residence lots and one open-space lot on 107.8 acres, and a Conditional Use Permit (CUP) for on-site grading exceeding 100,000 cubic yards and for grading within the Santa Monica Mountains North Area Community Standards District (CSD) exceeding 5,000 cubic yards (Project), located along Kanan Road, approximately 7,900 feet southwest of the intersection of Kanan Road and Cornell Road, in the unincorporated Santa Monica Mountains North Area, Assessors' Parcel Number (APN) 2063-004-022 (Project Site).

SUBJECT

On November 20, 2003, the Applicant applied for VTTM No. 52805 to create five single-family residence lots and one open-space lot on 107.8 acres with a total of 120,000 cubic yards of grading. On December 2, 2014, the Applicant submitted an application to revise the approved entitlements in order to create five single-family residence lots and one open space lot on 107.8 acres with a revised total of 160,000 cubic yards of total grading, balanced on-site. The revised application Project included a request to increase grading by 40,000 cubic yards, for a total of 160,000 cubic yards, consisting of 80,000 cubic yards of cut and 80,000 cubic yards of fill, balanced on site. The 60,000 cubic yard

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of cut authorized in the approved VTTM No. 52805 would be filled and balanced throughout the building pad areas and interior private driveway and fire lane. The additional 20,000 cubic yards of cut requested in the revised VTTM would be balanced on-site by filling 20,000 cubic yards in an existing depression in the terrain located in the southwest corner of the Project Site, adjacent to Kanan Road.

On August 8, 2018, the Commission denied the revised application (Project). The Commission's decision was based on evidence that the Project was inconsistent with the policies of the Santa Monica Mountains North Area (SMMNA) Plan, including policies related to Hillside Management, Water Resources, Scenic Resources, Fire Hazards, Open Space, and the Pattern and Character of Development. The Commission also found that the Project did not meet the revised VTTM and CUP Burdens of Proof and Findings as outlined in Sections 22.56.040 and 22.44.133 of the County Code, which require that projects do not adversely affect the health, peace, comfort or welfare of persons residing or working in the area, and jeopardize, endanger, or constitute a menace to the public health, safety, or general welfare.

The Project was a request to revise the VTTM No. 52805-1, as approved by the Commission on November 20, 2003. The Applicant's request stated that during the staff review and public hearing process occurring between 2001 and 2003, several revisions were made, the Applicant's civil engineer neglected to update the grading quantities and as a result, additional grading was now required to complete the approved VTTM. VTTM No. 52805-1 expires on November 20, 2018, with no further possible time extensions available. After such date, the applicant would be required to file a new VTTM application for any subsequent Land Division requests. The Applicant has appealed the Commission's decision to deny the revised VTTM and CUP application. The Applicant's appeal states that the Commission did not follow the intent of the SMMNA Plan and that the staff report listed several reasons why the Project does not meet the North Area Plan. The Applicant also stated that he will go into further detail on why such reasons and positions have no merit at the appeal hearing.

IT IS RECOMMENDED THAT THE BOARD AFTER THE PUBLIC HEARING,

1. Affirm that denial of the Project is statutorily exempt pursuant to State and local California Environmental Quality Act (CEQA) Guidelines;
2. Indicate its intent to deny the appeal and instruct County Counsel to prepare the necessary findings to uphold the Commission's denial of revised VTTM No. 52805-1 and CUP No. RPPL2016003948.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Area Plan Consistency

On August 8, 2018, the Commission denied the Project based on the Project's inconsistency with the following applicable policies of the SMMNA Plan:

- Hillside Management Policy IV-9. The area's natural hillsides are a significant biological and visual resource and are a key factor in the character of the area's communities. The Project is located in the SMMNA and within a Hillside Management Area (HMA) containing large amounts of area with slopes exceeding 25% grade. The Project Site is located along Kanan Road and south of Lady Face Mountain, which is a prominent landform in the area. The graded slopes for the Project would result in manufactured slopes up to 60-feet-high and located within an HMA. The Project was not designed with reduced building pad areas or other comparable design that reduces grading to preserve the natural features of the Project Site and surrounding area.
- Hillside Management Policy IV-10. The Project is located within a HMA with slopes over 25% grade and is proposing five flat building pads with an average size of 26,495 square feet and manufactured slopes exceeding 37% grade in the areas near the building pads and 45% near the terrain depression proposed for additional fill grading. Such building pads and manufactured slopes are located within an HMA and do not conform to the natural landform and do not blend with the natural environment. Instead they create broad slopes and flat pads in an area characterized by steep terrain and irregular slopes.
- Hillside Management Policy IV-13. The Project proposes the creation of large manufactured slopes to create five flat building pads, private driveway, and landscaping and buffer wall to screen the Project from Kanan Road. The proposed design does not adapt into the natural hillside topography and instead alters the topography to screen the Project from surrounding vantage points.
- Water Quality Policy IV-24. The Project is located in a Very High Fire Hazard Severity Zone. Larger building pads and building site areas require a greater fuel modification area which extends further into the undisturbed natural hillside and requires more vegetation removal. The Project requested to fill in a terrain depression with 20,000 cubic yards of on-site cut material. The Project utilizes large building pad areas with large fuel modification radii instead of smaller building pad areas with a smaller fuel-modification radii, which results in a greater amount of vegetation disturbance. The Project proposes to revegetate all disturbed areas with native vegetation. However, according to General Goal III of the SMMNA Plan, preserving the natural environmental features includes consciously choosing to

protect the natural terrain in its natural state over allowing development projects to proceed simply because impacts can be mitigated.

- Scenic Resource Policy IV-30. The Project proposes to construct a landscape buffer and wall along Kanan Road in an area containing natural slopes greater than 25%. A man-made wall is not likely to blend with the existing terrain to the same extent as the existing undisturbed terrain in the area where the wall is proposed. Additionally, the Project proposed to fill in an existing terrain depression with 20,000 cubic yards of fill grading, resulting in additional man-made slopes. The Project would disturb an additional 125,000 square feet, approximately 2.75 acres, in addition to the three acres of disturbance required to construct the building pad areas and private driveway and fire lane. As a result, the Project was not sufficiently designed to ensure minimal visual disruption of existing settings.
- Fire Hazards Policy V-10. The Project is located in a Very High Fire Hazard Severity Zone, which requires fuel modification with a typical radius of 200 feet from structures. Larger building pads and building site areas require a larger fuel modification area which would extend further into the undisturbed natural hillside and require a greater amount of vegetation removal. The Project also proposes to fill the detention pit which results in additional vegetation disturbance. The Project was not sufficiently designed to avoid development in fire-hazardous areas with significant biological resources and instead it proposed mitigation measures that would require intrusive fuel breaks and fuel modification areas to protect new development.
- Development and Open Space Policy VI-3. The Conditions of Approval and Mitigation Measures of VTTM No. 52805-1 required the Applicant to execute an agreement to convey the open space lot to the Santa Monica Mountains Conservancy and further record a conservation easement for the benefit of the County and the Conservancy that encompasses all areas outside of the 200-foot fuel modification zone, as depicted on the approved VTTM. The open space lot was depicted as a separate 79-acre open space lot in the approved VTTM No. 52805-1. Large portions of such open space lot were instead proposed to be included in the lot area for the proposed single-family residence lots. Additional disturbance in an area previously required to be set aside as a conservation easement does not preserve or maintain the existing diverse topographical features of the Project Site.
- Pattern and Character of Development Policy VI-13. The proposed design includes man-made forms such as broad slopes, retaining walls, a wall for visual buffering, the creation of man-made slopes and flat areas, and large areas of vegetation clearance required for fire safety around the proposed building pad areas. The large building pads proposed, which have an average area of 26,495

square feet, would reduce the presence and appearance of existing natural features within the hillside area.

Post-Denial Proposed Revisions

Subsequent to the Commission's denial of the Project, the Applicant requested to meet with staff and presented Project revisions that purportedly reduce the grading quantities, retaining wall lengths, slope heights, and area of disturbance. The post-denial Project revisions include:

- A reduction from 160,000 cubic yards of total cut/fill grading, as proposed in the denied revised VTTM, to a total of 119,750 cubic yards of total cut/fill grading;
- A 10% decrease of overall grading volumes compared to the denied revised VTTM;
- Deletion of the Project's proposal to fill an onsite terrain depression with additional grading fill;
- A removal of 550 linear feet in proposed retaining walls;
- Maximum slope height lessening from 60 feet down to 50 feet;
- Elimination of proposed 400 linear feet of eight-foot-wide concrete drains;
- Use of natural rock quarried from the Project Site to enhance the proposed onsite landscape features; and
- Extension of proposed lot lines for Lot nos. 3, 4, and 5 to Kanan Road to eliminate the need for a required waiver of street frontage.

The changes were presented after denial of the Project by the Commission at the hearing on August 8, 2018. As such, the revisions have not been reviewed or cleared by the Subdivision Committee and staff has not completed the necessary CEQA analysis of potential environmental impacts and appropriate mitigation. However, based on a preliminary review, it appears that the post-denial revisions indicate that the proposed revisions do not sufficiently alter the Project to conform to the policies and requirements of the SMMNA Plan for the following reasons:

- The re-design does not minimize grading and landform alteration by reducing the area of disturbance and building pad sizes to preserve the natural features of the Project Site and surrounding area.
- The Applicant cites a market demand for larger pad sizes as a rationale for the proposed design. Such design requires the creation of large gentle slopes and additional on-site grading instead of redesigning the Project to adapt and fit into the natural hillside topography, thereby protecting natural appearing views from surrounding vantage points.

- The Project is utilizing large building pad areas and building site areas which require a larger fuel modification area that extends further into the undisturbed natural hillside and requires a greater amount of vegetation removal.
- The revised Project proposes to revegetate all disturbed areas with native vegetation. However, General Goal III of the SMMNA Plan states that preserving the natural environmental features includes consciously choosing to protect the natural terrain in its natural state over allowing development projects to proceed simply because impacts can be mitigated. Therefore, the revisions are not consistent with the policies of the SMMNA Plan.
- The Project has not been sufficiently designed to avoid development in fire-hazardous areas with significant biological resources and instead has proposed mitigation measures that would require intrusive fuel breaks and fuel modification areas to protect new development.

Implementation of Strategic Plan Goals

Action on the Project is supported by the Los Angeles County (County) Strategic Plan Goal 1 (Make Investments That Transform Lives), Goal 2 (Foster Vibrant and Resilient Communities), and Strategy II.2.2 (Expand Access to Recreational and Cultural Opportunities). The Commission's decision to deny the Project was in part based on evidence that the Project was inconsistent with the policies of the SMMNA Plan, including policies related to Hillside Management, Water Resources, Scenic Resources, Fire Hazards, Open Space, and the Pattern and Character of Development. The Board of Supervisors (Board) action on the Project addresses the policies contained in the SMMNA Plan intended to preserve large open space areas for the protection of public health and safety and to promote public recreation opportunities, including low-cost activities such as trails and camping, which are more accessible to all members of the public including those who traditionally underutilize County parks, trails, and other recreational facilities. The Project was required to dedicate a 79-acre open space lot in the approved VTTM No. 52805-1 to the Santa Monica Mountains Conservancy. The denied Project proposed to include large portions of such open space lot to be included as part of the individual lot areas for the single-family residence lots through the use of open space deed-restrictions.

FISCAL IMPACT/FINANCING

Action on the Project will not result in significant costs to the County. On August 8, 2018, the Commission denied the Project, which was a request for a revised VTTM and a CUP to authorize a subdivision to create five single-family residence lots and one open-space lot on 107.8 acres with 160,000 cubic yards of grading, and a CUP for on-site grading exceeding 100,000 cubic yards and for grading within the SMMNA CSD exceeding 5,000

cubic yards. The Board's decision to uphold the Commission's action means that the revised VTTM and CUP are denied. The decision by the Board is final and no other administrative action can be taken on the Project. The Board's decision to grant the appeal would send the Project back to the Department of Regional Planning (Department) for further review, and the review cost is built into the revised VTTM and CUP application fees.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

There is one relevant case pertaining to the subject property, VTTM No. 52805-1, which authorized the subdivision of 107.8 acres into five single-family residence lots and one open-space lot with 120,000 cubic yards of grading and was approved by the Commission on November 20, 2003. The current time extension for the VTTM No. 52805-1 expires on November 20, 2018, and there are no further time extensions available. An approved revised VTTM would reset the grant term of the VTTM for an initial period of two years, with additional time extension requests available.

The applicant filed the initial submittal for the revised VTTM with additional grading, on December 12, 2014, and received a Subdivision Committee Meeting (SCM) report dated January 1, 2015. The SCM report contained holds from the Department, Department of Public Works (DPW), and Department of Public Health (Public Health). On June 14, 2016, staff issued a Notice of Denial Due to Inactivity to the Applicant and requested that a VTTM revision be submitted by September 14, 2016, to avoid denial due to inactivity. Subsequently, the Applicant submitted a first revision to the revised VTTM application on September 13, 2016. Accordingly, staff issued a memo to the Hearing Officer on September 13, 2016, requesting that the public hearing discussion item be continued to a certain date. The SCM report dated October 13, 2016, consisted of holds from the Department, DPW, and Public Health. The holds from the Department included inconsistency with the land use policies, hillside development, grading, and scenic resource requirements. Following the SCM on October 20, 2016, staff issued a memo to the Hearing Officer dated November 23, 2016, requesting that the item be removed from the calendar for denial due to inactivity to allow further processing of the application. The Department's staff met with the applicant several times and provided recommendations on the Project design. However, the Applicant declined to revise the Project or return to the Subdivision Committee for review and possible clearance of existing holds. Instead, the Applicant requested to schedule the Project for public hearing with existing holds from the Department, DPW, and Public Health.

Prior to the Commission's hearing on August 8, 2018, the Department's staff issued a memo dated August 7, 2018, containing three letters of opposition to the Project from the Las Virgenes Homeowners Federation, the Topanga Association for a Scenic

Community, and the Calabasas Highlands Homeowner Association, as well as two e-mails from members of the public stating their opposition to the Project. Immediately prior to the Commission's hearing on August 8, 2018, the Department's staff issued a second memo dated August 8, 2018, containing a letter of opposition to the Project from Save Open Space-Santa Monica Mountains, and 13 e-mails from members of the public stating opposition to the Project.

A duly noticed public hearing was held before the Commission on August 8, 2018. During the public hearing, the Commission heard presentations from the Department's staff, the applicant, and public testimony. During public testimony, three members of the public gave testimony in favor of the Project. After hearing all testimony, the Commission questioned the Applicant on why they insisted on proceeding to the public hearing and did not continue to work with the Department's staff and the Subdivision Committee to clear the pending holds. The Commission asked staff several questions pertaining to the assessment of the Project's failure to conform to the SMMNA Plan and the adequacy of the Applicant's responses to the Burden of Proof. The Commission also inquired if any opposition to the Project had been received and staff responded affirmatively. The Commission further discussed the feasibility of continuing the public hearing to allow sufficient time for the Applicant to revise the Project to conform to all applicable policies and regulations. The Commission discussed that the applicant had already been provided ample opportunity to work with staff. Based on the evidence and testimony presented at the August 8, 2018 public hearing, the Commission denied the Project. Subsequent to the Commission's denial of the Project, on August 8, 2018, staff received 20 e-mails stating opposition to the Project.

ENVIRONMENTAL DOCUMENTATION

On August 8, 2018, the Commission found that the Project was statutorily exempt pursuant to CEQA Guidelines Section 15270(a), because CEQA does not apply to projects which a public agency rejects or disapproves. Therefore, the Project qualified as a Statutory Exemption (Projects Which Are Disapproved) and is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Action on the Project is not anticipated to have a negative impact on current services. The Board's decision to uphold the Commission's decision means that the revised VTTM and CUP are denied, and the decision by the Board is final and no other action can be taken on the Project. The Board's decision to grant the appeal would send the Project

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October 23, 2018
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back to the Department for further review, and the review cost is built into the revised VTTM and CUP application fees.

For further information, please contact Martin Gies at (213) 974-6433 or mgies@planning.lacounty.gov.

Respectfully submitted,



Amy J. Bodek, AICP
Director

ABJ:SA:SDJ:lm

Attachments: RPC Denial Package
 Commission Staff Reports and Correspondence

c: Executive Office, Board of Supervisors
 Assessor
 Chief Executive Office
 County Counsel
 Public Works

APPLICANT

Date Aug 9 2018

Zoning Section
Los Angeles County Board of Supervisors
Room 383, Kenneth Hahn
Hall of Administration
500 West Temple Street
Los Angeles, California 90012

PROJECT NO./CUP NO.: 98-187-(3) TTM 52805

APPLICANT: LAND DEVELOPERS & ASSOC CORP

LOCATION: ON THE NORTHSIDE OF KAMAN RD,
APPROXIMATELY 4300 FT NORTHEASTERLY OF THE INTERSECTION
OF KAMAN RD & TROUTDALE DR. Zoned District: 3

Related zoning matters:

CUP(s) or VARIANCE No. RPP L2016 003948

Change of Zone Case No. _____

Other _____

This is an appeal on the decision of the Regional Planning Commission in the subject case. This form is to be presented in person with a check or money order, made payable to the "Board of Supervisors" (check or money order must be presented with personal identification), during regular business hours of 8:00 a.m. to 5:00 p.m. prior to the appeal deadline at the above address. (Appeal fees subject to change). Contact the Zoning section of the Board of Supervisors for more information: (213) 974-1426.

This is to appeal: (Check one)

The Denial of this request \$7,844* OR

2 or less conditions of the Project to be listed below: \$915.00*

*For Subdivisions \$260.00 of this amount is to cover the cost of the hearing by the Board of Supervisors

Briefly, explain the reason for this appeal (attach additional information if necessary):

Please see attached

x

(Signed)

Appellant

Danrel Singh for Land Developer & Assoc Corp

Print Name

5950 CANOGA AVE suite 500

Street Address

Woodland Hills CA 91367

City/Zip

818 389 6439

Day Time Telephone Number

dsingh@landdeveloper.net

E-mail Address

Project No. 98-187-(3)

CUP RPPL 2016003948

VTTM 52805

APN: 2063-004-022

Briefly explain the reason for this Appeal

The staff Report & decision of the Regional Planning Commission did not follow the intent of the North Area Plan

Under section 1 D on How to Use the North Area Plan... it states

“The interpretation of Policy should be governed by the “Guiding Principles” of the North Area Plan.

It also states No Policy ...shall be given greater weight than any other policy in evaluating the policy intent.

So what does the Guiding Principle say. The opening sentence states

“The overall goal is to Maximize the preservation of the area’s NATURAL environment recognize the opportunities & constraints’ the Land imposes, accommodate new uses that minimize impacts on the Natural Environment ensure that new development is compatible with & enhances the quality of existing communities and provide for a wide range of public & private recreational opportunities.”

So how does the proposed development comply

1. The guiding Principle speaks of preservation of NATURAL Environment. The grading is concentrated to the lower disturbed area of the property. Please review the photos we have just handed out. The lower portions have been quarried, scarred & degenerated by the construction of Kanan road.

The areas proposed to be developed are not Natural

2. The property is approximately 107 acres. By allowing development of approximately 6 acres approximately 100 acres is preserved.

There is a tremendous amount of NATURAL land area being preserved

3. The Guiding Principles speaks of accommodate new uses & ensure new development is compatible with & enhances the quality of existing communities.

If this development were to propose a project that is ...the same as the development on the opposite side of the street...that was developed approximately 25 yrs ago the project would be a 107 lot development on 1 acre lots. The project on the opposite side of the street is 18 one acre lots developed on 18 acres. The pad sizes are $\frac{3}{4}$ acres each

This proposed development meets the goals of the present Land Use policy property...it is located on a major road... Kanan Road ...it is close to the 101 FWY... only approx. 1 mile south. It has infrastructure close by. There is water & sewer that serves the 18 lot development across the street.

This is a well located property for development...The area proposed to developed is disturbed has little to no biological resources. We have completed 3 Biological assessments during the past 20 years that corroborates this. A recent focused survey on the area that is proposed to be regraded was conducted. No significant vegetation was found.

What the staff report attempts to do is exactly what the Guiding Principles says it shouldn't do. Again, the Guiding Principles say “

No policy.... shall be given greater weight than any other policy in evaluating the policy intent.”

In other words do not cherry pick from the North Area Plan to make a case. The staff report lists several reasons why the proposed project does not meet the North Area Plan. At time of the Appeal Hearing We shall go into further detail why such reasons and positions have no merit.

We respectfully request The Board of Supervisors approve the application and overturn the Regional Planning Commission to deny the project.

Appreciate your time & consideration

Daniel Singh



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Amy J. Bodek, AICP
Director

August 9, 2018

Land Developer Associates Corp.
Attn: Daniel Singh
15445 Ventura Blvd., Suite #900
Sherman Oaks, CA

**REGARDING: PROJECT NO. 98187-(3)
REVISED VESTING TENTATIVE TRACT MAP NO. 52805-1
CONDITIONAL USE PERMIT NO. RPPL2016003948
ASSESSOR'S PARCEL NUMBER: 2063-004-022**

The Regional Planning Commission, by its action of **August 8, 2018** has **DENIED** the above-referenced project. Enclosed are the Commission's Findings.

The applicant or any other interested persons may appeal the Regional Planning Commission's decision. The appeal period for this project will end at 5:00 p.m. on **August 20, 2018**. **Appeals must be delivered in person.**

Appeals: **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

For questions or for additional information, please contact Martin Gies of the Land Divisions Section at (213) 974-6433 or by email at mgies@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
Amy J. Bodek, AICP

Steven Jones, AICP, Acting Supervising Regional Planner
Land Divisions Section

Enclosures: Findings

Project No. 98187-(3)
August 8, 2018
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c: Board of Supervisors

SDJ:MAG

**FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
PROJECT NO. 98187-(3)
REVISED VESTING TENTATIVE TRACT MAP NO. 52805-1
CONDITIONAL USE PERMIT NO. RPPL2016003948**

1. **HEARING DATE(s).** The Los Angeles County (“County”) Regional Planning Commission (“Commission”) conducted a duly noticed public hearing on August 8, 2018 in the matter of Revised Vesting Tentative Tract Map No. 52805-1 (“Revised Map”), heard concurrently with Conditional Use Permit No. RPPL2016003948 (“CUP”).
2. **ENTITLEMENTS REQUESTED.** Land Developer Associates Corporation (“Permittee”) requests to revise an approved Vesting Tentative Tract Map No. 52805, which created five single-family residence lots and one open-space lot on 107.8 acres with a total of 120,000 cubic yards of grading, to create a total of five single-family residence lots and one open space lot on 107.8 acres with a revised total of 160,000 cubic yards of total grading, balanced on-site. The revised vesting tentative tract map dated September 13, 2016, depicts five single-family residence lots that are as follows: lot no.1 with 20.01 gross acres, lot no. 2 with 20.01 gross acres, lot no. 3 with 20.00 gross acres, lot no. 4 with 20.01 gross acres, and lot no. 5 with 25.80 gross acres. The revised map also depicts one open space lot which is 1.97 gross acres in size. The Project is further requesting permission to waive the street frontage requirements for lots no. 2, 3, 4, and 5.

The CUP is a request for on-site grading exceeding 100,000 cubic yards and for grading within the Santa Monica Mountains North Area Community Standard District exceeding 5,000 cubic yards. The Project includes a request for a total of 160,000 cubic yards, consisting of 80,000 cubic yards of cut and 80,000 cubic yards of fill, to be balanced on-site. The 60,000 cubic yards of cut authorized in the approved Vesting Tentative Tract Map No. 52805 will be filled and balanced throughout the building pad areas and interior private driveway and fire lane. The additional 20,000 cubic yards of cut requested in the revised map will be balanced on-site by filling 20,000 cubic yards in an existing depression in the terrain located in the southwest corner of the Project Site, adjacent to Kanan Road.

3. **LOCATION.** The Project is located along Kanan Road, approximately 7,900 feet southwest of the intersection of Kanan Road and Cornell Road, in the unincorporated Santa Monica Mountains North Area. The Assessors’ Parcel Number (“APN”) for the subject property is 2063-004-022 (“Project Site”).
4. **TOPOGRAPHY.** The Project Site is 107.8 gross acres in size and consists of one legal lot. The Project Site is irregular in shape with steep sloping topography and is undeveloped except for a small cleared area located in the southern portion of the Project Site, adjacent to Kanan Road.

5. **ZONING.** The Project Site is located in the Malibu Zoned District and is currently zoned A-1-20 (Light Agricultural- 20- Acre Minimum Required Lot Area).
6. **LAND USE CLASSIFICATION.** The Project Site is located within the N20 (Mountain Lands 20) land use category of the Santa Monica Mountains North Area ("SMMNA") Plan, Land Use Policy Map.
7. **SURROUNDING ZONING.** Surrounding Zoning within a 500-foot radius includes:

North: City of Agoura Hills - Agoura Village Specific Plan - Zone G (Open Space)
South: A-1-10 (Light Agricultural - 10 Acre Minimum Required Lot Area) and O-S (Open Space)
East: A-1-20 and RPD-2-0.5U (Residential Planned Development - 2 Acre Minimum Required Lot Area – 0.5 DU/AC)
West: A-1-20
8. **SURROUNDING LAND USES.** Surrounding land uses within a 500-foot radius include:

North: Vacant Land
South: Vacant Land and Single-Family Residences
East: Vacant Land
West: Vacant Land
9. **ZONING HISTORY/PREVIOUS CASES.** The Project Site was zoned A-1-20 on August 20, 2002 by Ordinance No. 2002-0062Z. Prior to the rezoning in 2002, the Project Site was zoned A-1-1 on April 11, 1958 by Ordinance No. 7310. Prior to the rezoning in 1958, the Project Site was zoned M-3 (Unclassified) on December 26, 1956 by Ordinance No. 1494.

There are two previous cases on the subject property, One-Stop Counseling No. R1ST201300063 and Vesting Tentative Tract Map No. 52805, which are described below:

One-Stop Counseling No. R1ST201300063 for a senior housing development was filed on September 9, 2013 and counseling took place on November 6, 2013.

Vesting Tentative Tract Map No. 52805 authorized the subdivision of 107.8 acres into five single-family residence lots and one open-space lot with 120,000 cubic yards of grading and was approved on November 20, 2003. The request initially included a proposal for 11 single-family residence lots and one open space lot with 453,249 cubic yards of grading. The Regional Planning Commission heard the case on May 31, 2000 where they received testimony both in support of, and against, the Project. The Commission discussed the Project and determined the Project included too much grading and was not in compliance with applicable policies, and instructed staff to

prepare findings for denial. At their hearing on June 13, 2000 the Regional Planning Commission gave the applicant the option to redesign the Project in lieu of a denial of the Project. The applicant opted to redesign the Project and March 14, 2001 the Regional Planning commission reviewed a revised proposal containing five single-family residence lots and one open-space lot, with 382,025 cubic yards of grading. Public testimony expressing concerns with the amount of grading and visual impact of the Project was heard by the Commission. The hearing was continued to June 13, 2001 where it was further continued to September 19, 2001 to allow the applicant to re-design the Project in response to concerns with the water systems. At the September 19, 2001 hearing, the Commission instructed the applicant to redesign with smaller pads and grading for foundations only. The hearing was continued to November 19, 2001 and again to January 9, 2002 because the revised map did not clear the subdivision committee in advance of the November 19, 2001 hearing date. At the January 9, 2002 hearing, the Commission closed the public hearing and instructed staff to prepare final conditions and findings for approval. At their hearing dated November 20, 2003 the Commission approved Vesting Tentative Tract Map No. 52805 authorizing the subdivision of 107.8 acres into five single-family residence lots and one open space lot, with 120,000 cubic yards of grading.

- 10. MAP AND SITE PLAN DESCRIPTION.** The Revised Map depicts five single-family residence lots on 107.8 acres, located along the north side of Kanan Road. Each lot is at least 20 acres in size with lot no. 5 having the largest lot area with 25.8 acres. The map also depicts a 1.97 acre open-space lot adjacent to Kanan Road. The map depicts access to the site via a 26-foot wide private driveway and fire lane from Kanan Road. One segment of the on-site private driveway and fire lane provides access to lots no. 1 and 2 to the east, and the other segment provides access to lots no. 3, 4, and 5 to the west. The map depicts five building pads with one pad on each single-family residence lot. The depicted pad areas for lots no. 1 through 5 are 18,625 sq. ft., 16,700 sq. ft., 15,300 sq. ft., 11,100 sq. ft., and 70,750 sq. ft., respectively. The open space lot no. 6 is 1.97 acres in size, with 1.34 acres proposed to be landscaped and 0.63 acres proposed to be developed with the private driveway and fire lane. The map notes indicate that construction of residential buildings and accessory structures within lot no. 6 are prohibited and that lot no. 6 shall be dedicated to the Santa Monica Mountains Conservancy or other public agency approved by the Department of Regional Planning.

The proposed revised map depicts that all areas outside of the proposed pad areas and the required fuel modification zones, approximately 105 acres in total, would be set aside as open space by recording a conservation easement. The open space lot was depicted a separate 79-acre open space lot in the approved Vesting Tentative Tract Map No. 52805. 77 acres of such open space lot are now proposed to be included in the lot area for the proposed single-family residence lots. Pursuant to the Conditions of Approval of the approved Vesting Tentative Tract Map No. 52805, the Project applicant was required to execute an agreement to convey the open space lot to the Santa Monica Mountains Conservancy ("Conservancy") and further record

a conservation easement for the benefit of the County and the Conservancy that encompasses all areas outside of the 200-foot fuel modification zone, as depicted on the approved tentative map. The Project proposes to fill in an existing terrain depression area approximately 2.75 acres in size. This terrain depression is located outside of the 200-foot fuel modification zone depicted in the approved vesting tentative map. The filling of the terrain depression, as depicted in the revised map, would reduce the open space set aside area required by Vesting Tentative Tract Map No. 52805 by 2.75 acres.

11. **SITE ACCESS.** The Project Site is accessible via Kanan Road to the south. Access to the Project Site will be via an entrance/exit through the proposed private driveway and fire lane.
12. **PARKING.** The Project does not include the construction of any residences or other uses that require parking, but future development of single-family residences or other permitted uses in Zone A-1 will be required to provide parking consistent with applicable requirements at such time.
13. **INTERNAL CIRCULATION.** Internal circulation and access for the Project will be provided by a 26-foot wide, paved private driveway and fire lane. The private driveway and fire lane connects to Kanan Road and consists of two segments. One segment of the on-site private driveway and fire lane provides access to lots no. 1 and 2 to the east, and the other segment provides access to lots no. 3, 4, and 5 to the west. Lots no. 1 and 5 contain street frontage along Kanan Road but access to the building pad areas is provided along the proposed 26-foot wide private driveway and fire lane. Lots no. 2, 3, and 4 only have frontage along the proposed private driveway and fire lane. Lot no. 6, the open space lot, is sited between Kanan Road and lots no. 2, 3, and 4 and prevents them from maintaining street frontage.
14. **PRE-HEARING PROCEEDINGS.** Prior to the Commission's public hearing on the Project, the permittee individually met with residents neighboring the Project Site to discuss the Project.
15. **COUNTY AGENCY RECCOMENDATIONS.** The Los Angeles County Subdivision Committee consists of representatives of the Departments of Regional Planning ("Regional Planning"), Public Works ("DPW"), Parks and Recreation, Public Health ("Public Health") and the Fire Department. Based on the Subdivision Committee Report dated October 13, 2016 for the map dated September 13, 2016, DPW, Public Health, and Regional Planning did not clear the Project for public hearing and approval. The Fire Department and the Department of Parks and Recreation have cleared the Project. In response to staff's recommendations for Project redesign, the applicant declined to revise the Project and return to the Subdivision Committee for review and possible clearance of existing holds. Instead, the applicant requested to continue to the public hearing with holds from Regional Planning, DPW, and Public Health. The holds for Regional Planning include inconsistency with the land use

policies, hillside development, grading, and scenic resource requirements. The holds for DPW included a request for the applicant to submit evidence that Regional Planning is prepared to recommend waiving street frontage requirements for lots no. 2, 3, and 4 and hydrology report requirements. The hydrology study report was later cleared by DPW in their email dated March 3, 2018 and the Project as a whole was cleared by DPW in their email dated June 26, 2018, which included conditions of approval for the Project. However, the committee report was not updated to remove the hold through the Subdivision Committee review process. The hold from Public Health included a request that the public water provided by Las Virgenes Water District, and public sewer as proposed for wastewater disposal, be evidenced by a current "Will Serve" Letter from the water purveyor prior to approval of the revised vesting tentative map. In their letter dated October 17, 2016, Public Health cleared the hold for the Project, but the committee report was not updated to remove the hold through the Subdivision Committee review process.

16. **CEQA ENVIRONMENTAL DETERMINATION.** Prior to the Commission's public hearing on the Project, Regional Planning staff determined that the Project qualified for a Statutory Exemption-Projects Which Are Disapproved- from the California Environmental Quality Act (Public Resources Code section 15270(a) ("CEQA"), the State CEQA Guidelines, and the Environmental Documents Reporting Procedures and Guidelines for the County, because staff is recommending that the Project be disapproved.
17. **LEGAL NOTIFICATION AND PUBLIC OUTREACH.** Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, property posting, and departmental website posting. A total of 39 postcard notices were mailed out to properties located within the 500-foot radius of the project site and to those on the courtesy mailing list for the Malibu Zoned District.
18. **PUBLIC COMMENTS.** Prior to the Commission's public hearing, and prior to noticing the project for public hearing, the Department of Regional Planning ("Regional Planning") staff received four letters in support of the Project.

Prior to the public hearing, staff received twenty-four (24) letters of opposition to the Project including letters from the Las Virgenes Homeowners Federation, the Topanga Association for a Scenic Community, the Calabasas Highlands Homeowner Association, and Save Open Space-Santa Monica Mountains.

19. **HEARING PROCEEDINGS.** At the August 8, 2018 public hearing, staff gave a presentation to the Commission recommending denial of the Project. Commissioners Louie, Moon, and Shell were present. The applicant's representatives, Mr. Daniel Singh and Mr. Manjvnath Venkaj were sworn in and gave testimony in favor of the Project. The applicant expressed that the project is a request for a minimal change in the grading quantity from the existing approved Vesting Tentative Tract Map No.

52805 and that the approval of the Project would secure the proposed open space for the public benefit. Three members of the public gave testimony in favor of the Project and cited filling of the terrain depression for safety reasons, compatibility with the neighboring development, and securing open space areas as part of the Project.

20. Commissioner Moon questioned why the applicant insisted on proceeding to the public hearing before the Regional Planning Commission and did not continue to work with staff to revise the Project and return to the Subdivision Committee for review and possible clearance of remaining holds.
21. Commissioner Shell asked several questions of staff pertaining to the assessment of the Project's failure to conform to the Santa Monica Mountains North Area Plan. Commissioner Shell further questioned staff about the adequacy of the applicant's responses to the Burden of Proof and if any opposition to the Project had been received.
22. Commissioner Shell made a motion to close the public hearing, find that the Project is statutorily exempt pursuant to state and local guidelines, and deny Revised Vesting Tentative Tract Map No. 52805-1 and Conditional Use Permit No. RPPL2016003948. The motion was seconded by Commissioner Moon.
23. Commissioner Louie asked questions of staff and the applicant to determine the feasibility of continuing the public hearing to allow sufficient time to revise the Project to conform to applicable policies and regulations.
24. Commissioner Shell stated that the Project had already been provided ample opportunity to work with staff and stated her desire to vote on the motion. Commissioners Shell and Louie discussed the opportunity for a continuance. After discussion, the Commission found action on the Project to be statutorily exempt pursuant to state and local guidelines, and denied Revised Vesting Tentative Tract Map No. 52805-1 and Conditional Use Permit No. RPPL2016003948.
25. **VESTING MAP.** The subject tract map was submitted as a "vesting" tentative map. As such, it is subject to the provisions of Sections 21.38.010 through 21.38.080 of the County Code.
26. **PLAN CONSISTENCY.** The Project Site is located within the N20 (Mountain Lands 20) land use category of the Santa Monica Mountains North Area ("SMMNA") Plan. This designation consists of rolling hillside areas, steep slopes, and isolated remote mountain lands with difficult or no access. The maximum allowable residential density in the N20 land use category is one dwelling unit per 20 acres (1du/20ac). The N20 land use designation is intended for low density single-family housing, agriculture, equestrian uses, and other similar local serving uses. The Project is a request to revise an approved vesting tentative tract map to create a total of five single-family residence lots and one open space lot on 107.8 acres, with a revised total of 160,000 cubic yards

of grading, consisting of 80,000 cubic yards of cut and 80,000 cubic yards of fill, balanced on-site. The Project is consistent with the intended uses of the underlying land use category but is not consistent with the policies of the SMMNA Plan, including policies related to Hillside Management, Water Quality, Scenic Resources, Fire Hazards, Development and Open Space, and Pattern and Character of Development.

27. The Commission finds that the Project is not consistent with the applicable Hillside Management policies of the SMMNA Plan, including policy IV-9. The Project proposes to balance 80,000 cubic yards of cut on-site, including fill of 20,000 cubic yards in a terrain depression located in the south west portion of the Project Site. The Project proposes to create building pads for lots no. 1 through 4 that average 15,430 square feet in size. Lot no. 5 is proposed to have a 70,750 square-foot building pad area. The Project Site is located along Kanan Road and south of Lady Face Mountain, which is a prominent landform in the area. The proposed graded slopes for the Project would result in manufactured slopes of up to 60-feet high and located within a Hillside Management Area containing large amounts of area with slopes exceeding 25% grade. The Project has not been sufficiently designed with reduced building pad areas or other comparable design that reduces grading in order to preserve the natural features of the Project Site and surrounding area. The Project has not shown that the additional fill grading is a superior option compared to a reduction of building pad size, export of cut material, or other Project re-design that protects natural landforms and minimizes grading. As proposed, the Project may impact significant natural features and does not seek to minimize grading.
28. The Commission finds that the Project is not consistent with the applicable Hillside Management policies of the SMMNA Plan, including policy IV-10. The Project is located within a hillside management area that contains slopes over 25% grade. The Project proposes to create five flat building pad areas with an average size of 26,495 square feet and would be accessed by a 26-foot-wide private driveway and fire lane that is also located within a Hillside Management Area. The grades of the proposed manufactured slopes are approximately 38% in the areas near building pads for lots no. 1 and 2, 37% near the building pads for lots no. 3, 4, and 5, and approximately 45%, or 2:1 slopes, in the area that is proposed to be created by filling in the terrain depression with the additional requested grading. Such manufactured slopes do not conform to the natural landform and instead create broad slopes and flat pads in an area characterized by steep terrain and irregular slopes. The Project is also proposing to construct a landscape buffer and wall along Kanan Road in an area containing natural slopes greater than 25%. The proposed wall does not conform to the natural landform and impacts scenic resources of the Project Site. As proposed, the Project does not include a design that conforms to the natural landform and does not blend with the natural environment.
29. The Commission finds that the Project is not consistent with the Hillside Management policies of the SMMNA Plan, including policy IV-13. The Project includes a request to create five new single-family residence lots requiring a total of 160,000 cubic yards of

grading. The Project proposes to create five flat building pad areas with an average size of 26,495 square feet and would be accessed by a 26-foot wide private driveway and fire lane. The building pads and private driveway require the creation of manufactured slopes. The grades of the proposed manufactured slopes are approximately 38% in the areas near the building pads for lots no. 1 and 2, approximately 37% near the building pads for lots no. 3, 4, and 5, and approximately 45%, or 2:1 slopes, in the area that is proposed to be created by filling in the terrain depression with the requested additional grading. Such manufactured slopes do not conform to the natural landform and instead create broad slopes and flat pads in an area characterized by steep terrain and irregular slopes. The Project proposes to install landscaping and a buffer wall to screen the Project from Kanan Road. Such wall does not adapt to the natural hillside topography and instead alters the topography to screen the Project from surrounding vantage points. The Project is sited in the southern portion of the Project Site, close to Kanan Road, so as to avoid steeper slopes to the north. However, such design requires the creation of large gentle slopes and additional on-site grading which does not adapt and fit into the natural hillside topography and does not protect natural appearing views from surrounding vantage points.

30. The Commission finds that the Project is not consistent with the Water Quality policies of the SMMNA Plan, including policy IV-24. The Project proposes five building pads for five single-family residence lots with a total area of 132,475 square feet and one flat pad for a partially landscaped open-space lot with a total area of 85,813 square feet. The Project is located in a Very High Fire Hazard Severity Zone, which requires fuel modification with a typical radius of 200 feet from structures. Larger building pads and building site areas require a greater fuel modification area which extends further into the undisturbed natural hillside and requires more vegetation removal. The Project is requesting to fill in a terrain depression with 20,000 cubic yards of on-site cut material. The terrain depression area functions as a storm water detention pit and the slopes surrounding the detention pit to the north, east, and west support native California Coastal Sage/Chamise chaparral vegetation and the upper and middle slopes of the detention pit contain a variety of native vegetation types. The western and eastern banks of the detention pit contain primarily non-native vegetation. The Project would fill the detention pit and impact the native vegetation on the upper and middle slopes or areas surrounding the detention pit. The Project is utilizing large building pad areas with large fuel modification radii instead of smaller building pad areas with smaller fuel modification radii, resulting in a greater amount of vegetation disturbance. The Project proposes to re-vegetate all disturbed areas with native vegetation. However, according to General Goal III of the SMMNA Plan, preserving the natural environmental features includes consciously choosing to protect the natural terrain in its natural state over allowing development projects to proceed simply because impacts can be mitigated.
31. The Commission finds that the Project is not consistent with the Scenic Resource Policies of the SMMNA Plan, including policy IV-30. The Project proposes five building

pads for five single-family residence lots with a total area of 132,475 square feet and one open space lot with a total area of 85,813 square feet. The Project would create manufactured slopes to construct the proposed building pads. The slopes of the proposed manufactured slopes are approximately 38% in the areas near building pads for lots no. 1 and 2, 37% near the building pads for lots no. 3, 4, and 5, and approximately 45%, or 2:1 slopes, in the area the area that is proposed to be created by filling in the terrain depression with the requested additional grading. Such manufactured slopes do not conform to the natural landform and instead create broad slopes and flat pads in an area characterized by steep terrain and irregular slopes. The Project is also proposing to construct a landscape buffer and wall along Kanan Road in an area containing natural slopes greater than 25%. A man-made wall is not likely to blend with the existing terrain to the same extent as the existing undisturbed terrain in the area where the wall is proposed. Additionally, the Project proposes to fill in an existing terrain depression with 20,000 cubic yards of fill grading, resulting in additional man-made slopes. The Project has not been adequately re-designed with smaller building pad areas or other similar design to sufficiently reduce grading quantities. The Project would disturb an additional 125,000 square feet, approximately 2.75 acres, in addition to the three acres of disturbance required to construct the building pad areas and private driveway and fire lane. As a result, the Project is not sufficiently designed to ensure minimal visual disruption of existing settings.

32. The Commission finds that the Project is not consistent with the Fire Hazards policies of the SMMNA Plan, including policy V-10. The Project is located in a Very High Fire Hazard Severity Zone, which requires fuel modification with a typical radius of 200 feet from structures. Larger building pads and building site areas require a larger fuel modification area, which would extend further into the undisturbed natural hillside and requires a greater amount of vegetation removal. The Project also proposes to fill an onsite terrain depression which results in additional vegetation disturbance. The Project is proposing large building pad with large fuel modification radii instead of smaller building pad areas with smaller fuel modification radii, resulting in a greater amount of vegetation disturbance. The Project proposes to revegetate all disturbed areas with native vegetation. However, according to General Goal III of the SMMNA Plan, preserving the natural environmental features includes consciously choosing to protect the natural terrain in its natural state over allowing development projects to proceed simply because impacts can be mitigated. As currently proposed, the Project has not been sufficiently designed to avoid development in fire-hazardous areas with significant biological resources and instead has proposed mitigation measures that would require intrusive fuel breaks and fuel medication areas to protect new development.
33. The Commission finds that the Project is not consistent with the Development and Open Space policies of the SMMNA Plan, including policy VI-3. The Project proposes five building pads for five single-family residence lots with a total area of 132,475 square feet and one open space lot with a total area of 85,813 square feet. The Project would create manufactured slopes to accomplish creation of the proposed building pads. Pursuant to the conditions of approval of the approved Vesting Tentative Tract

Map No. 52805, the Project applicant was required to execute an agreement to convey the open-space lot to the Conservancy and further record a conservation easement for the benefit of the County and the Conservancy that encompasses all areas outside of the 200-foot fuel modification zone, as depicted on the approved tentative map. The Project proposes to fill in an existing terrain depression area that is approximately 2.75 acres in size. This terrain depression is located outside of the 200-foot fuel modification zone depicted in the approved vesting tentative map. The filling of this area would result in new disturbance in an area previously required to be set aside as a conservation easement. It would also create additional man-made slopes or flat areas which do not preserve or maintain the existing diverse topographical features of the Project Site. The filling of the terrain depression would reduce the open space area set aside in the revised map by 2.75 acres, thereby providing less open space than was required by the approved tentative tract map.

34. The Commission finds that the Project is not consistent with the Pattern and Character of Development policies of the SMMNA Plan, including Policy VI-13. The Project proposes five building pads for five single-family residence lots with a total area of 132,475 square feet and one building pad for an open space lot with a total area of 85,813 square feet. The grades of the proposed manufactured slopes are approximately 38% in the areas near the building pads for lots no. 1 and 2, 37% near the building pads for lots no. 3, 4, and 5, and approximately 45%, or 2:1 slopes, in the area that is proposed to be created by filling in the terrain depression with the additional proposed grading. Such manufactured slopes do not conform to the natural landform and instead create broad slopes and flat pads in an area characterized by steep terrain and irregular slopes. The project proposes to fill in an existing terrain depression with 20,000 cubic yards of fill grading rather than reduce the size of the proposed building pad areas to reduce required grading quantities. The proposed design includes man-made forms such as broad slopes, retaining walls, a wall for visual buffering, the creation of manmade slopes and flat areas, and large areas of vegetation clearance required for fire safety around the proposed building pad areas. The large building pads proposed, which have an average area of 26,495 square feet, would reduce the presence and appearance of existing natural features within the hillside area.
35. **ZONING CODE CONSISTENCY.** The Commission finds that the Project would not be consistent with the applicable regulations of the Zoning Code. The Project Site is within Zone A-1-20 (Light Agricultural- 20 Acre Minimum Required Lot Area) and is subject to the following standards:
- *A-1 Zone Development Standards*
The site is zoned A-1-20, which allows for single-family residence uses on a 20-acre minimum required lot size. A maximum of five residential units would be allowed on the approximately 107.8 gross-acre site under Zone A-1-20. The Project proposes to create five new single-family residence lots and one open space lot that would allow for future development of five-single family residences

and accessory structures. The Project proposes minimum lot sizes of at least 20 acres, with four of the building pad areas averaging 15,431 square feet and one building pad area with 70,750 square feet. Therefore, the Project has more than adequate area to accommodate development while observing the minimum required yards. If approved, future development of single-family residences, or other permitted uses in Zone A-1, will be required to comply with all applicable development standards including roofing and exterior siding materials, minimum dimensions and floor area, height limits, and parking.

- *On-Site Grading Project*

Pursuant to Section 22.24.100, a CUP shall be required for any on-site grading project which involves a volume of earth greater than 100,000 cubic yards. The Project includes a request for a CUP and is required to meet the Burden of Proof pursuant to Section 22.56.040. As currently proposed, the Project may impact the health, welfare, peace and comfort of persons residing or working in the surrounding area, may be detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or may jeopardize or otherwise constitute a menace to the public health, safety or general welfare. The Project would create manufactured slopes to accomplish the proposed building pads. Such manufactured slopes do not conform to the natural landform and instead create broad slopes and flat pads in an area characterized by steep terrain and irregular slopes. The Project is also proposing to construct a landscape buffer and wall along Kanan Road in an area containing natural slopes greater than 25%. A man-made wall is not likely to blend in with the existing undisturbed terrain that presently exists in the area where the wall is proposed. The applicant's request cites a market demand for larger pad sizes as a rationale for the proposed design. Such design requires the creation of large gentle slopes and additional on-site grading instead of redesigning the Project to adapt and fit into the natural topography, thereby protecting natural appearing views from surrounding vantage points. The use of large building pads, steep manufactured slopes, a man-made wall, and additional grading activities that cause a greater disturbance to the existing natural terrain does not result in a visual quality that will complement community character and benefit current and future residents.

- *Santa Monica Mountains North Area CSD*

Pursuant to Section 22.4.133.D, a CUP, as provided in Part 1 of Chapter 22.56, shall be required for any grading on a lot or parcel of land, or in connection with any project, that exceeds 5,000 cubic yards of total cut, plus fill material. In addition to the Burden of Proof Requirements of Section 22.56.090.A, additional findings pertaining to the grading shall be made pursuant to Section 22.44.133.D.4.b. The Commission finds that the grading will be performed in a manner that does not minimize disturbance to the natural landscape and terrain through design features for the project such as, but not limited to, locating the building pad in the area of the project site with the least slope, clustering structures, and locating the project close to a paved street traveled by the public. The Commission also does not find

that the grading will be accompanied by other project features that maximize preservation of visual quality and community character through design features such as, but not limited to, reduced structural height, use of architectural features including shape, materials, and color to promote blending with the surrounding environment, and the use of locally indigenous vegetation for concealment of the project. The Project includes a revised total of 160,000 cubic yards of grading, consisting of 80,000 cubic yards of cut and 80,000 cubic yards of fill, balanced on-site. The Project proposes to create five flat building pad areas with an average size of 26,495 square feet, one open space lot that is 1.97 acres in size, and would be accessed by a 26-foot-wide private driveway and fire lane. In order to construct the building pads and private driveway/fire lane, the Project would create manufactured slopes that do not minimize disturbance to the natural landscape and instead create broad slopes and flat pads in an area characterized by steep terrain and irregular slopes. The Project proposes to install landscaping and a buffer wall to screen the Project from Kanan Road. The use of large manufactured slopes, large building pads, and a man-made wall detracts from the visual quality and character of the community.

- *Hillside Management*

Under the Hillside Management Area Ordinance No. 82-0003 applicable to the Project, any residential development that exceeds a certain low-density threshold in a rural hillside management area is required to obtain a Hillside Management CUP ("HM-CUP"). The Project proposes five single-family residence lots and one open space lot, and the low-density threshold calculated for the Project is 8.56. The Project does not exceed the low-density threshold calculated for the Project and therefore, does not require a HM-CUP. Section 22.56.217 of the County Code imposes additional requirements for projects within hillside management areas. The current Hillside Management Areas Ordinance, adopted October 6, 2015, does not apply to the Project because the Project application was submitted on December 2, 2014 and is subject to the previous Hillside Management Areas Ordinance No. 82-0003. Such ordinance stipulates that the maximum density for a proposed development is that which is permitted by the adopted community plan for the area in which the proposed development is located. The Project is subject to the Santa Monica Mountains North Area Plan, N20 land use category, which establishes a density factor of .05 for both slopes of 25-50% and slopes 50% or greater. The Project proposes five single-family residence lots and one open space lot with a maximum allowable density of 5.39 units. The Project is consistent with the residential density for the N20 land use category.

- *Street Frontage*

Section 21.24.290 of the Los Angeles County Subdivision Ordinance requires that all lots in the subdivision of land shall provide street frontage. Section 21.24.040 allows the advisory agency to modify the requirements of Section 21.24.290 where it finds that topographic conditions, title limitations, the pattern of ownership, or the state of development of parcels in the immediate vicinity of a division of land make

the strict application of the provisions of these sections impossible or impractical and that the public health, safety and general welfare will not be adversely affected thereby. The Project requests permission to waive street frontage requirements for lots no. 2, 3, and 4. The Project proposes a 26-foot-wide private driveway and fire lane providing access to all lots within the subdivision. Lots no. 1 and 5 contain street frontage along Kanan Road with access to the building pad areas provided along the proposed 26-foot wide private driveway and fire lane. Lots no. 2, 3, and 4 only have street frontage on the proposed private driveway and fire lane from which they take access. Lot no. 6, the open space lot, is sited between Kanan Road and lots no. 2, 3, and 4 and prevents them from maintaining street frontage. The request for waiver of street frontage is not recommended because the creation of the proposed lot no. 6 is not necessary to meet minimum required area, open-space, or landscaping requirements, and it obstructs street frontage to the proposed single-family residence lots. Alternative designs that provide street frontage for each lot while minimizing grading to preserve the natural and scenic resources of the site are available.

36. **LAND USE COMPATABILITY.** The Commission finds that the Project is not consistent with the Santa Monica Mountains North Area Land Use Plan. The proposed Project is not consistent with the policies related to hillside management, water quality, scenic resources, fire hazards, development and open space, and pattern and character of development.
37. **PHYSICAL SITE SUITABILITY.** The Commission finds that the site is not physically suitable for the type of development proposed. The Project would result in the creation of broad man-made slopes, large building pads, a man-made wall, and additional grading and vegetation disturbance in an area that is characterized by steep and irregular slopes and hillsides, and contains a mixture of natural appearing vegetation that characterize the natural and scenic views of the Project Site and its surroundings. The proposed graded slopes for the Project would result in manufactured slopes of up to 60-feet high, which may impact vistas of the mountain slopes along Kanan Road and the surrounding area. The Project is also proposing to construct a landscape buffer and wall along Kanan Road in an area containing natural slopes greater than 25% which is not a suitable design among the natural rock faces and slopes. The proposed wall also does not conform to the natural landform. The site is not suitable for the proposed large building pads and building site areas because they require a larger fuel modification area which would extend further into the undisturbed natural hillside and require a greater amount of vegetation removal. The existing terrain depression is not suitable for fill grading because the terrain depression and vegetation present in, and around, the terrain depression contributes to the scenic resources of the Project Site and surrounding area.
38. **SEWER DISCHARGE.** The Commission finds that the discharge of sewage from this land division into public sewer system may violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (Commencing with

Section 13000) of the Water Code. In the Subdivision Committee Report dated October 13, 2016, Public Health placed a hold for clearance of the Project. Public Health requested that the public water provided by Las Virgenes Water District, and public sewer as proposed for wastewater disposal, be evidenced by a current "Will Serve" Letter from the water purveyor prior to approval of the revised vesting tentative map. In their letter dated October 17, 2016, Public Health recommended approval of the Project based on the use of public water and public sewer proposed for wastewater disposal, but the committee report was not updated to remove the hold through the Subdivision Committee review process. Accordingly, Public Health has not issued recommendations for conditions of approval to be included in the Project to ensure compliance with all applicable Public Health requirements, including sewer discharge. As such, sewer discharge may not be adequately conditioned to comply with the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (Commencing with Section 13000) of the Water Code.

39. **DESIGN IMPACT – PUBLIC HEALTH.** The Commission finds that the design of the subdivision and the type of improvements may cause serious public health problems, since sewage disposal, storm drainage, and geologic or soils factors may not have been adequately addressed. DPW recommended approval of the Project in their email dated June 26, 2018, which included conditions of approval related to sewage disposal, storm drainage, and geologic or soil factors. Such conditions are required to be met prior to final map approval. However, the Project has not been adequately reviewed under CEQA for potential public health impacts including sewage disposal, storm drainage, and geologic or soils factors. The Project is located in a HMA and contains Landslide Hazard areas which indicate a potential for geological or geotechnical conditions that may require mitigation or Project design alternatives.
40. **WILDLIFE/HABITAT IMPACTS.** The Commission finds that the proposed Project may have potential for an adverse effect on wildlife resources or the habitat upon which, either individually or cumulatively, the wildlife depends. Adequate environmental review under CEQA, including potential Project effects on wildlife resources, was not conducted for the Project due to the current recommendation for denial of the Project. The recommendation for denial of the Project is a result of the applicant's requests to proceed to hearing without re-designing the Project to be consistent with all applicable requirements and policies.
41. **PASSIVE COOLING.** The Commission finds that the design of the subdivision may not provide to the extent feasible, for future passive or natural heating or cooling opportunities therein. Future structures built on the property after subdivision recordation will be required to comply with State and County Green Building standards, which regulate the heating and cooling efficiency of structures for the benefit of the natural environment. The Project has not provided adequate information or design specifications to determine if the subdivision can provide for future passive or natural heating or cooling opportunities.

42. **RIGHTS OF WAY/EASEMENTS.** The Commission finds that the division and development of the property in the manner set forth on this map may unreasonably interfere with the free and complete exercise of public entity and/or public utility rights-of-way and/or easements within this map. DPW recommended approval of the Project in their email dated June 26, 2018, which included conditions of approval related to rights-of-way and easements. Such conditions are required to be met prior to final map approval. Additionally, the street frontage requirements for lots no. 2, 3, and 4 is not recommended to be waived by Regional Planning and therefore the condition of approval for DPW would not be observed as required.
43. **WATERCOURSE IMPACT.** The Commission finds that the Pursuant to Article 3.5 of the Subdivision Map Act, the proposed subdivision does not contain or front upon any public waterway, river, stream, coastline, shoreline, lake, or reservoir.
44. **HOUSING EMPLOYMENT NEEDS.** The Commission finds that the housing and employment needs of the region were considered and balanced against the public service needs of local residents and available fiscal and environmental resources when the project was determined to not be consistent with the Santa Monica Mountains North Area Plan.
45. **PUBLIC NOTICE.** The Commission finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, and newspaper [Malibu Times], and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at the Agoura Hills Library located in the vicinity of the Agoura Hills community. On June 25th, 2018 a total of 39 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as to the courtesy mailing list for the Malibu Zoned District and to any additional interested parties.
46. **LOCATION OF DOCUMENTS.** 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 Land Divisions Section, Department of Regional Planning.

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

- A. The proposed use will not be consistent with the adopted Santa Monica Mountains North Area Plan.
- B. The proposed use at the site will adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will be materially detrimental

to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

- C. The proposed site is not 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.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15270(a) of the State CEQA Guidelines (Projects Which Are Disapproved Statutory Exemption); and
2. Denies Revised Vesting Tentative Tract Map No. 52805-1.

ACTION DATE: 08/08/2018

VOTE: 3-0-0-2

Concurring: Shell, Moon, Louie

Dissenting:

Abstaining:

Absent: Smith, Modugno

SDJ:MAG

08/09/18

**FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
PROJECT NO. 98187-(3)
REVISED VESTING TENTATIVE TRACT MAP NO. 52805-1
CONDITIONAL USE PERMIT NO. RPPL2016003948**

1. **HEARING DATE(s).** The Los Angeles County (“County”) Regional Planning Commission (“Commission”) conducted a duly noticed public hearing on August 8, 2018 in the matter of Revised Vesting Tentative Tract Map No. 52805-1 (“Revised Map”), heard concurrently with Conditional Use Permit No. RPPL2016003948 (“CUP”).
2. **ENTITLEMENTS REQUESTED.** Land Developer Associates Corporation (“Permittee”) requests to revise an approved Vesting Tentative Tract Map No. 52805, which created five single-family residence lots and one open-space lot on 107.8 acres with a total of 120,000 cubic yards of grading, to create a total of five single-family residence lots and one open space lot on 107.8 acres with a revised total of 160,000 cubic yards of total grading, balanced on-site. The revised vesting tentative tract map dated September 13, 2016, depicts five single-family residence lots that are as follows: lot no.1 with 20.01 gross acres, lot no. 2 with 20.01 gross acres, lot no. 3 with 20.00 gross acres, lot no. 4 with 20.01 gross acres, and lot no. 5 with 25.80 gross acres. The revised map also depicts one open space lot which is 1.97 gross acres in size. The Project is further requesting permission to waive the street frontage requirements for lots no. 2, 3, 4, and 5.

The CUP is a request for on-site grading exceeding 100,000 cubic yards and for grading within the Santa Monica Mountains North Area Community Standard District exceeding 5,000 cubic yards. The Project includes a request for a total of 160,000 cubic yards, consisting of 80,000 cubic yards of cut and 80,000 cubic yards of fill, to be balanced on-site. The 60,000 cubic yards of cut authorized in the approved Vesting Tentative Tract Map No. 52805 will be filled and balanced throughout the building pad areas and interior private driveway and fire lane. The additional 20,000 cubic yards of cut requested in the revised map will be balanced on-site by filling 20,000 cubic yards in an existing depression in the terrain located in the southwest corner of the Project Site, adjacent to Kanan Road.

3. **LOCATION.** The Project is located along Kanan Road, approximately 7,900 feet southwest of the intersection of Kanan Road and Cornell Road, in the unincorporated Santa Monica Mountains North Area. The Assessors’ Parcel Number (“APN”) for the subject property is 2063-004-022 (“Project Site”).
4. **TOPOGRAPHY.** The Project Site is 107.8 gross acres in size and consists of one legal lot. The Project Site is irregular in shape with steep sloping topography and is undeveloped except for a small cleared area located in the southern portion of the Project Site, adjacent to Kanan Road.

5. **ZONING.** The Project Site is located in the Malibu Zoned District and is currently zoned A-1-20 (Light Agricultural- 20- Acre Minimum Required Lot Area).
6. **LAND USE CLASSIFICATION.** The Project Site is located within the N20 (Mountain Lands 20) land use category of the Santa Monica Mountains North Area ("SMMNA") Plan, Land Use Policy Map.
7. **SURROUNDING ZONING.** Surrounding Zoning within a 500-foot radius includes:

North: City of Agoura Hills - Agoura Village Specific Plan - Zone G (Open Space)
South: A-1-10 (Light Agricultural - 10 Acre Minimum Required Lot Area) and O-S (Open Space)
East: A-1-20 and RPD-2-0.5U (Residential Planned Development - 2 Acre Minimum Required Lot Area – 0.5 DU/AC)
West: A-1-20
8. **SURROUNDING LAND USES.** Surrounding land uses within a 500-foot radius include:

North: Vacant Land
South: Vacant Land and Single-Family Residences
East: Vacant Land
West: Vacant Land
9. **ZONING HISTORY/PREVIOUS CASES.** The Project Site was zoned A-1-20 on August 20, 2002 by Ordinance No. 2002-0062Z. Prior to the rezoning in 2002, the Project Site was zoned A-1-1 on April 11, 1958 by Ordinance No. 7310. Prior to the rezoning in 1958, the Project Site was zoned M-3 (Unclassified) on December 26, 1956 by Ordinance No. 1494.

There are two previous cases on the subject property, One-Stop Counseling No. R1ST201300063 and Vesting Tentative Tract Map No. 52805, which are described below:

One-Stop Counseling No. R1ST201300063 for a senior housing development was filed on September 9, 2013 and counseling took place on November 6, 2013.

Vesting Tentative Tract Map No. 52805 authorized the subdivision of 107.8 acres into five single-family residence lots and one open-space lot with 120,000 cubic yards of grading and was approved on November 20, 2003. The request initially included a proposal for 11 single-family residence lots and one open space lot with 453,249 cubic yards of grading. The Regional Planning Commission heard the case on May 31, 2000 where they received testimony both in support of, and against, the Project. The Commission discussed the Project and determined the Project included too much grading and was not in compliance with applicable policies, and instructed staff to prepare findings for denial. At their hearing on June 13, 2000 the Regional Planning

Commission gave the applicant the option to redesign the Project in lieu of a denial of the Project. The applicant opted to redesign the Project and March 14, 2001 the Regional Planning commission reviewed a revised proposal containing five single-family residence lots and one open-space lot, with 382,025 cubic yards of grading. Public testimony expressing concerns with the amount of grading and visual impact of the Project was heard by the Commission. The hearing was continued to June 13, 2001 where it was further continued to September 19, 2001 to allow the applicant to re-design the Project in response to concerns with the water systems. At the September 19, 2001 hearing, the Commission instructed the applicant to redesign with smaller pads and grading for foundations only. The hearing was continued to November 19, 2001 and again to January 9, 2002 because the revised map did not clear the subdivision committee in advance of the November 19, 2001 hearing date. At the January 9, 2002 hearing, the Commission closed the public hearing and instructed staff to prepare final conditions and findings for approval. At their hearing dated November 20, 2003 the Commission approved Vesting Tentative Tract Map No. 52805 authorizing the subdivision of 107.8 acres into five single-family residence lots and one open space lot, with 120,000 cubic yards of grading.

10. **MAP AND SITE PLAN DESCRIPTION.** The Revised Map depicts five single-family residence lots on 107.8 acres, located along the north side of Kanan Road. Each lot is at least 20 acres in size with lot no. 5 having the largest lot area with 25.8 acres. The map also depicts a 1.97 acre open-space lot adjacent to Kanan Road. The map depicts access to the site via a 26-foot wide private driveway and fire lane from Kanan Road. One segment of the on-site private driveway and fire lane provides access to lots no. 1 and 2 to the east, and the other segment provides access to lots no. 3, 4, and 5 to the west. The map depicts five building pads with one pad on each single-family residence lot. The depicted pad areas for lots no. 1 through 5 are 18,625 sq. ft., 16,700 sq. ft., 15,300 sq. ft., 11,100 sq. ft., and 70,750 sq. ft., respectively. The open space lot no. 6 is 1.97 acres in size, with 1.34 acres proposed to be landscaped and 0.63 acres proposed to be developed with the private driveway and fire lane. The map notes indicate that construction of residential buildings and accessory structures within lot no. 6 are prohibited and that lot no. 6 shall be dedicated to the Santa Monica Mountains Conservancy or other public agency approved by the Department of Regional Planning.

The proposed revised map depicts that all areas outside of the proposed pad areas and the required fuel modification zones, approximately 105 acres in total, would be set aside as open space by recording a conservation easement. The open space lot was depicted a separate 79-acre open space lot in the approved Vesting Tentative Tract Map No. 52805. 77 acres of such open space lot are now proposed to be included in the lot area for the proposed single-family residence lots. Pursuant to the Conditions of Approval of the approved Vesting Tentative Tract Map No. 52805, the Project applicant was required to execute an agreement to convey the open space lot to the Santa Monica Mountains Conservancy ("Conservancy") and further record a conservation easement for the benefit of the County and the Conservancy that encompasses all areas outside of the 200-foot fuel modification zone, as depicted on

the approved tentative map. The Project proposes to fill in an existing terrain depression area approximately 2.75 acres in size. This terrain depression is located outside of the 200-foot fuel modification zone depicted in the approved vesting tentative map. The filling of the terrain depression, as depicted in the revised map, would reduce the open space set aside area required by Vesting Tentative Tract Map No. 52805 by 2.75 acres.

11. **SITE ACCESS.** The Project Site is accessible via Kanan Road to the south. Access to the Project Site will be via an entrance/exit through the proposed private driveway and fire lane.
12. **PARKING.** The Project does not include the construction of any residences or other uses that require parking, but future development of single-family residences or other permitted uses in Zone A-1 will be required to provide parking consistent with applicable requirements at such time.
13. **INTERNAL CIRCULATION.** Internal circulation and access for the Project will be provided by a 26-foot wide, paved private driveway and fire lane. The private driveway and fire lane connects to Kanan Road and consists of two segments. One segment of the on-site private driveway and fire lane provides access to lots no. 1 and 2 to the east, and the other segment provides access to lots no. 3, 4, and 5 to the west. Lots no. 1 and 5 contain street frontage along Kanan Road but access to the building pad areas is provided along the proposed 26-foot wide private driveway and fire lane. Lots no. 2, 3, and 4 only have frontage along the proposed private driveway and fire lane. Lot no. 6, the open space lot, is sited between Kanan Road and lots no. 2, 3, and 4 and prevents them from maintaining street frontage.
14. **PRE-HEARING PROCEEDINGS.** Prior to the Commission's public hearing on the Project, the permittee individually met with residents neighboring the Project Site to discuss the Project.
15. **COUNTY AGENCY RECCOMENDATIONS.** The Los Angeles County Subdivision Committee consists of representatives of the Departments of Regional Planning ("Regional Planning"), Public Works ("DPW"), Parks and Recreation, Public Health ("Public Health") and the Fire Department. Based on the Subdivision Committee Report dated October 13, 2016 for the map dated September 13, 2016, DPW, Public Health, and Regional Planning did not clear the Project for public hearing and approval. The Fire Department and the Department of Parks and Recreation have cleared the Project. In response to staff's recommendations for Project redesign, the applicant declined to revise the Project and return to the Subdivision Committee for review and possible clearance of existing holds. Instead, the applicant requested to continue to the public hearing with holds from Regional Planning, DPW, and Public Health. The holds for Regional Planning include inconsistency with the land use policies, hillside development, grading, and scenic resource requirements. The holds for DPW included a request for the applicant to submit evidence that Regional Planning is prepared to recommend waiving street frontage requirements for lots no.

2, 3, and 4 and hydrology report requirements. The hydrology study report was later cleared by DPW in their email dated March 3, 2018 and the Project as a whole was cleared by DPW in their email dated June 26, 2018, which included conditions of approval for the Project. However, the committee report was not updated to remove the hold through the Subdivision Committee review process. The hold from Public Health included a request that the public water provided by Las Virgenes Water District, and public sewer as proposed for wastewater disposal, be evidenced by a current "Will Serve" Letter from the water purveyor prior to approval of the revised vesting tentative map. In their letter dated October 17, 2016, Public Health cleared the hold for the Project, but the committee report was not updated to remove the hold through the Subdivision Committee review process.

16. **CEQA ENVIRONMENTAL DETERMINATION.** Prior to the Commission's public hearing on the Project, Regional Planning staff determined that the Project qualified for a Statutory Exemption-Projects Which Are Disapproved- from the California Environmental Quality Act (Public Resources Code section 15270(a) ("CEQA"), the State CEQA Guidelines, and the Environmental Documents Reporting Procedures and Guidelines for the County, because staff is recommending that the Project be disapproved.
17. **LEGAL NOTIFICATION AND PUBLIC OUTREACH.** Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, property posting, and departmental website posting. A total of 39 postcard notices were mailed out to properties located within the 500-foot radius of the project site and to those on the courtesy mailing list for the Malibu Zoned District.
18. **PUBLIC COMMENTS.** Prior to the Commission's public hearing, and prior to noticing the project for public hearing, the Department of Regional Planning ("Regional Planning") staff received four letters in support of the Project.
19. **HEARING PROCEEDINGS.** At the August 8, 2018 public hearing, staff gave a presentation to the Commission recommending denial of the Project. Commissioners Louie, Moon, and Shell were present. The applicant's representatives, Mr. Daniel Singh and Mr. Manjvnath Venkaj were sworn in and gave testimony in favor of the Project. The applicant expressed that the project is a request for a minimal change in the grading quantity from the existing approved Vesting Tentative Tract Map No. 52805 and that the approval of the Project would secure the proposed open space for the public benefit. Three members of the public gave testimony in favor of the Project and cited filling of the terrain depression for safety reasons, compatibility with the neighboring development, and securing open space areas as part of the Project.
20. Commissioner Moon questioned why the applicant insisted on proceeding to the public hearing before the Regional Planning Commission and did not continue to work with staff to revise the Project and return to the Subdivision Committee for review and possible clearance of remaining holds.

21. Commissioner Shell asked several questions of staff pertaining to the assessment of the Project's failure to conform to the Santa Monica Mountains North Area Plan. Commissioner Shell further questioned staff about the adequacy of the applicant's responses to the Burden of Proof and if any opposition to the Project had been received.
22. Commissioner Shell made a motion to close the public hearing, find that the Project is statutorily exempt pursuant to state and local guidelines, and deny Revised Vesting Tentative Tract Map No. 52805-1 and Conditional Use Permit No. RPPL2016003948. The motion was seconded by Commissioner Moon.
23. Commissioner Louie asked questions of staff and the applicant to determine the feasibility of continuing the public hearing to allow sufficient time to revise the Project to conform to applicable policies and regulations.
24. Commissioner Shell stated that the Project had already been provided ample opportunity to work with staff and stated her desire to vote on the motion. Commissioners Shell and Louie discussed the opportunity for a continuance. After discussion, the Commission found action on the Project to be statutorily exempt pursuant to state and local guidelines, and denied Revised Vesting Tentative Tract Map No. 52805-1 and Conditional Use Permit No. RPPL2016003948.
25. **VESTING MAP.** The subject tract map was submitted as a "vesting" tentative map. As such, it is subject to the provisions of Sections 21.38.010 through 21.38.080 of the County Code.
26. **PLAN CONSISTENCY.** The Project Site is located within the N20 (Mountain Lands 20) land use category of the Santa Monica Mountains North Area ("SMMNA") Plan. This designation consists of rolling hillside areas, steep slopes, and isolated remote mountain lands with difficult or no access. The maximum allowable residential density in the N20 land use category is one dwelling unit per 20 acres (1du/20ac). The N20 land use designation is intended for low density single-family housing, agriculture, equestrian uses, and other similar local serving uses. The Project is a request to revise an approved vesting tentative tract map to create a total of five single-family residence lots and one open space lot on 107.8 acres, with a revised total of 160,000 cubic yards of grading, consisting of 80,000 cubic yards of cut and 80,000 cubic yards of fill, balanced on-site. The Project is consistent with the intended uses of the underlying land use category but is not consistent with the policies of the SMMNA Plan, including policies related to Hillside Management, Water Quality, Scenic Resources, Fire Hazards, Development and Open Space, and Pattern and Character of Development.
27. The Commission finds that the Project is not consistent with the applicable Hillside Management policies of the SMMNA Plan, including policy IV-9. The Project proposes to balance 80,000 cubic yards of cut on-site, including fill of 20,000 cubic yards in a terrain depression located in the south west portion of the Project Site. The Project

proposes to create building pads for lots no. 1 through 4 that average 15,430 square feet in size. Lot no. 5 is proposed to have a 70,750 square-foot building pad area. The Project Site is located along Kanan Road and south of Lady Face Mountain, which is a prominent landform in the area. The proposed graded slopes for the Project would result in manufactured slopes of up to 60-feet high and located within a Hillside Management Area containing large amounts of area with slopes exceeding 25% grade. The Project has not been sufficiently designed with reduced building pad areas or other comparable design that reduces grading in order to preserve the natural features of the Project Site and surrounding area. The Project has not shown that the additional fill grading is a superior option compared to a reduction of building pad size, export of cut material, or other Project re-design that protects natural landforms and minimizes grading. As proposed, the Project may impact significant natural features and does not seek to minimize grading.

28. The Commission finds that the Project is not consistent with the applicable Hillside Management policies of the SMMNA Plan, including policy IV-10. The Project is located within a hillside management area that contains slopes over 25% grade. The Project proposes to create five flat building pad areas with an average size of 26,495 square feet and would be accessed by a 26-foot-wide private driveway and fire lane that is also located within a Hillside Management Area. The grades of the proposed manufactured slopes are approximately 38% in the areas near building pads for lots no. 1 and 2, 37% near the building pads for lots no. 3, 4, and 5, and approximately 45%, or 2:1 slopes, in the area that is proposed to be created by filling in the terrain depression with the additional requested grading. Such manufactured slopes do not conform to the natural landform and instead create broad slopes and flat pads in an area characterized by steep terrain and irregular slopes. The Project is also proposing to construct a landscape buffer and wall along Kanan Road in an area containing natural slopes greater than 25%. The proposed wall does not conform to the natural landform and impacts scenic resources of the Project Site. As proposed, the Project does not include a design that conforms to the natural landform and does not blend with the natural environment.
29. The Commission finds that the Project is not consistent with the Hillside Management policies of the SMMNA Plan, including policy IV-13. The Project includes a request to create five new single-family residence lots requiring a total of 160,000 cubic yards of grading. The Project proposes to create five flat building pad areas with an average size of 26,495 square feet and would be accessed by a 26-foot wide private driveway and fire lane. The building pads and private driveway require the creation of manufactured slopes. The grades of the proposed manufactured slopes are approximately 38% in the areas near the building pads for lots no. 1 and 2, approximately 37% near the building pads for lots no. 3, 4, and 5, and approximately 45%, or 2:1 slopes, in the area that is proposed to be created by filling in the terrain depression with the requested additional grading. Such manufactured slopes do not conform to the natural landform and instead create broad slopes and flat pads in an area characterized by steep terrain and irregular slopes. The Project proposes to install landscaping and a buffer wall to screen the Project from Kanan Road. Such wall

does not adapt to the natural hillside topography and instead alters the topography to screen the Project from surrounding vantage points. The Project is sited in the southern portion of the Project Site, close to Kanan Road, so as to avoid steeper slopes to the north. However, such design requires the creation of large gentle slopes and additional on-site grading which does not adapt and fit into the natural hillside topography and does not protect natural appearing views from surrounding vantage points.

30. The Commission finds that the Project is not consistent with the Water Quality policies of the SMMNA Plan, including policy IV-24. The Project proposes five building pads for five single-family residence lots with a total area of 132,475 square feet and one flat pad for a partially landscaped open-space lot with a total area of 85,813 square feet. The Project is located in a Very High Fire Hazard Severity Zone, which requires fuel modification with a typical radius of 200 feet from structures. Larger building pads and building site areas require a greater fuel modification area which extends further into the undisturbed natural hillside and requires more vegetation removal. The Project is requesting to fill in a terrain depression with 20,000 cubic yards of on-site cut material. The terrain depression area functions as a storm water detention pit and the slopes surrounding the detention pit to the north, east, and west support native California Coastal Sage/Chamise chaparral vegetation and the upper and middle slopes of the detention pit contain a variety of native vegetation types. The western and eastern banks of the detention pit contain primarily non-native vegetation. The Project would fill the detention pit and impact the native vegetation on the upper and middle slopes or areas surrounding the detention pit. The Project is utilizing large building pad areas with large fuel modification radii instead of smaller building pad areas with smaller fuel modification radii, resulting in a greater amount of vegetation disturbance. The Project proposes to re-vegetate all disturbed areas with native vegetation. However, according to General Goal III of the SMMNA Plan, preserving the natural environmental features includes consciously choosing to protect the natural terrain in its natural state over allowing development projects to proceed simply because impacts can be mitigated.
31. The Commission finds that the Project is not consistent with the Scenic Resource Policies of the SMMNA Plan, including policy IV-30. The Project proposes five building pads for five single-family residence lots with a total area of 132,475 square feet and one open space lot with a total area of 85,813 square feet. The Project would create manufactured slopes to construct the proposed building pads. The slopes of the proposed manufactured slopes are approximately 38% in the areas near building pads for lots no. 1 and 2, 37% near the building pads for lots no. 3, 4, and 5, and approximately 45%, or 2:1 slopes, in the area the area that is proposed to be created by filling in the terrain depression with the requested additional grading. Such manufactured slopes do not conform to the natural landform and instead create broad slopes and flat pads in an area characterized by steep terrain and irregular slopes. The Project is also proposing to construct a landscape buffer and wall along Kanan Road in an area containing natural slopes greater than 25%. A man-made wall is not likely to blend with the existing terrain to the same extent as the existing undisturbed

terrain in the area where the wall is proposed. Additionally, the Project proposes to fill in an existing terrain depression with 20,000 cubic yards of fill grading, resulting in additional man-made slopes. The Project has not been adequately re-designed with smaller building pad areas or other similar design to sufficiently reduce grading quantities. The Project would disturb an additional 125,000 square feet, approximately 2.75 acres, in addition to the three acres of disturbance required to construct the building pad areas and private driveway and fire lane. As a result, the Project is not sufficiently designed to ensure minimal visual disruption of existing settings.

32. The Commission finds that the Project is not consistent with the Fire Hazards policies of the SMMNA Plan, including policy V-10. The Project is located in a Very High Fire Hazard Severity Zone, which requires fuel modification with a typical radius of 200 feet from structures. Larger building pads and building site areas require a larger fuel modification area, which would extend further into the undisturbed natural hillside and requires a greater amount of vegetation removal. The Project also proposes to fill an onsite terrain depression which results in additional vegetation disturbance. The Project is proposing large building pad with large fuel modification radii instead of smaller building pad areas with smaller fuel modification radii, resulting in a greater amount of vegetation disturbance. The Project proposes to revegetate all disturbed areas with native vegetation. However, according to General Goal III of the SMMNA Plan, preserving the natural environmental features includes consciously choosing to protect the natural terrain in its natural state over allowing development projects to proceed simply because impacts can be mitigated. As currently proposed, the Project has not been sufficiently designed to avoid development in fire-hazardous areas with significant biological resources and instead has proposed mitigation measures that would require intrusive fuel breaks and fuel medication areas to protect new development.
33. The Commission finds that the Project is not consistent with the Development and Open Space policies of the SMMNA Plan, including policy VI-3. The Project proposes five building pads for five single-family residence lots with a total area of 132,475 square feet and one open space lot with a total area of 85,813 square feet. The Project would create manufactured slopes to accomplish creation of the proposed building pads. Pursuant to the conditions of approval of the approved Vesting Tentative Tract Map No. 52805, the Project applicant was required to execute an agreement to convey the open-space lot to the Conservancy and further record a conservation easement for the benefit of the County and the Conservancy that encompasses all areas outside of the 200-foot fuel modification zone, as depicted on the approved tentative map. The Project proposes to fill in an existing terrain depression area that is approximately 2.75 acres in size. This terrain depression is located outside of the 200-foot fuel modification zone depicted in the approved vesting tentative map. The filling of this area would result in new disturbance in an area previously required to be set aside as a conservation easement. It would also create additional man-made slopes or flat areas which do not preserve or maintain the existing diverse topographical features of the Project Site. The filling of the terrain depression would reduce the open space

area set aside in the revised map by 2.75 acres, thereby providing less open space than was required by the approved tentative tract map.

34. The Commission finds that the Project is not consistent with the Pattern and Character of Development policies of the SMMNA Plan, including Policy VI-13. The Project proposes five building pads for five single-family residence lots with a total area of 132,475 square feet and one building pad for an open space lot with a total area of 85,813 square feet. The grades of the proposed manufactured slopes are approximately 38% in the areas near the building pads for lots no. 1 and 2, 37% near the building pads for lots no. 3, 4, and 5, and approximately 45%, or 2:1 slopes, in the area that is proposed to be created by filling in the terrain depression with the additional proposed grading. Such manufactured slopes do not conform to the natural landform and instead create broad slopes and flat pads in an area characterized by steep terrain and irregular slopes. The project proposes to fill in an existing terrain depression with 20,000 cubic yards of fill grading rather than reduce the size of the proposed building pad areas to reduce required grading quantities. The proposed design includes man-made forms such as broad slopes, retaining walls, a wall for visual buffering, the creation of manmade slopes and flat areas, and large areas of vegetation clearance required for fire safety around the proposed building pad areas. The large building pads proposed, which have an average area of 26,495 square feet, would reduce the presence and appearance of existing natural features within the hillside area.
35. **ZONING CODE CONSISTENCY.** The Commission finds that the Project would not be consistent with the applicable regulations of the Zoning Code. The Project Site is within Zone A-1-20 (Light Agricultural- 20 Acre Minimum Required Lot Area) and is subject to the following standards:
- *A-1 Zone Development Standards*
The site is zoned A-1-20, which allows for single-family residence uses on a 20-acre minimum required lot size. A maximum of five residential units would be allowed on the approximately 107.8 gross-acre site under Zone A-1-20. The Project proposes to create five new single-family residence lots and one open space lot that would allow for future development of five-single family residences and accessory structures. The Project proposes minimum lot sizes of at least 20 acres, with four of the building pad areas averaging 15,431 square feet and one building pad area with 70,750 square feet. Therefore, the Project has more than adequate area to accommodate development while observing the minimum required yards. If approved, future development of single-family residences, or other permitted uses in Zone A-1, will be required to comply with all applicable development standards including roofing and exterior siding materials, minimum dimensions and floor area, height limits, and parking.
 - *On-Site Grading Project*
Pursuant to Section 22.24.100, a CUP shall be required for any on-site grading project which involves a volume of earth greater than 100,000 cubic yards. The

Project includes a request for a CUP and is required to meet the Burden of Proof pursuant to Section 22.56.040. As currently proposed, the Project may impact the health, welfare, peace and comfort of persons residing or working in the surrounding area, may be detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or may jeopardize or otherwise constitute a menace to the public health, safety or general welfare. The Project would create manufactured slopes to accomplish the proposed building pads. Such manufactured slopes do not conform to the natural landform and instead create broad slopes and flat pads in an area characterized by steep terrain and irregular slopes. The Project is also proposing to construct a landscape buffer and wall along Kanan Road in an area containing natural slopes greater than 25%. A man-made wall is not likely to blend in with the existing undisturbed terrain that presently exists in the area where the wall is proposed. The applicant's request cites a market demand for larger pad sizes as a rationale for the proposed design. Such design requires the creation of large gentle slopes and additional on-site grading instead of redesigning the Project to adapt and fit into the natural topography, thereby protecting natural appearing views from surrounding vantage points. The use of large building pads, steep manufactured slopes, a man-made wall, and additional grading activities that cause a greater disturbance to the existing natural terrain does not result in a visual quality that will complement community character and benefit current and future residents.

- *Santa Monica Mountains North Area CSD*
Pursuant to Section 22.4.133.D, a CUP, as provided in Part 1 of Chapter 22.56, shall be required for any grading on a lot or parcel of land, or in connection with any project, that exceeds 5,000 cubic yards of total cut, plus fill material. In addition to the Burden of Proof Requirements of Section 22.56.090.A, additional findings pertaining to the grading shall be made pursuant to Section 22.44.133.D.4.b. The Commission finds that the grading will be performed in a manner that does not minimize disturbance to the natural landscape and terrain through design features for the project such as, but not limited to, locating the building pad in the area of the project site with the least slope, clustering structures, and locating the project close to a paved street traveled by the public. The Commission also does not find that the grading will be accompanied by other project features that maximize preservation of visual quality and community character through design features such as, but not limited to, reduced structural height, use of architectural features including shape, materials, and color to promote blending with the surrounding environment, and the use of locally indigenous vegetation for concealment of the project. The Project includes a revised total of 160,000 cubic yards of grading, consisting of 80,000 cubic yards of cut and 80,000 cubic yards of fill, balanced on-site. The Project proposes to create five flat building pad areas with an average size of 26,495 square feet, one open space lot that is 1.97 acres in size, and would be accessed by a 26-foot-wide private driveway and fire lane. In order to construct the building pads and private driveway/fire lane, the Project would create manufactured slopes that do not minimize disturbance to the natural landscape and instead create broad slopes and flat pads in an area characterized by steep

terrain and irregular slopes. The Project proposes to install landscaping and a buffer wall to screen the Project from Kanan Road. The use of large manufactured slopes, large building pads, and a man-made wall detracts from the visual quality and character of the community.

- *Hillside Management*

Under the Hillside Management Area Ordinance No. 82-0003 applicable to the Project, any residential development that exceeds a certain low-density threshold in a rural hillside management area is required to obtain a Hillside Management CUP ("HM-CUP"). The Project proposes five single-family residence lots and one open space lot, and the low-density threshold calculated for the Project is 8.56. The Project does not exceed the low-density threshold calculated for the Project and therefore, does not require a HM-CUP. Section 22.56.217 of the County Code imposes additional requirements for projects within hillside management areas. The current Hillside Management Areas Ordinance, adopted October 6, 2015, does not apply to the Project because the Project application was submitted on December 2, 2014 and is subject to the previous Hillside Management Areas Ordinance No. 82-0003. Such ordinance stipulates that the maximum density for a proposed development is that which is permitted by the adopted community plan for the area in which the proposed development is located. The Project is subject to the Santa Monica Mountains North Area Plan, N20 land use category, which establishes a density factor of .05 for both slopes of 25-50% and slopes 50% or greater. The Project proposes five single-family residence lots and one open space lot with a maximum allowable density of 5.39 units. The Project is consistent with the residential density for the N20 land use category.

- *Street Frontage*

Section 21.24.290 of the Los Angeles County Subdivision Ordinance requires that all lots in the subdivision of land shall provide street frontage. Section 21.24.040 allows the advisory agency to modify the requirements of Section 21.24.290 where it finds that topographic conditions, title limitations, the pattern of ownership, or the state of development of parcels in the immediate vicinity of a division of land make the strict application of the provisions of these sections impossible or impractical and that the public health, safety and general welfare will not be adversely affected thereby. The Project requests permission to waive street frontage requirements for lots no. 2, 3, and 4. The Project proposes a 26-foot-wide private driveway and fire lane providing access to all lots within the subdivision. Lots no. 1 and 5 contain street frontage along Kanan Road with access to the building pad areas provided along the proposed 26-foot wide private driveway and fire lane. Lots no. 2, 3, and 4 only have street frontage on the proposed private driveway and fire lane from which they take access. Lot no. 6, the open space lot, is sited between Kanan Road and lots no. 2, 3, and 4 and prevents them from maintaining street frontage. The request for waiver of street frontage is not recommended because the creation of the proposed lot no. 6 is not necessary to meet minimum required area, open-space, or landscaping requirements, and it obstructs street frontage to the proposed single-family residence lots. Alternative designs that provide street

frontage for each lot while minimizing grading to preserve the natural and scenic resources of the site are available.

36. **LAND USE COMPATABILITY.** The Commission finds that the Project is not consistent with the Santa Monica Mountains North Area Land Use Plan. The proposed Project is not consistent with the policies related to hillside management, water quality, scenic resources, fire hazards, development and open space, and pattern and character of development.
37. **PHYSICAL SITE SUITABILITY.** The Commission finds that the site is not physically suitable for the type of development proposed. The Project would result in the creation of broad man-made slopes, large building pads, a man-made wall, and additional grading and vegetation disturbance in an area that is characterized by steep and irregular slopes and hillsides, and contains a mixture of natural appearing vegetation that characterize the natural and scenic views of the Project Site and its surroundings. The proposed graded slopes for the Project would result in manufactured slopes of up to 60-feet high, which may impact vistas of the mountain slopes along Kanan Road and the surrounding area. The Project is also proposing to construct a landscape buffer and wall along Kanan Road in an area containing natural slopes greater than 25% which is not a suitable design among the natural rock faces and slopes. The proposed wall also does not conform to the natural landform. The site is not suitable for the proposed large building pads and building site areas because they require a larger fuel modification area which would extend further into the undisturbed natural hillside and require a greater amount of vegetation removal. The existing terrain depression is not suitable for fill grading because the terrain depression and vegetation present in, and around, the terrain depression contributes to the scenic resources of the Project Site and surrounding area.
38. **COMPATIBILITY WITH SUROUNDINGS.** The Commission finds that the requested use at the location will adversely affect the health, peace, comfort, or welfare or persons residing or working in the surrounding area; be detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, or jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare. The Project would create manufactured slopes to accomplish the proposed building pads. Such manufactured slopes do not conform to the natural landform and instead create broad slopes and flat pads in an area characterized by steep terrain and irregular slopes. The Project is also proposing to construct a landscape buffer and wall along Kanan Road in an area containing natural slopes greater than 25%. A man-made wall is not likely to blend in with the existing terrain and will impact scenic resources within the Project Site. The Project has not been sufficiently designed with reduced building pad areas or other comparable design that reduces the amount of grading required for the Project. The Project has also not shown that the additional proposed grading is necessary for the safety of current and future residents. The total area of disturbance under the approved Vesting Tentative Tract Map No. 52805 is approximately three acres. The Project is requesting an additional 2.75 acres of disturbance through the revised map application, for a total

of 5.75 acres of disturbance on the Project Site. The area containing the terrain depression, in which the additional grading fill is proposed, was required to be set aside as open space by the Conditions of Approval and Mitigation and Monitoring Reporting Program of the approved Vesting Tentative Tract Map No. 52805, through a conservation easement to encompass all areas located outside of the 200-foot fuel modification zones depicted on the tentative map.

39. **DEVELOPMENT STANDARDS.** The Commission finds that the proposed site is not adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 21 (Subdivision Code) and Title 22 (Zoning Code), or as is otherwise required in order to integrate said use with the uses in the surrounding area. The Project would not substantially comply with the development standards of the Zoning Code because the Project does not comply with the CUP requirements for an On-site Grading Project, or grading exceeding 5,000 cubic yards within the Santa Monica Mountains North Area CSD. The proposed Project design requires the creation of large gentle slopes and additional on-site grading, instead of redesigning the Project to adapt and fit into the natural hillside topography, thereby protecting natural appearing views from surrounding vantage points. The use of large building pads, steep manufactured slopes, a man-made wall, and additional grading activities that cause a greater disturbance to the existing natural terrain does not result in a visual quality that will complement community character or benefit current and future residents.
40. **ADEQUATE STREETS.** The Commission finds that the proposed site is not 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, including provisions ensuring adequate highways or streets to serve the proposed Project. The Project is proposing an on-site private driveway and fire lane taking access from Kanan Road. DPW recommended approval of the Project in their email dated June 26, 2018, which included conditions of approval related to rights-of-way, driveways, easements, and turn lane improvements on Kanan Road. Such conditions are required to be met prior to final map approval. The street frontage requirements for lots no. 2, 3, and 4 is not recommended to be waived by Regional Planning and therefore the condition of approval for DPW would not be observed as required. Additionally, traffic impacts have not been adequately evaluated under CEQA due to the current recommendation for denial of the Project. The recommendation for denial of the Project is a result of the applicant's requests to proceed to hearing without re-designing the Project to be consistent with all applicable requirements and policies.
41. **CSD GRADING REQUIREMENTS.** The Commission finds that that the grading will not be performed in a manner that minimizes disturbance to the natural landscape and terrain through design features for the project such as, but not limited to, locating the building pad in the area of the project site with the least slope, clustering structures, and locating the project close to a paved street traveled by the public. The Commission further finds that the grading will not be accompanied by other project

features that maximize preservation of visual quality and community character through design features such as, but not limited to, reduced structural height, use of architectural features including shape, materials, and color to promote blending with the surrounding environment, and the use of locally indigenous vegetation for concealment of the project. The Project includes a revised total of 160,000 cubic yards of grading, consisting of 80,000 cubic yards of cut and 80,000 cubic yards of fill, balanced on-site. The Project proposes to create five flat building pad areas with an average size of 26,495 square feet, one open-space lot that is 1.97 acres in size, and would be accessed by a 26-foot-wide private driveway and fire lane. In order to construct the building pads and private driveway/fire lane, the Project would create manufactured slopes that do not minimize disturbance to the natural landscape and instead create broad slopes and flat pads in an area characterized by steep terrain and irregular slopes. The Project proposes to install landscaping and a buffer wall to screen the Project from Kanan Road. The use of large manufactured slopes, large building pads, and a man-made wall detracts from the visual quality and character of the community.

42. **PUBLIC NOTICE.** The Commission finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, and newspaper [Malibu Times], and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at the Agoura Hills Library located in the vicinity of the Agoura Hills community. On June 25th, 2018 a total of 39 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as to the courtesy mailing list for the Malibu Zoned District and to any additional interested parties.
43. **LOCATION OF DOCUMENTS.** 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 Land Divisions Section, Department of Regional Planning.

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

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

- C. The proposed site is not adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. The proposed site is not 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.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

- 1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15270(a) of the State CEQA Guidelines (Projects Which Are Disapproved Statutory Exemption); and
- 2. Denies Conditional Use Permit No. RPPL2016003948.

ACTION DATE: 08/08/2018

VOTE: 3-0-0-2

Concurring: Shell, Moon, Louie

Dissenting:

Abstaining:

Absent: Smith, Modugno

SDJ:MAG

08/09/18



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Amy J. Bodek, AICP
Director

July 24, 2018

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

FROM: Martin Gies, AICP, Senior Regional Planner *MG*
Land Divisions Section

SUBJECT: Project No. 98187-(3)
Revised Vesting Tentative Tract Map No. 52805-1
Conditional Use Permit No. RPPL2016003948
RPC Meeting: August 8, 2018
Agenda Item: 7

ENTITLEMENTS REQUESTED

A revised tentative tract map to create five single-family residence lots and one open-space lot on 107.8 acres with 160,000 cubic yards of grading, and a Conditional Use Permit ("CUP") for on-site grading exceeding 100,000 cubic yards and for grading within the Santa Monica Mountains North Area Community Standards District ("CSD") exceeding 5,000 cubic yards ("Project"), in Zone A-1-20 (Light Agricultural-20 Acre Minimum Required Lot Area), pursuant to County Code Sections 21.40.010, 22.24.100, and 22.44.133(D)(4)(b).

LOCATION

The subject property is located along Kanan Road, approximately 7,900 feet southwest of the intersection of Kanan Road and Cornell Road, in the unincorporated Santa Monica Mountains North Area (Attachment B- Project Location Map). The Assessors' Parcel Number ("APN") for the subject property is 2063-004-022 ("Project Site").

PROJECT DESCRIPTION

The Project is a request to revise the approved Vesting Tentative Tract Map No. 52805 (Attachment L- VTTM No. 52805), which created five single-family lots and one open-space lot on 107.8 acres with a total of 120,000 cubic yards of grading, to create a revised total of five single-family residence lots and one open-space lot on 107.8 acres, with a total of 160,000 cubic yards of total grading, consisting of 80,000 cubic yards of cut and 80,000 cubic yards of fill, balanced on-site. The Project also includes a request for a CUP for on-site grading exceeding 100,000 cubic yards and for grading within the Santa

Monica Mountains North Area Community Standard District exceeding 5,000 cubic yards. The applicant's request states that during the staff review and public hearing process with the Regional Planning Commission for Vesting Tentative Tract Map No. 52805, occurring between 2001 and 2003, several revisions were made and the applicant's civil engineer neglected to update the grading quantities. The request states that as a result, additional grading is now required to complete the approved vesting tentative tract map. The 60,000 cubic yards of cut originally authorized in the approved vesting tentative tract map will be filled and balanced throughout the building pad areas and interior Project driveway. The additional 20,000 cubic yards of cut is proposed to be balanced on-site by filling 20,000 cubic yards in an existing terrain depression located in the southwest corner of the Project Site, adjacent to Kanan Road. The applicant's request states that export of the additional 20,000 cubic yards of grading material would require approximately 1,400 truck trips. The area in which the additional grading fill is proposed was required to be set aside as open space by the conditions of approval and Mitigation and Monitoring Reporting Program ("MMRP") of the approved Vesting Tentative Tract Map No. 52805 (Attachement M-VTTM No. 52805 Findings, Conditions, MMRP), through a conservation easement to encompass all areas located outside of the 200-foot fuel modification zones depicted on the tentative map. The Project would disturb an additional 2.75 acres of the Project Site, resulting in a total of 5.75 acres of disturbance. The Project is further requesting permission to waive street frontage requirements for lots no. 2, 3, 4, and 5. Vesting Tentative Tract Map No. 52805 was approved by the Regional Planning Commission on November 20, 2003. The Department of Regional Planning received a requested for Final Map clearance on March 13, 2007 and June 18, 2007. The Department of Regional Planning ("Regional Planning") issued a letter to the Department of Public Works ("DPW") on August 21, 2007 with a recommendation to withhold final map clearance for non-compliance with the conditions for Vesting Tentative Tract Map No. 52805. As of the date of preparation of this staff analysis, the final map has not been recommended for clearance by Regional Planning and the final map has not been cleared and/or recorded by DPW. The current time extension for the approved Vesting Tentative Tract Map No. 52805 expires on November 20, 2018. There are no further time extensions available for Vesting Tentative Tract Map No. 52805.

The applicant filed an initial submittal for the Revised Vesting Tentative Tract Map No. 52805-1 with additional grading, on December 12, 2014 and received a Subdivision Committee Meeting ("SCM") report dated January 1, 2015 (Attachment E- Subdivision Committee Reports). The SCM report contained holds on the clearance of the revised vesting tentative tract map from the Regional Planning, DPW, and the Department of Public Health ("Public Health"). On June 14, 2016, staff issued a Notice of Denial Due to Inactivity to the applicant and requested that a map revision be submitted by September 14, 2016 to avoid denial due to inactivity. Subsequently, the applicant submitted a first revision to the revised tentative tract map application on September 13, 2016. Accordingly, staff issued a memo to the Hearing Officer on September 13, 2016, requesting that the public hearing discussion item be continued to a date certain. On

October 13, 2016, the Department issued a SCM report (Attachment E- Subdivision Committee Reports) containing holds from the Regional Planning, DPW, and Public Health. Following the Subdivision Committee meeting on October 20, 2016, staff issued a memo to the Hearing Officer dated November 23, 2016, requesting that the item be removed from the calendar for denial due to inactivity to allow further processing of the application. As of the date of preparation of this staff analysis, the Project has holds from the Regional Planning and the applicant has requested to proceed to the public hearing for the Project with the remaining holds from Regional Planning.

MAP DESCRIPTION

The map (Attachment J- Revised VTTM No. 52805-1) depicts five single-family residence lots on 107.8 acres, located along the north side of Kanan Road. Each lot is at least 20 acres in size, with lot no. 5 having the largest lot area with 25.8 acres. The map also depicts a 1.97 acre open-space lot adjacent to Kanan Road. The map depicts access to the site along a 26-foot wide private driveway and fire lane from Kanan Road. One segment of the private driveway and fire lane provides access to lots no. 1 and 2 to the east, and the other segment provides access to lots no. 3, 4, and 5 to the west. The map depicts five building pads with one pad on each single-family residence lot. The size of the depicted building pad areas for lots no. 1 through 5 are 18,625 sq. ft., 16,700 sq. ft., 15,300 sq. ft., 11,100 sq. ft., and 70,750 sq. ft., respectively. The open space lot no. 6 is 1.97 acres in size, with 1.34 acres proposed to be landscaped and 0.63 acres proposed to be developed with the private driveway and fire lane. The revised vesting tentative tract map notes indicate that construction of residential buildings and accessory structures within lot no. 6 are prohibited and that lot no. 6 shall be dedicated to the Santa Monica Mountains Conservancy ("Conservancy") or other public agency approved by the Department of Regional Planning. The revised vesting tentative tract map further depicts that all areas outside of the proposed pad areas and the required fuel modification zones, approximately 105 acres in total, would be set aside as open space by recording a conservation easement. The open space lot was depicted as a separate 79-acre open-space lot in the approved Vesting Tentative Tract Map No. 52805. 77 acres of the open space lot is now proposed to be included in the lot area for the proposed single-family residence lots and set aside as open space by recording a conservation easement across all areas located outside of the building pad areas and the required fuel modification zones of the proposed single-family residence lots.

EXISTING ZONING

The subject property is zoned A-1-20 (Light Agricultural-20 Acre Minimum Required Lot Area). Surrounding properties are zoned as follows:

North: City of Agoura Hills - Agoura Village Specific Plan- Zone G (Open Space)

South: A-1-10 (Light Agricultural - 10 Acre Minimum Required Lot Area) and O-S (Open Space)

**PROJECT NO. 98187-(3)
REVISED VESTING TENTATIVE TRACT MAP NO.
52805-1
CONDITIONAL USE PERMIT NO. RPPL2016003948**

**STAFF ANALYSIS
PAGE 4 OF 17**

East: A-1-20 and RPD-2-0.5U (Residential Planned Development - 2 Acre Minimum Required Lot Area – 0.5 DU/AC)

West: A-1-20

EXISTING LAND USES

The subject property is currently undeveloped vacant land. Surrounding properties are developed as follows:

North: Vacant Land

South: Vacant Land and Single-Family Residences

East: Vacant Land

West: Vacant Land

PREVIOUS CASES/ZONING HISTORY

- Vesting Tentative Tract Map No. 52805, authorizing the subdivision of 107.8 acres into five single-family residence lots and one open-space lot, with 120,000 cubic yards of grading was approved on November 20, 2003. The request initially included a proposal for 11 single-family residence lots and one open-space lot with 453,249 cubic yards of grading. The Regional Planning Commission heard the case on May 31, 2000 where they received testimony both in support of, and against, the project. The Commission discussed the project and determined the project included too much grading and was not in compliance with applicable policies, and instructed staff to prepare findings for denial. At their hearing on June 13, 2000 the Regional Planning Commission gave the applicant the option to redesign the project in lieu of a denial of the Project. The applicant opted to redesign the project, and on March 14, 2001 the Regional Planning Commission reviewed a revised proposal containing five single-family residence lots and one open-space lot, with 382,025 cubic yards of grading. Public testimony expressing concerns with the amount of grading and visual impact of the project was heard by the Commission. The hearing was continued to June 13, 2001 where it was further continued to September 19, 2001 to allow the applicant to re-design the project in response to concerns with the water systems. At the September 19, 2001 hearing, the Commission instructed the applicant to redesign with smaller pads and grading for foundations only. The hearing was continued to November 19, 2001 and again to January 9, 2002, because the revised map did not clear the Subdivision Committee in advance of the November 19, 2001 hearing date. At the January 9, 2002 hearing, the Commission closed the public hearing and instructed staff to prepare final conditions and findings for approval. At their hearing dated November 20, 2003 the Commission approved Vesting Tentative Tract Map No. 52805 (Attachment L- VTTM No. 52805) authorizing the subdivision of 107.8 acres into five single-family residence lots and one open-space lot, with 120,000 cubic yards of grading.

- One-Stop Counseling No. R1ST201300063 for a senior housing development was filed on September 9, 2013 and counseling took place on November 6, 2013.
- The property was zoned A-1-20 on August 20, 2002 by Ordinance No. 2002-0062Z.
- The property was zoned A-1-1 on April 11, 1958 by Ordinance No. 7310.
- The property was zoned M-3 (Unclassified) on December 26, 1956 by Ordinance No. 1494.

ENVIRONMENTAL DETERMINATION

Los Angeles County ("County") Staff recommends that this Project qualifies as a Statutory Exemption pursuant to Section 15270(a) of the State Guidelines for Implementation of the California Environmental Quality Act, which states that CEQA does not apply to projects which a public agency rejects or disapproves.

STAFF EVALUATION

General Plan/Community Plan Consistency

The Project Site is located within the N20 (Mountain Lands 20) land use category of the Santa Monica Mountains North Area ("SMMNA") Plan. This designation consists of rolling hillside areas, steep slopes, and isolated remote mountain lands with difficult or no access. The maximum allowable residential density in the N20 land use category is one dwelling unit per 20 acres (1du/20ac). The N20 land use designation is intended for low-density single-family housing, agriculture, equestrian uses, retreats, monasteries, private campgrounds, bed and breakfast lodging, low-intensity conference centers, public and private schools, water tanks, telecommunications facilities, and other local serving commercial and public facilities. The Project is a request to revise an approved vesting tentative tract map that created five single-family residence lots and one open space lot on 107.8 acres with 120,000 cubic yards of grading, to create a total of five single-family residence lots and one open space lot on 107.8 acres, with a revised total of 160,000 cubic yards of grading, consisting of 80,000 cubic yards of cut and 80,000 cubic yards of fill, balanced on-site. The Project is consistent with the intended uses of the underlying land use category but is not consistent with the policies of the Santa Monica Mountains North Area Land Use Plan, as described below.

The following policies of the SMMNA Plan are applicable to the proposed Project:

Hillside Management Policy IV-9: New development projects shall be designed to protect significant natural features and to minimize the amount of grading.

The applicant proposes to cut an additional 20,000 cubic yards and fill 20,000 cubic yards in a terrain depression located in the south west portion of the Project Site. The applicant's request states that several revisions were made during the public hearing process for the approved Tentative Tract Map No. 52805 and that during such revisions the applicant's civil engineer neglected to update the grading quantities and 20,000 cubic

yards of additional cut is now required to achieve the approved tentative map. The Project proposes to balance all of the 80,000 cubic yards of cut on-site. According to the tentative map dated September 13, 2016, the Project proposes to create building pads for lots no. 1 through 4 that average 15,430 square-feet. Lot no. 5 is proposed to have a 70,750 square-foot building pad area. According to the SMMNA Plan, the area's natural hillsides are a significant biological and visual resource and are a key factor in the character of the area's communities. The Project is located in the Santa Monica Mountains North Area and within a Hillside Management Area ("HMA") containing large amounts of area with slopes exceeding 25% grade. The Project Site is located along Kanan Road and south of Lady Face Mountain, which is a prominent landform in the area. The proposed graded slopes for the Project would result in manufactured slopes up to 60-feet-high and located within an HMA. The Project has not been sufficiently designed with reduced building pad areas or other comparable design that reduces grading to preserve the natural features of the Project Site and surrounding area. The Project has not shown that the additional fill grading is a superior option compared to a reduction of building pad size, export of cut material, or other Project re-design that protects natural landforms and minimizes grading. As proposed, the Project may impact significant natural features and does not seek to minimize grading. Therefore, the Project is not consistent with Policy IV-9.

Hillside Management Policy IV-10: In areas over 25% slope, use special architectural and design techniques to ensure that development conforms to the natural land form, such as split level foundations, variable setbacks, and structures which blend with the natural environment in shape, materials, and colors.

The Project is located within a HMA that contains slopes over 25% grade. The Project proposes to create five flat building pad areas with an average size of 26,495 square feet and would be accessed by a 26-foot-wide private driveway and fire lane that is also located within a HMA. The grades of the proposed manufactured slopes are approximately 38% in the areas near the building pads for lots no. 1 and 2, 37% near the building pads for lots no. 3, 4, and 5, and approximately 45%, or 2:1 slopes, in the area that is proposed to be created by filling in the terrain depression with the additional requested grading. Such manufactured slopes do not conform to the natural landform and instead create broad slopes and flat pads in an area characterized by steep terrain and irregular slopes. The Project is also proposing to construct a landscape buffer and wall along Kanan Road in an area containing natural slopes greater than 25%. The proposed wall does not conform to the natural landform. As proposed, the Project does not include a design that conforms to the natural landform and does not blend with the natural environment. Therefore, the Project is not consistent with Policy IV-10.

Hillside Management Policy IV-13: Ensure that the overall project design/layout of hillside developments adapts to the natural hillside topography and protects ridgelines and natural appearing views from surrounding vantage points such as highways, parklands

and overlooks. Overall, emphasize fitting the project into its hillside rather than altering the hillside to fit the project.

The Project includes a request to create five new single-family residence lots requiring a total of 160,000 cubic yards of grading. The Project proposes to create five flat building pad areas with an average size of 26,495 square feet and would be accessed by a 26-foot wide private driveway and fire lane. The building pads and private driveway require the creation of manufactured slopes. The grades of the proposed manufactured slopes are approximately 38% in the areas near the building pads for lots no. 1 and 2, approximately 37% near the building pads for lots no. 3, 4, and 5, and approximately 45%, or 2:1 slopes, in the area the area that is proposed to be created by filling in the terrain depression with the requested additional grading. Such manufactured slopes do not conform to the natural landform and instead create broad slopes and flat pads in an area characterized by steep terrain and irregular slopes. The Project proposes to install landscaping and a buffer wall to screen the Project from Kanan Road. Such wall does not adapt to the natural hillside topography and instead alters the topography to screen the Project from surrounding vantage points. The applicants request cites a market demand for larger pad sizes as a rationale for the proposed design. Such design requires the creation of large gentle slopes and additional on-site grading instead of redesigning the Project to adapt and fit into the natural hillside topography, thereby protecting natural appearing views from surrounding vantage points. Therefore, the Project is not consistent with Policy IV-13.

Water Quality Policy IV-24: Limit clearing and grading of native vegetation to the minimum amount needed to create a building pad, allow access, and provide adequate fire protection.

The Project proposes five building pads for five single-family residence lots with a total area of 132,475 square feet and one flat pad for a partially landscaped open-space lot with a total area of 85,813 square feet. The Project is located in a Very High Fire Hazard Severity Zone, which requires fuel modification with a typical radius of 200 feet from structures. Larger building pads and building site areas require a greater fuel modification area which extends further into the undisturbed natural hillside and requires more vegetation removal. The Project is requesting to fill in a terrain depression with 20,000 cubic yards of on-site cut material. The applicant engaged a biological consultant to conduct a spring survey and technical report for the terrain depression area. The report dated March 15, 2018 (Attachment O- Technical Report, dated March 15, 2018) describes that the terrain depression area functions as a storm water detention pit and details the natural vegetation present in, and around, the detention pit. The report describes that the slopes surrounding the detention pit to the north, east, and west support native California Coastal Sage/chamise chaparral vegetation and the upper and middle slopes of the detention pit contain a variety of native vegetation types. The report further describes that the western and eastern banks of the detention pit contain primarily non-

native vegetation. The Project would fill the detention pit and impact the native vegetation on the upper and middle slopes surrounding the detention pit. The Project is utilizing large building pad areas with large fuel modification radii instead of smaller building pad areas with a smaller fuel modification radii, which results in a greater amount of vegetation disturbance. The Project is located in an area currently mapped as the Santa Monica Mountains Significant Ecological Area ("SEA"), adopted November 5, 2015 as a component of the Los Angeles County General Plan. However, the application was submitted on December 2, 2014, prior to the effective date of the current SEA boundaries. At the time of the application submittal, the Project was not located in an SEA and is not subject to the current SEA policies. The Project proposes to re-vegetate all disturbed areas with native vegetation. However, according to General Goal III of the SMMNA Plan, preserving the natural environmental features includes consciously choosing to protect the natural terrain in its natural state over allowing development projects to proceed simply because impacts can be mitigated. Therefore, the Project is not consistent with Policy IV-24.

Scenic Resource Policy IV-30: Regulate the alteration of the natural landscape and terrain to ensure minimal visual disruption of existing settings.

The Project proposes five building pads for five single-family residence lots with a total area of 132,475 square feet and one open space lot with a total area of 85,813 square feet. The Project would create manufactured slopes to construct the proposed building pads. The slopes of the proposed manufactured slopes are approximately 38% in the areas near building pads for lots no. 1 and 2, 37% near the building pads for lots no. 3, 4, and 5, and approximately 45%, or 2:1 slopes, in the area the area that is proposed to be created by filling in the terrain depression with the requested additional grading. Such manufactured slopes do not conform to the natural landform and instead create broad slopes and flat pads in an area characterized by steep terrain and irregular slopes. The Project is also proposing to construct a landscape buffer and wall along Kanan Road in an area containing natural slopes greater than 25%. A man-made wall is not likely to blend with the existing terrain to the same extent as the existing undisturbed terrain in the area where the wall is proposed. Additionally, the Project proposes to fill in an existing terrain depression with 20,000 cubic yards of fill grading, resulting in additional man-made slopes. The Project has not been adequately re-designed with smaller building pad areas or other similar design to sufficiently reduce grading quantities. The Project would disturb an additional 125,000 square feet, approximately 2.75 acres, in addition to the three acres of disturbance required to construct the building pad areas and private driveway and fire lane. As a result, the Project is not sufficiently designed to ensure minimal visual disruption of existing settings. Therefore, the Project is not consistent with Policy IV-30.

Fire Hazards Policy V-10: In fire-hazardous areas with significant biological resources, place a higher priority on avoiding development than on designing mitigation measures that would require intrusive fuel breaks and fuel modification areas to protect new development.

The Project is located in a Very High Fire Hazard Severity Zone, which requires fuel modification with a typical radius of 200 feet from structures. Larger building pads and building site areas require a larger fuel modification area which would extend further into the undisturbed natural hillside and requires a greater amount of vegetation removal. The Project also proposes to fill the detention pit which results in additional vegetation disturbance. The Project is proposing to utilize large pad areas with large fuel modification radii instead of smaller building pad areas with a smaller fuel modification radii. The Project proposes to revegetate all disturbed areas with native vegetation. However, according to General Goal III of the Santa Monica Mountains North Area Plan, preserving the natural environmental features includes consciously choosing to protect the natural terrain in its natural state over allowing development projects to proceed simply because impacts can be mitigated. As currently proposed, the Project has not been sufficiently designed to avoid development in fire-hazardous areas with significant biological resources and instead has proposed mitigation measures that would require intrusive fuel breaks and fuel modification areas to protect new development. Therefore, the Project is not consistent with Policy V-10.

Development and Open Space Policy VI-3: Preserve areas of diverse topography with large areas unbroken by man-made slopes, and long-range vistas of open ridgelines and mountain slopes which define the extent of urban and suburban development.

The Project proposes five building pads for five single-family residence lots with a combined area of 132,475 square feet and one open space lot with an area of 85,813 square feet. The Project would create manufactured slopes to accomplish creation of the proposed building pads. Pursuant to the Conditions of Approval and Mitigation Measures of the approved Vesting Tentative Tract Map No. 52805 (Attachment M- VTTM No. 52805 Findings, Conditions, MMRP), the Project applicant was required to execute an agreement to convey the open space lot to the Conservancy and further record a conservation easement for the benefit of the County and the Conservancy that encompasses all areas outside of the 200-foot fuel modification zone, as depicted on the approved tentative map. The open space lot was depicted a separate 79-acre open space lot in the approved Vesting Tentative Tract Map No. 52805 (Attachment L- VTTM No. 52805). Large portions of such open space lot are now proposed to be included in the lot area for the proposed single-family residence lots. The Project proposes to fill in an existing terrain depression area approximately 2.75 acres in size. This terrain depression is located outside of the 200-foot fuel modification zone depicted in the approved tentative map. The filling of this area would result in disturbance in an area previously required to be set aside as a conservation easement and would also create additional man-made

slopes or flat areas which do not preserve or maintain the existing diverse topographical features of the Project Site. Therefore, the Project is not consistent with Policy VI-3.

Pattern and Character of Development Policy VI-13: In addition to maintain low densities within rural areas, require the provision/protection of the features that contribute to rural character and rural lifestyles, including, but not limited to:

- *Retention of the natural terrain and vegetation in hillside areas rather than the creation of large, flat pads with non-native landscaping.*
- *Hillside residential development designs which feature natural rather than manmade forms, and which emphasize the use of custom foundations in place of slab construction.*
- *Size and height of houses and flat pad areas in hillside settings to those which are consistent with character of the natural setting, limit such features as tennis courts and paved areas.*

The Project proposes five building pads for five single-family residence lots with a combined area of 132,475 square feet and one building pad for one open space lot with a total area of 85,813 square feet. The grades of the proposed manufactured slopes are approximately 38% in the areas near the building pads for lots no. 1 and 2, 37% near the building pads for lots no. 3, 4, and 5, and approximately 45%, or 2:1 slopes, in the area that is proposed to be created by filling in the terrain depression with the additional proposed grading. Such manufactured slopes do not conform to the natural landform and instead create broad slopes and flat pads in an area characterized by steep terrain and irregular slopes. The project proposes to fill in an existing terrain depression with 20,000 cubic yards of fill grading rather than reduce the size and area of the proposed building pads to reduce required grading quantities. The proposed design includes man-made forms such as broad slopes, retaining walls, a wall for visual buffering, the creation of manmade slopes and flat areas, and large areas of vegetation clearance required for fire safety around the proposed building pad areas. The large building pads proposed, which have an average area of 26,495 square feet, would reduce the presence and appearance of existing natural features within the hillside area. Therefore, the Project is not consistent with Policy VI-13.

Zoning Ordinance and Development Standards Compliance

The Project is required to comply with the uses, development standards and requirements for Zone A-1, the Santa Monica Mountains North Area Community Standards District, and additional regulations for Hillside Management Areas.

A-1 (Light Agricultural) Zone Development Standards

Pursuant to Section 22.24.110, Zone A-1 permits single-family residences and accessory structures. The Project proposes to create five single-family residence lots and one open space lot that would allow for the future development of single-family residences and

accessory structures. Therefore, the Project's proposed land use is consistent with the uses permitted in Zone A-1. Pursuant to Section 22.44.133.E, establishments in Zone A-1 are subject to the following development standards:

- Front, side, and rear yards shall be provided as required in Zone R-1.
The Project proposes minimum lot sizes of at least 20 acres, with four of the building pad areas averaging 15,431 square feet and one building pad area with 70,750 square feet. The proposed lots and building pad areas are more than sufficient to accommodate development while observing the minimum required yards.
- Single-family residential uses shall be subject to all development standards that apply to Zone R-1, except as otherwise specified.
The Project is a request for five single-family residence lots and one open space lot. If approved, future development of single-family residences, or other permitted uses in Zone A-1, will be required to comply with all applicable development standards including roofing and exterior siding materials, minimum dimensions and floor area, height limits, and parking.
- Premises in Zone A-1 shall provide the required area as specified in Part 2 of Chapter 22.52.
The site is zoned A-1-20, which allows for single-family residential uses on a 20-acre minimum required lot size. A maximum of five residential units would be allowed on the approximately 107.8 acre (gross) site under Zone A-1-20.

Conditional Use Permit for On-site Grading Project

Pursuant to Section 22.24.100, a CUP shall be required for any on-site grading project which involves a volume of earth greater than 100,000 cubic yards.

The Project includes a request for a CUP and is required to meet the Burden of Proof, pursuant to Section 22.56.040. As currently proposed, the Project may impact the health, welfare, peace, and comfort of persons residing or working in the surrounding area, and does not conform to all applicable development standards and requirements. The Project would create manufactured slopes to accomplish the proposed building pads. Such manufactured slopes do not conform to the natural landform and instead create broad slopes and flat pads in an area characterized by steep terrain and irregular slopes. The Project is also proposing to construct a landscape buffer and wall along Kanan Road in an area containing natural slopes greater than 25%. A man-made wall is not likely to blend in with the existing undisturbed terrain that presently exists in the area where the wall is proposed. The applicant's request cites a market demand for larger pad sizes as a rationale for the proposed design. Such design requires the creation of large gentle slopes and additional on-site grading instead of redesigning the Project to adapt and fit into the natural hillside topography, thereby protecting natural appearing views from

surrounding vantage points. The use of large building pads, broad manufactured slopes, a man-made wall, and additional grading activities that cause a greater disturbance to existing natural terrain does not result in a visual quality that will complement community character and benefit current and future residents.

Santa Monica Mountains North Area CSD

Pursuant to Section 22.44.133.D, a CUP, as provided in Part 1 of Chapter 22.56, shall be required for any grading on a lot or parcel of land, or in connection with any project, that exceeds 5,000 cubic yards of total cut, plus total fill material.

The Project includes a request for a CUP and is required to meet the Burden of Proof pursuant to Section 22.56.040. In addition to the requirements of Section 22.56.090, additional findings pertaining to grading shall be made pursuant to Section 22.44.133.D.4.b. Findings shall be made that the grading will be performed in a manner that minimizes disturbance to the natural landscape and terrain through design features for the project such as, but not limited to, locating the building pad in the area of the project site with the least slope, clustering structures, and locating the project close to a paved street traveled by the public. Findings shall also be made that the grading will be accompanied by other project features that maximize preservation of visual quality and community character through design features such as, but not limited to, reduced structural height, use of architectural features including shape, materials, and color to promote blending with the surrounding environment, and the use of locally indigenous vegetation for concealment of the project. The Project includes a revised total of 160,000 cubic yards of grading, consisting of 80,000 cubic yards of cut and 80,000 cubic yards of fill, balanced on-site. The Project proposes to create five flat building pad areas with an average size of 26,495 square feet, one open space lot that is 1.97 acres in size, and would be accessed by a 26-foot-wide private driveway and fire lane. In order to construct the building pads and private driveway/fire lane, the Project would create manufactured slopes that do not minimize disturbance to the natural landscape and instead create broad slopes and flat pads in an area characterized by steep terrain and irregular slopes. The Project proposes to install landscaping and a buffer wall to screen the Project from Kanan Road. The Project is sited in the southern portion of the Project Site, close to Kanan Road, so as to avoid steeper slopes to the north. However, the use of large manufactured slopes, large building pads, and a man-made wall detracts from the visual quality and character of the community. Therefore, the Project is not consistent with the Community Wide Development Standards of Section 22.44.133.D.

Hillside Management- CUP Determination

Under the Hillside Management Area Ordinance No. 82-0003 applicable to the Project, any residential development that exceeds a certain low-density threshold in a rural hillside management area is required to obtain a Hillside Management CUP ("HM-CUP"). The Project proposes five single-family residence lots and one open space lot and the low

density threshold calculated for the Project is 8.56. The Project does not exceed the low-density threshold calculated for the Project and therefore, does not require a HM-CUP. The threshold is calculated based on slope density and area, as indicated below.

Hillside Management Ordinance No. 82-0003: Low Density Threshold for CUP				
Land Use	Slope %	Gross Acres	Low-Density Threshold	Low Yield Number of Units
N20	0-24.99	11.87	1 DU/5 AC	2.37
N20	25-49.99	28.08	1 DU/10 AC	2.80
N20	50+	67.85	1 DU/20 AC	3.39
Total		107.8		8.56

Hillside Management- Additional Regulations

Section 22.56.217 of the County Code imposes additional requirements for projects within hillside management areas. The current Hillside Management Areas Ordinance, adopted October 6, 2015, does not apply to the Project because the Project application was submitted on December 2, 2014 and is subject to the previous Hillside Management Areas Ordinance No. 82-0003. Such ordinance stipulates that the maximum density for a proposed development is that which is permitted by the adopted community plan for the area in which the proposed development is located. The Project is subject to the SMMNA Plan, N20 land use category, which establishes a density factor of .05 for both slopes of 25-50% and slopes 50% or greater. The Project proposes five single-family residence lots and one open space lot with a maximum allowable density of 5.39 units. The Project is consistent with the residential density for the N20 land use category. The residential density is calculated based on slope density, area, and Land Use classification, as indicated below.

Santa Monica Mountains North Area Plan: Residential Density Calculation				
Land Use	Slope %	Gross Acres	Density Factor	Maximum Number of Dwelling Units
N20	0-50	40	.05 DU/1 AC	2
N20	50+	67.8	.05 DU/1 AC	3.39
Total		107.8		5.39

Request for Waiver of Street Frontage

Section 21.24.290 of the Los Angeles County Subdivision Ordinance requires that all lots in the subdivision of land shall provide street frontage. Section 21.24.040 allows the advisory agency to modify the requirements of Section 21.24.290 where it finds that topographic conditions, title limitations, the pattern of ownership, or the state of development of parcels in the immediate vicinity of a division of land make the strict application of the provisions of these sections impossible or impractical and that the public health, safety and general welfare will not be adversely affected thereby. The Project requests permission to waive street frontage requirements for lots no. 2, 3, 4, and 5. The Project proposes a 26-foot-wide private driveway and fire lane providing access to all lots within the subdivision. Lot no. 1 and lot no. 5 contain street frontage along Kanan Road with access to the building pad areas provided along the proposed 26-foot wide private driveway and fire lane. Lots no. 2, 3, and 4 only have street frontage on the proposed private driveway and fire lane. Lot no. 6, the open space lot, is sited between Kanan Road and lots no. 2, 3, and 4, and prevents lot no. 2, 3, and 4 from maintaining street frontage. The request for waiver of street frontage is not recommended because the creation of the proposed lot no. 6 is not necessary to meet minimum required area, open-space, or landscaping requirements, and it obstructs street frontage to the proposed single-family residence lots. Alternative designs that provide street frontage for each lot while minimizing grading to preserve the natural and scenic resources of the site are available.

Site Visit

Staff visited the site on June 14, 2018 and observed the natural slopes, hills, rock faces, terrain depression/retention basin, a mixture of vegetation, and views of the Project Site from Kanan road and nearby vantage points. A dirt driveway leading from the turnout along Kanan Road to the general vicinity of the Project area was also visible.

Burden of Proof

The applicant is required to substantiate all facts identified by Section(s) 22.56.040, and 22.44.133 of the County Code. The Burden of Proof with applicant's responses is attached (Attachment D- Burden of Proof Statement). Staff is of the opinion that the applicant has not met the burden of proof.

Neighborhood Impact/Land Use Compatibility

The Project is a request to revise an approved vesting tentative tract map that authorized the creation of five single-family residence lots and one open space lot on 107.8 acres with a total of 120,000 cubic yards of grading, to create a total of five single-family residence lots and one open space lot on 107.8 acres, with a revised total of 160,000 cubic yards of grading consisting of 80,000 cubic yards of cut and 80,000 cubic yards of fill, balanced on-site. The Project is consistent with the intended uses of the underlying RL20 land use category. However, the Project is not consistent with the policies of the SMMNA Plan including policies relating to Hillside Management, Water Resources, Fire Hazards, Open Space, and the Pattern and Character of Development.

In order to construct the building pads and private driveway/fire lane, the Project would create manufactured slopes that do not minimize disturbance to the natural landscape and instead create broad slopes and flat pads. The Project proposes to install landscaping and a buffer wall to screen the Project from Kanan Road, instead of designing the project to reduce visual impacts. The Project is sited in the southern portion of the Project Site, close to Kanan Road, to avoid steeper slopes to the north. However, the use of large manufactured slopes and a man-made wall detracts from the visual quality and community character and does not meet the additional findings required in the Santa Monica Mountains North Area CSD. The Project is not consistent with the requirements for projects within non-urban hillside management areas. The Project would create manufactured slopes to accomplish the proposed building pads. Such manufactured slopes do not conform to the natural landform and instead create broad slopes and flat pads in an area characterized by steep terrain and irregular slopes. The Project is also proposing to construct a landscape buffer and wall along Kanan Road in an area containing natural slopes greater than 25%. A man-made wall is not likely to blend in with the existing terrain. The Project has not been sufficiently designed with reduced building pad areas or other comparable design that reduces the amount of grading required for the Project.

The Project has also not shown that the additional proposed grading is necessary for the safety of current and future residents. The total area of disturbance under the approved Vesting Tentative Tract Map No. 52805 is approximately three acres. The Project is requesting an additional 2.75 acres of disturbance through the revised map application, for a total of 5.75 acres of disturbance on the Project Site. The area containing the terrain depression, in which the additional grading fill is proposed, was required to be set aside as open space by the conditions of approval and MMRP of the approved Vesting Tentative Tract Map No. 52805 (Attachment M- VTTM NO. 52805 Findings, Conditions, MMRP), by recording a conservation easement to encompass all areas located outside of the 200-foot fuel modification zones depicted on the tentative map. The proposed Project would be impacting 2.75 acres of land area that was required to be included in a conservation easement for open space. The Project would also be re-configuring the 79-acre open space lot approved in Vesting Tentative Tract Map No. 52805 (Attachment L-VTTM No. 52805). 77 acres of the approved open space lot are to be included within the lot area of the five proposed single-family residence lots. The 77 acres would be included in the open-space conservation easement proposed for all areas located outside of the 200-foot fuel modification zones depicted on the revised vesting tentative map.

The Project requests permission to waive street frontage requirements for lots no. 2, 3, and 4. The request for waiver of street frontage is not recommended because the creation of the proposed lot no. 6 is not necessary to meet minimum required area, open space or landscaping requirements, and it obstructs street frontage to the proposed single-family residence lots. Alternative designs that provide street frontage for each lot while minimizing grading to preserve the natural and scenic resources of the site are available.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

The Los Angeles County Subdivision Committee consists of representatives from the Departments of Regional Planning, Public Works, Parks and Recreation, Public Health (“Health”) and the Fire Department. Based on the Subdivision Committee Report dated October 13, 2016 (Attachment E- Subdivision Committee Reports) for the map dated September 13, 2016 (Attachment J- Revised VTTM NO. 52805-1), DPW, Public Health, and Regional Planning did not clear the Project for public hearing and approval. The Fire Department and the Department of Parks and Recreation cleared the Project. In response to staff’s recommendations for the Project, the applicant declined to revise the Project or return to the Subdivision Committee for review and possible clearance of existing holds. Instead, the applicant requested to continue to the public hearing with holds from Regional Planning, DPW, and Health.

The holds for Regional Planning include inconsistency with the land use policies, hillside development, grading, and scenic resource requirements. The holds for DPW included a request for the applicant to submit evidence that Regional Planning is prepared to recommend waiving street frontage requirements for lots no. 2, 3, and 4, and hydrology report requirements. The hydrology study report was later cleared by DPW in their email dated March 3, 2018 and the Project as a whole was cleared by DPW in their email dated June 26, 2018, (Attachment F- County Department Letters) which included conditions of approval for the Project. However, the committee report (Attachment E- Subdivision Committee Reports) was not updated to remove the hold through the Subdivision Committee review process. The hold from Public Health included a request that the public water provided by Las Virgenes Water District, and public sewer as proposed for wastewater disposal, be evidenced by a current “Will Serve” Letter from the water purveyor prior to approval of the tentative map. The hold from Public Health was later cleared by Public Health, in their letter dated October 17, 2016 (Attachment F- County Department Letters), but the committee report was not updated to remove the hold through the Subdivision Committee review process.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

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

PUBLIC COMMENTS

Prior to noticing the Project for the public hearing, Staff received four letters in support of the Project (Attachment N- Public Comments). Two letters were received via US Mail. Two letters were sent to Staff from the applicant, via email, and on behalf of the letter’s authors.

**PROJECT NO. 98187-(3)
REVISED VESTING TENTATIVE TRACT MAP NO.
52805-1
CONDITIONAL USE PERMIT NO. RPPL2016003948**

**STAFF ANALYSIS
PAGE 17 OF 17**

STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing: Staff recommends **DENIAL** of Project Number 98187-(3), Revised Tentative Tract Map Number 52805-1, and Conditional Use Permit Number RPPL2016003948.

SUGGESTED DENIAL MOTION:

I MOVE THAT THE REGIONAL PLANNING COMMISSION CLOSE THE PUBLIC HEARING AND FIND THAT THE PROJECT IS STATUTORILY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES AND DENY REVISED VESTING TENTATIVE TRACT MAP NUMBER 52805-1 AND CONDITIONAL USE PERMIT NUMBER RPPL2016003948, SUBJECT TO THE ATTACHED FINDINGS.

Prepared by Martin Gies, AICP, Senior Regional Planner, Land Divisions Section

Reviewed by Steven Jones, AICP, Acting Supervising Regional Planner, Land Divisions Section

Attachments:

- A - Project Summary
- B - Project Location Map
- C - Draft Findings
- D - Burden of Proof Statement
- E - Subdivision Committee Reports
- F - County Department Letters
- G - Photographs
- H - Aerial Image
- I - Land Use and Zoning Maps
- J - Revised VTTM No. 52805-1
- K - Revised Exhibit Map
- L - VTTM No. 52805
- M - VTTM No. 52805 Findings, Conditions, MMRP
- N - Public Comments
- O - Technical Report, dated March 15, 2018

SDJ: MAG

07/24/18

Attachment A

Project Summary



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

PROJECT NUMBER

98187-(3)

HEARING DATE

08/08/18

REQUESTED ENTITLEMENTS

Revised Tentative Tract Map No. 52805-1
 Conditional Use Permit No. RPPL2016003948
 Environmental Assessment No. 2014000279

PROJECT SUMMARY

OWNER / APPLICANT

Astoria Estates LLC / Land Developer Associates Corp.

MAP/EXHIBIT DATE

9/13/16

PROJECT OVERVIEW

A request for a revised tentative tract map to create a revised total of five single-family residence lots and one open-space lot on 107.8 acres, with a revised total of 160,000 cubic yards of grading, consisting of 80,000 cubic yards of cut and 80,000 cubic yards of fill, balanced onsite. The project also includes a request for a Conditional Use Permit for onsite grading exceeding 100,000 cubic yards in Zone A-1-20 (Light Agricultural- 20 Acre Minimum Required Lot Area) and for grading within the Santa Monica Mountains North Area Community Standards District exceeding 5,000 cubic yards.

Subdivision: To create five single-family residence lots and one open-space lot on 107.8 acres, with 160,000 cubic yards of grading.

CUP: For onsite grading exceeding 100,000 cubic yards in the A-1 Zone and grading exceeding 5,000 cubic yards within the Santa Monica Mountains North Area Community Standards District.

LOCATION

Kanan Road, approximately 7,900 feet southwest of the intersection of Kanan Road and Cornell Road.

ACCESS

Kanan Road

ASSESSORS PARCEL NUMBER(S)

2063-004-022

SITE AREA

107.8 Acres (Gross)

GENERAL PLAN / LOCAL PLAN

Santa Monica Mountains North Area Plan

ZONED DISTRICT

The Malibu

LAND USE DESIGNATION

N20 (Mountains Lands 20) – (1 du/20 ac)

ZONE

A-1-20 (Light Agricultural- 20 Acre Minimum Required Lot Area)

PROPOSED UNITS (DU)

5 DU

MAX DENSITY/UNITS (DU)

5 DU

COMMUNITY STANDARDS DISTRICT

Santa Monica Mountains North Area

ENVIRONMENTAL DETERMINATION (CEQA)

Statutory Exemption –Projects Which Are Disapproved

KEY ISSUES

- Consistency with the Santa Monica Mountains North Area Community Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
 - 21.40.010 (Revised Tentative Map Requirements)
 - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
 - 22.44.133 (Santa Monica Mountains North Area CSD)

CASE PLANNER:

Martin Gies

PHONE NUMBER:

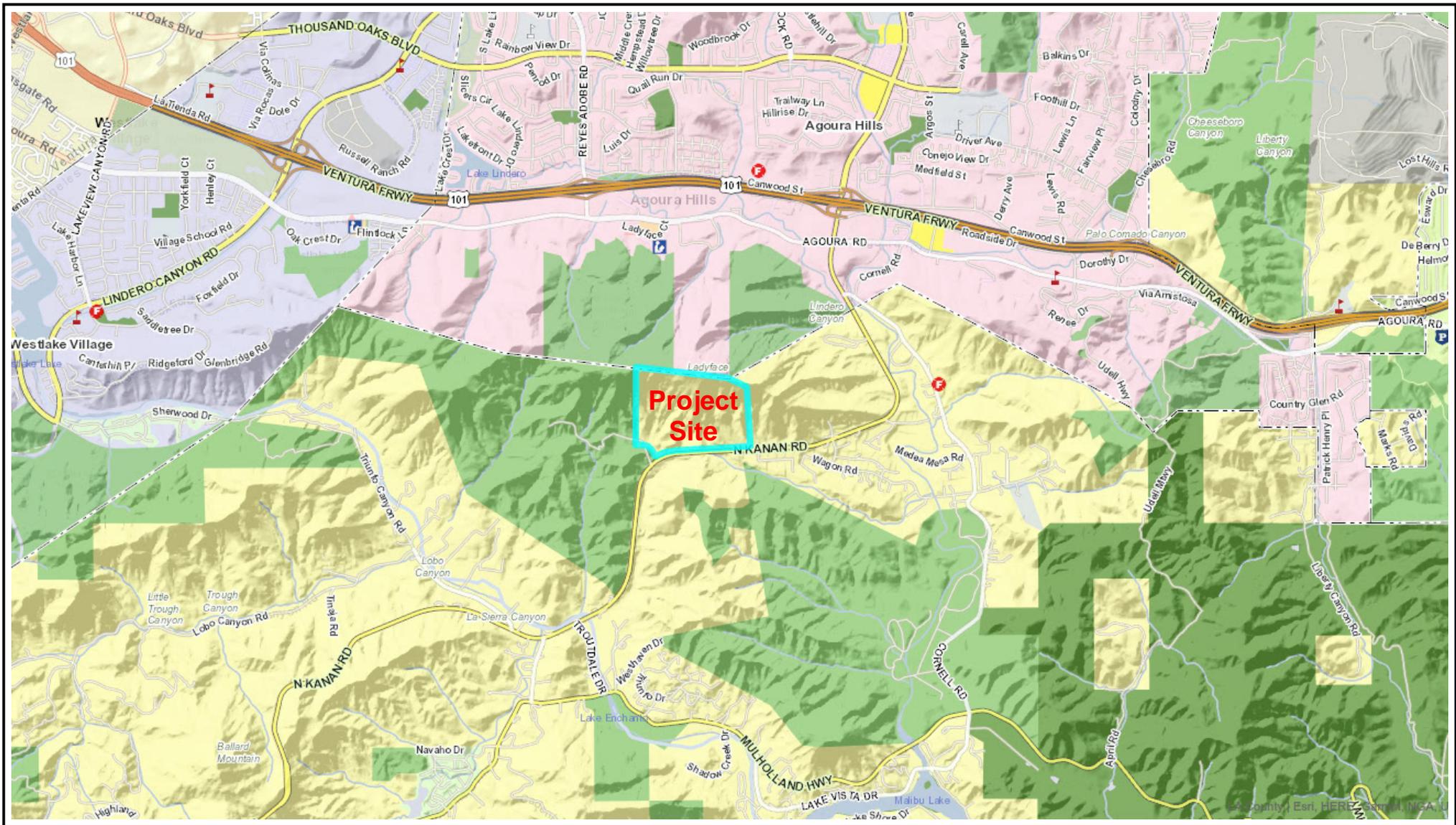
(213) 974 – 6433

E-MAIL ADDRESS:

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Attachment B

Project Location Map



Project No. 98187-(3)

Vicinity Map

Printed: Jun 27, 2018

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Attachment C

Draft Findings

**DRAFT FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
PROJECT NO. 98187-(3)
REVISED VESTING TENTATIVE TRACT MAP NO. 52805-1
CONDITIONAL USE PERMIT NO. RPPL2016003948**

1. **HEARING DATE(s).** The Los Angeles County (“County”) Regional Planning Commission (“Commission”) conducted a duly noticed public hearing on August 8, 2018 in the matter of Revised Vesting Tentative Tract Map No. 52805-1 (“Revised Map”), heard concurrently with Conditional Use Permit No. RPPL2016003948 (“CUP”).
2. **ENTITLEMENTS REQUESTED.** Land Developer Associates Corporation (“Permittee”) requests to revise an approved Vesting Tentative Tract Map No. 52805, which created five single-family residence lots and one open-space lot on 107.8 acres with a total of 120,000 cubic yards of grading, to create a total of five single-family residence lots and one open space lot on 107.8 acres with a revised total of 160,000 cubic yards of total grading, balanced on-site. The revised vesting tentative tract map dated September 13, 2016, depicts five single-family residence lots that are as follows: lot no.1 with 20.01 gross acres, lot no. 2 with 20.01 gross acres, lot no. 3 with 20.00 gross acres, lot no. 4 with 20.01 gross acres, and lot no. 5 with 25.80 gross acres. The revised map also depicts one open space lot which is 1.97 gross acres in size. The Project is further requesting permission to waive the street frontage requirements for lots no. 2, 3, 4, and 5.

The CUP is a request for on-site grading exceeding 100,000 cubic yards and for grading within the Santa Monica Mountains North Area Community Standard District exceeding 5,000 cubic yards. The Project includes a request for a total of 160,000 cubic yards, consisting of 80,000 cubic yards of cut and 80,000 cubic yards of fill, to be balanced on-site. The 60,000 cubic yards of cut authorized in the approved Vesting Tentative Tract Map No. 52805 will be filled and balanced throughout the building pad areas and interior private driveway and fire lane. The additional 20,000 cubic yards of cut requested in the revised map will be balanced on-site by filling 20,000 cubic yards in an existing depression in the terrain located in the southwest corner of the Project Site, adjacent to Kanan Road.

3. **LOCATION.** The Project is located along Kanan Road, approximately 7,900 feet southwest of the intersection of Kanan Road and Cornell Road, in the unincorporated Santa Monica Mountains North Area. The Assessors’ Parcel Number (“APN”) for the subject property is 2063-004-022 (“Project Site”).
4. **TOPOGRAPHY.** The Project Site is 107.8 gross acres in size and consists of one legal lot. The Project Site is irregular in shape with steep sloping topography and is undeveloped except for a small cleared area located in the southern portion of the Project Site, adjacent to Kanan Road.

5. **ZONING.** The Project Site is located in the Malibu Zoned District and is currently zoned A-1-20 (Light Agricultural- 20- Acre Minimum Required Lot Area).
6. **LAND USE CLASSIFICATION.** The Project Site is located within the N20 (Mountain Lands 20) land use category of the Santa Monica Mountains North Area ("SMMNA") Plan, Land Use Policy Map.
7. **SURROUNDING ZONING.** Surrounding Zoning within a 500-foot radius includes:

North: City of Agoura Hills - Agoura Village Specific Plan - Zone G (Open Space)
South: A-1-10 (Light Agricultural - 10 Acre Minimum Required Lot Area) and O-S (Open Space)
East: A-1-20 and RPD-2-0.5U (Residential Planned Development - 2 Acre Minimum Required Lot Area – 0.5 DU/AC)
West: A-1-20
8. **SURROUNDING LAND USES.** Surrounding land uses within a 500-foot radius include:

North: Vacant Land
South: Vacant Land and Single-Family Residences
East: Vacant Land
West: Vacant Land
9. **ZONING HISTORY/PREVIOUS CASES.** The Project Site was zoned A-1-20 on August 20, 2002 by Ordinance No. 2002-0062Z. Prior to the rezoning in 2002, the Project Site was zoned A-1-1 on April 11, 1958 by Ordinance No. 7310. Prior to the rezoning in 1958, the Project Site was zoned M-3 (Unclassified) on December 26, 1956 by Ordinance No. 1494.

There are two previous cases on the subject property, One-Stop Counseling No. R1ST201300063 and Vesting Tentative Tract Map No. 52805, which are described below:

One-Stop Counseling No. R1ST201300063 for a senior housing development was filed on September 9, 2013 and counseling took place on November 6, 2013.

Vesting Tentative Tract Map No. 52805 authorized the subdivision of 107.8 acres into five single-family residence lots and one open-space lot with 120,000 cubic yards of grading and was approved on November 20, 2003. The request initially included a proposal for 11 single-family residence lots and one open space lot with 453,249 cubic yards of grading. The Regional Planning Commission heard the case on May 31, 2000 where they received testimony both in support of, and against, the Project. The Commission discussed the Project and determined the Project included too much grading and was not in compliance with applicable policies, and instructed staff to

prepare findings for denial. At their hearing on June 13, 2000 the Regional Planning Commission gave the applicant the option to redesign the Project in lieu of a denial of the Project. The applicant opted to redesign the Project and March 14, 2001 the Regional Planning commission reviewed a revised proposal containing five single-family residence lots and one open-space lot, with 382,025 cubic yards of grading. Public testimony expressing concerns with the amount of grading and visual impact of the Project was heard by the Commission. The hearing was continued to June 13, 2001 where it was further continued to September 19, 2001 to allow the applicant to re-design the Project in response to concerns with the water systems. At the September 19, 2001 hearing, the Commission instructed the applicant to redesign with smaller pads and grading for foundations only. The hearing was continued to November 19, 2001 and again to January 9, 2002 because the revised map did not clear the subdivision committee in advance of the November 19, 2001 hearing date. At the January 9, 2002 hearing, the Commission closed the public hearing and instructed staff to prepare final conditions and findings for approval. At their hearing dated November 20, 2003 the Commission approved Vesting Tentative Tract Map No. 52805 authorizing the subdivision of 107.8 acres into five single-family residence lots and one open space lot, with 120,000 cubic yards of grading.

- 10. MAP AND SITE PLAN DESCRIPTION.** The Revised Map depicts five single-family residence lots on 107.8 acres, located along the north side of Kanan Road. Each lot is at least 20 acres in size with lot no. 5 having the largest lot area with 25.8 acres. The map also depicts a 1.97 acre open-space lot adjacent to Kanan Road. The map depicts access to the site via a 26-foot wide private driveway and fire lane from Kanan Road. One segment of the on-site private driveway and fire lane provides access to lots no. 1 and 2 to the east, and the other segment provides access to lots no. 3, 4, and 5 to the west. The map depicts five building pads with one pad on each single-family residence lot. The depicted pad areas for lots no. 1 through 5 are 18,625 sq. ft., 16,700 sq. ft., 15,300 sq. ft., 11,100 sq. ft., and 70,750 sq. ft., respectively. The open space lot no. 6 is 1.97 acres in size, with 1.34 acres proposed to be landscaped and 0.63 acres proposed to be developed with the private driveway and fire lane. The map notes indicate that construction of residential buildings and accessory structures within lot no. 6 are prohibited and that lot no. 6 shall be dedicated to the Santa Monica Mountains Conservancy or other public agency approved by the Department of Regional Planning.

The proposed revised map depicts that all areas outside of the proposed pad areas and the required fuel modification zones, approximately 105 acres in total, would be set aside as open space by recording a conservation easement. The open space lot was depicted a separate 79-acre open space lot in the approved Vesting Tentative Tract Map No. 52805. 77 acres of such open space lot are now proposed to be included in the lot area for the proposed single-family residence lots. Pursuant to the Conditions of Approval of the approved Vesting Tentative Tract Map No. 52805, the Project applicant was required to execute an agreement to convey the open space lot to the Santa Monica Mountains Conservancy ("Conservancy") and further record

a conservation easement for the benefit of the County and the Conservancy that encompasses all areas outside of the 200-foot fuel modification zone, as depicted on the approved tentative map. The Project proposes to fill in an existing terrain depression area approximately 2.75 acres in size. This terrain depression is located outside of the 200-foot fuel modification zone depicted in the approved vesting tentative map. The filling of the terrain depression, as depicted in the revised map, would reduce the open space set aside area required by Vesting Tentative Tract Map No. 52805 by 2.75 acres.

11. **SITE ACCESS.** The Project Site is accessible via Kanan Road to the south. Access to the Project Site will be via an entrance/exit through the proposed private driveway and fire lane.
12. **PARKING.** The Project does not include the construction of any residences or other uses that require parking, but future development of single-family residences or other permitted uses in Zone A-1 will be required to provide parking consistent with applicable requirements at such time.
13. **INTERNAL CIRCULATION.** Internal circulation and access for the Project will be provided by a 26-foot wide, paved private driveway and fire lane. The private driveway and fire lane connects to Kanan Road and consists of two segments. One segment of the on-site private driveway and fire lane provides access to lots no. 1 and 2 to the east, and the other segment provides access to lots no. 3, 4, and 5 to the west. Lots no. 1 and 5 contain street frontage along Kanan Road but access to the building pad areas is provided along the proposed 26-foot wide private driveway and fire lane. Lots no. 2, 3, and 4 only have frontage along the proposed private driveway and fire lane. Lot no. 6, the open space lot, is sited between Kanan Road and lots no. 2, 3, and 4 and prevents them from maintaining street frontage.
14. **PRE-HEARING PROCEEDINGS.** Prior to the Commission's public hearing on the Project, the permittee individually met with residents neighboring the Project Site to discuss the Project.
15. **COUNTY AGENCY RECCOMENDATIONS.** The Los Angeles County Subdivision Committee consists of representatives of the Departments of Regional Planning ("Regional Planning"), Public Works ("DPW"), Parks and Recreation, Public Health ("Public Health") and the Fire Department. Based on the Subdivision Committee Report dated October 13, 2016 for the map dated September 13, 2016, DPW, Public Health, and Regional Planning did not clear the Project for public hearing and approval. The Fire Department and the Department of Parks and Recreation have cleared the Project. In response to staff's recommendations for Project redesign, the applicant declined to revise the Project and return to the Subdivision Committee for review and possible clearance of existing holds. Instead, the applicant requested to continue to the public hearing with holds from Regional Planning, DPW, and Public Health. The holds for Regional Planning include inconsistency with the land use

policies, hillside development, grading, and scenic resource requirements. The holds for DPW included a request for the applicant to submit evidence that Regional Planning is prepared to recommend waiving street frontage requirements for lots no. 2, 3, and 4 and hydrology report requirements. The hydrology study report was later cleared by DPW in their email dated March 3, 2018 and the Project as a whole was cleared by DPW in their email dated June 26, 2018, which included conditions of approval for the Project. However, the committee report was not updated to remove the hold through the Subdivision Committee review process. The hold from Public Health included a request that the public water provided by Las Virgenes Water District, and public sewer as proposed for wastewater disposal, be evidenced by a current "Will Serve" Letter from the water purveyor prior to approval of the revised vesting tentative map. In their letter dated October 17, 2016, Public Health cleared the hold for the Project, but the committee report was not updated to remove the hold through the Subdivision Committee review process.

16. **CEQA ENVIRONMENTAL DETERMINATION.** Prior to the Commission's public hearing on the Project, Regional Planning staff determined that the Project qualified for a Statutory Exemption-Projects Which Are Disapproved- from the California Environmental Quality Act (Public Resources Code section 15270(a) ("CEQA"), the State CEQA Guidelines, and the Environmental Documents Reporting Procedures and Guidelines for the County, because staff is recommending that the Project be disapproved.
17. **LEGAL NOTIFICATION AND PUBLIC OUTREACH.** Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, property posting, and departmental website posting. A total of 39 postcard notices were mailed out to properties located within the 500-foot radius of the project site and to those on the courtesy mailing list for the Malibu Zoned District.
18. **PUBLIC COMMENTS.** Prior to the Commission's public hearing, and prior to noticing the project for public hearing, the Department of Regional Planning ("Regional Planning") staff received four letters in support of the Project.
19. **HEARING PROCEEDINGS.** *To be inserted after the public hearing to reflect hearing proceedings.*
20. **VESTING MAP.** The subject tract map was submitted as a "vesting" tentative map. As such, it is subject to the provisions of Sections 21.38.010 through 21.38.080 of the County Code.
21. **PLAN CONSISTENCY.** The Project Site is located within the N20 (Mountain Lands 20) land use category of the Santa Monica Mountains North Area ("SMMNA") Plan. This designation consists of rolling hillside areas, steep slopes, and isolated remote mountain lands with difficult or no access. The maximum allowable residential density

in the N20 land use category is one dwelling unit per 20 acres (1du/20ac). The N20 land use designation is intended for low density single-family housing, agriculture, equestrian uses, and other similar local serving uses. The Project is a request to revise an approved vesting tentative tract map to create a total of five single-family residence lots and one open space lot on 107.8 acres, with a revised total of 160,000 cubic yards of grading, consisting of 80,000 cubic yards of cut and 80,000 cubic yards of fill, balanced on-site. The Project is consistent with the intended uses of the underlying land use category but is not consistent with the policies of the SMMNA Plan, including policies related to Hillside Management, Water Quality, Scenic Resources, Fire Hazards, Development and Open Space, and Pattern and Character of Development.

22. The Commission finds that the Project is not consistent with the applicable Hillside Management policies of the SMMNA Plan, including policy IV-9. The Project proposes to balance 80,000 cubic yards of cut on-site, including fill of 20,000 cubic yards in a terrain depression located in the south west portion of the Project Site. The Project proposes to create building pads for lots no. 1 through 4 that average 15,430 square feet in size. Lot no. 5 is proposed to have a 70,750 square-foot building pad area. The Project Site is located along Kanan Road and south of Lady Face Mountain, which is a prominent landform in the area. The proposed graded slopes for the Project would result in manufactured slopes of up to 60-feet high and located within a Hillside Management Area containing large amounts of area with slopes exceeding 25% grade. The Project has not been sufficiently designed with reduced building pad areas or other comparable design that reduces grading in order to preserve the natural features of the Project Site and surrounding area. The Project has not shown that the additional fill grading is a superior option compared to a reduction of building pad size, export of cut material, or other Project re-design that protects natural landforms and minimizes grading. As proposed, the Project may impact significant natural features and does not seek to minimize grading.
23. The Commission finds that the Project is not consistent with the applicable Hillside Management policies of the SMMNA Plan, including policy IV-10. The Project is located within a hillside management area that contains slopes over 25% grade. The Project proposes to create five flat building pad areas with an average size of 26,495 square feet and would be accessed by a 26-foot-wide private driveway and fire lane that is also located within a Hillside Management Area. The grades of the proposed manufactured slopes are approximately 38% in the areas near building pads for lots no. 1 and 2, 37% near the building pads for lots no. 3, 4, and 5, and approximately 45%, or 2:1 slopes, in the area that is proposed to be created by filling in the terrain depression with the additional requested grading. Such manufactured slopes do not conform to the natural landform and instead create broad slopes and flat pads in an area characterized by steep terrain and irregular slopes. The Project is also proposing to construct a landscape buffer and wall along Kanan Road in an area containing natural slopes greater than 25%. The proposed wall does not conform to the natural landform and impacts scenic resources of the Project Site. As proposed, the Project

does not include a design that conforms to the natural landform and does not blend with the natural environment.

24. The Commission finds that the Project is not consistent with the Hillside Management policies of the SMMNA Plan, including policy IV-13. The Project includes a request to create five new single-family residence lots requiring a total of 160,000 cubic yards of grading. The Project proposes to create five flat building pad areas with an average size of 26,495 square feet and would be accessed by a 26-foot wide private driveway and fire lane. The building pads and private driveway require the creation of manufactured slopes. The grades of the proposed manufactured slopes are approximately 38% in the areas near the building pads for lots no. 1 and 2, approximately 37% near the building pads for lots no. 3, 4, and 5, and approximately 45%, or 2:1 slopes, in the area that is proposed to be created by filling in the terrain depression with the requested additional grading. Such manufactured slopes do not conform to the natural landform and instead create broad slopes and flat pads in an area characterized by steep terrain and irregular slopes. The Project proposes to install landscaping and a buffer wall to screen the Project from Kanan Road. Such wall does not adapt to the natural hillside topography and instead alters the topography to screen the Project from surrounding vantage points. The Project is sited in the southern portion of the Project Site, close to Kanan Road, so as to avoid steeper slopes to the north. However, such design requires the creation of large gentle slopes and additional on-site grading which does not adapt and fit into the natural hillside topography and does not protect natural appearing views from surrounding vantage points.
25. The Commission finds that the Project is not consistent with the Water Quality policies of the SMMNA Plan, including policy IV-24. The Project proposes five building pads for five single-family residence lots with a total area of 132,475 square feet and one flat pad for a partially landscaped open-space lot with a total area of 85,813 square feet. The Project is located in a Very High Fire Hazard Severity Zone, which requires fuel modification with a typical radius of 200 feet from structures. Larger building pads and building site areas require a greater fuel modification area which extends further into the undisturbed natural hillside and requires more vegetation removal. The Project is requesting to fill in a terrain depression with 20,000 cubic yards of on-site cut material. The terrain depression area functions as a storm water detention pit and the slopes surrounding the detention pit to the north, east, and west support native California Coastal Sage/Chamise chaparral vegetation and the upper and middle slopes of the detention pit contain a variety of native vegetation types. The western and eastern banks of the detention pit contain primarily non-native vegetation. The Project would fill the detention pit and impact the native vegetation on the upper and middle slopes or areas surrounding the detention pit. The Project is utilizing large building pad areas with large fuel modification radii instead of smaller building pad areas with smaller fuel modification radii, resulting in a greater amount of vegetation disturbance. The Project proposes to re-vegetate all disturbed areas with native vegetation. However, according to General Goal III of the SMMNA Plan, preserving

the natural environmental features includes consciously choosing to protect the natural terrain in its natural state over allowing development projects to proceed simply because impacts can be mitigated.

26. The Commission finds that the Project is not consistent with the Scenic Resource Policies of the SMMNA Plan, including policy IV-30. The Project proposes five building pads for five single-family residence lots with a total area of 132,475 square feet and one open space lot with a total area of 85,813 square feet. The Project would create manufactured slopes to construct the proposed building pads. The slopes of the proposed manufactured slopes are approximately 38% in the areas near building pads for lots no. 1 and 2, 37% near the building pads for lots no. 3, 4, and 5, and approximately 45%, or 2:1 slopes, in the area the area that is proposed to be created by filling in the terrain depression with the requested additional grading. Such manufactured slopes do not conform to the natural landform and instead create broad slopes and flat pads in an area characterized by steep terrain and irregular slopes. The Project is also proposing to construct a landscape buffer and wall along Kanan Road in an area containing natural slopes greater than 25%. A man-made wall is not likely to blend with the existing terrain to the same extent as the existing undisturbed terrain in the area where the wall is proposed. Additionally, the Project proposes to fill in an existing terrain depression with 20,000 cubic yards of fill grading, resulting in additional man-made slopes. The Project has not been adequately re-designed with smaller building pad areas or other similar design to sufficiently reduce grading quantities. The Project would disturb an additional 125,000 square feet, approximately 2.75 acres, in addition to the three acres of disturbance required to construct the building pad areas and private driveway and fire lane. As a result, the Project is not sufficiently designed to ensure minimal visual disruption of existing settings.
27. The Commission finds that the Project is not consistent with the Fire Hazards policies of the SMMNA Plan, including policy V-10. The Project is located in a Very High Fire Hazard Severity Zone, which requires fuel modification with a typical radius of 200 feet from structures. Larger building pads and building site areas require a larger fuel modification area, which would extend further into the undisturbed natural hillside and requires a greater amount of vegetation removal. The Project also proposes to fill an onsite terrain depression which results in additional vegetation disturbance. The Project is proposing large building pad with large fuel modification radii instead of smaller building pad areas with smaller fuel modification radii, resulting in a greater amount of vegetation disturbance. The Project proposes to revegetate all disturbed areas with native vegetation. However, according to General Goal III of the SMMNA Plan, preserving the natural environmental features includes consciously choosing to protect the natural terrain in its natural state over allowing development projects to proceed simply because impacts can be mitigated. As currently proposed, the Project has not been sufficiently designed to avoid development in fire-hazardous areas with significant biological resources and instead has proposed mitigation measures that would require intrusive fuel breaks and fuel medication areas to protect new development.

28. The Commission finds that the Project is not consistent with the Development and Open Space policies of the SMMNA Plan, including policy VI-3. The Project proposes five building pads for five single-family residence lots with a total area of 132,475 square feet and one open space lot with a total area of 85,813 square feet. The Project would create manufactured slopes to accomplish creation of the proposed building pads. Pursuant to the conditions of approval of the approved Vesting Tentative Tract Map No. 52805, the Project applicant was required to execute an agreement to convey the open-space lot to the Conservancy and further record a conservation easement for the benefit of the County and the Conservancy that encompasses all areas outside of the 200-foot fuel modification zone, as depicted on the approved tentative map. The Project proposes to fill in an existing terrain depression area that is approximately 2.75 acres in size. This terrain depression is located outside of the 200-foot fuel modification zone depicted in the approved vesting tentative map. The filling of this area would result in new disturbance in an area previously required to be set aside as a conservation easement. It would also create additional man-made slopes or flat areas which do not preserve or maintain the existing diverse topographical features of the Project Site. The filling of the terrain depression would reduce the open space area set aside in the revised map by 2.75 acres, thereby providing less open space than was required by the approved tentative tract map.
29. The Commission finds that the Project is not consistent with the Pattern and Character of Development policies of the SMMNA Plan, including Policy VI-13. The Project proposes five building pads for five single-family residence lots with a total area of 132,475 square feet and one building pad for an open space lot with a total area of 85,813 square feet. The grades of the proposed manufactured slopes are approximately 38% in the areas near the building pads for lots no. 1 and 2, 37% near the building pads for lots no. 3, 4, and 5, and approximately 45%, or 2:1 slopes, in the area that is proposed to be created by filling in the terrain depression with the additional proposed grading. Such manufactured slopes do not conform to the natural landform and instead create broad slopes and flat pads in an area characterized by steep terrain and irregular slopes. The project proposes to fill in an existing terrain depression with 20,000 cubic yards of fill grading rather than reduce the size of the proposed building pad areas to reduce required grading quantities. The proposed design includes man-made forms such as broad slopes, retaining walls, a wall for visual buffering, the creation of manmade slopes and flat areas, and large areas of vegetation clearance required for fire safety around the proposed building pad areas. The large building pads proposed, which have an average area of 26,495 square feet, would reduce the presence and appearance of existing natural features within the hillside area.
30. **ZONING CODE CONSISTENCY.** The Commission finds that the Project would not be consistent with the applicable regulations of the Zoning Code. The Project Site is within Zone A-1-20 (Light Agricultural- 20 Acre Minimum Required Lot Area) and is subject to the following standards:

- *A-1 Zone Development Standards*
The site is zoned A-1-20, which allows for single-family residence uses on a 20-acre minimum required lot size. A maximum of five residential units would be allowed on the approximately 107.8 gross-acre site under Zone A-1-20. The Project proposes to create five new single-family residence lots and one open space lot that would allow for future development of five-single family residences and accessory structures. The Project proposes minimum lot sizes of at least 20 acres, with four of the building pad areas averaging 15,431 square feet and one building pad area with 70,750 square feet. Therefore, the Project has more than adequate area to accommodate development while observing the minimum required yards. If approved, future development of single-family residences, or other permitted uses in Zone A-1, will be required to comply with all applicable development standards including roofing and exterior siding materials, minimum dimensions and floor area, height limits, and parking.
- *On-Site Grading Project*
Pursuant to Section 22.24.100, a CUP shall be required for any on-site grading project which involves a volume of earth greater than 100,000 cubic yards. The Project includes a request for a CUP and is required to meet the Burden of Proof pursuant to Section 22.56.040. As currently proposed, the Project may impact the health, welfare, peace and comfort of persons residing or working in the surrounding area, may be detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or may jeopardize or otherwise constitute a menace to the public health, safety or general welfare. The Project would create manufactured slopes to accomplish the proposed building pads. Such manufactured slopes do not conform to the natural landform and instead create broad slopes and flat pads in an area characterized by steep terrain and irregular slopes. The Project is also proposing to construct a landscape buffer and wall along Kanan Road in an area containing natural slopes greater than 25%. A man-made wall is not likely to blend in with the existing undisturbed terrain that presently exists in the area where the wall is proposed. The applicant's request cites a market demand for larger pad sizes as a rationale for the proposed design. Such design requires the creation of large gentle slopes and additional on-site grading instead of redesigning the Project to adapt and fit into the natural topography, thereby protecting natural appearing views from surrounding vantage points. The use of large building pads, steep manufactured slopes, a man-made wall, and additional grading activities that cause a greater disturbance to the existing natural terrain does not result in a visual quality that will complement community character and benefit current and future residents.
- *Santa Monica Mountains North Area CSD*
Pursuant to Section 22.4.133.D, a CUP, as provided in Part 1 of Chapter 22.56, shall be required for any grading on a lot or parcel of land, or in connection with any project, that exceeds 5,000 cubic yards of total cut, plus fill material. In addition to the Burden of Proof Requirements of Section 22.56.090.A, additional findings

pertaining to the grading shall be made pursuant to Section 22.44.133.D.4.b. The Commission finds that the grading will be performed in a manner that does not minimize disturbance to the natural landscape and terrain through design features for the project such as, but not limited to, locating the building pad in the area of the project site with the least slope, clustering structures, and locating the project close to a paved street traveled by the public. The Commission also does not find that the grading will be accompanied by other project features that maximize preservation of visual quality and community character through design features such as, but not limited to, reduced structural height, use of architectural features including shape, materials, and color to promote blending with the surrounding environment, and the use of locally indigenous vegetation for concealment of the project. The Project includes a revised total of 160,000 cubic yards of grading, consisting of 80,000 cubic yards of cut and 80,000 cubic yards of fill, balanced on-site. The Project proposes to create five flat building pad areas with an average size of 26,495 square feet, one open space lot that is 1.97 acres in size, and would be accessed by a 26-foot-wide private driveway and fire lane. In order to construct the building pads and private driveway/fire lane, the Project would create manufactured slopes that do not minimize disturbance to the natural landscape and instead create broad slopes and flat pads in an area characterized by steep terrain and irregular slopes. The Project proposes to install landscaping and a buffer wall to screen the Project from Kanan Road. The use of large manufactured slopes, large building pads, and a man-made wall detracts from the visual quality and character of the community.

- *Hillside Management*

Under the Hillside Management Area Ordinance No. 82-0003 applicable to the Project, any residential development that exceeds a certain low-density threshold in a rural hillside management area is required to obtain a Hillside Management CUP ("HM-CUP"). The Project proposes five single-family residence lots and one open space lot, and the low-density threshold calculated for the Project is 8.56. The Project does not exceed the low-density threshold calculated for the Project and therefore, does not require a HM-CUP. Section 22.56.217 of the County Code imposes additional requirements for projects within hillside management areas. The current Hillside Management Areas Ordinance, adopted October 6, 2015, does not apply to the Project because the Project application was submitted on December 2, 2014 and is subject to the previous Hillside Management Areas Ordinance No. 82-0003. Such ordinance stipulates that the maximum density for a proposed development is that which is permitted by the adopted community plan for the area in which the proposed development is located. The Project is subject to the Santa Monica Mountains North Area Plan, N20 land use category, which establishes a density factor of .05 for both slopes of 25-50% and slopes 50% or greater. The Project proposes five single-family residence lots and one open space lot with a maximum allowable density of 5.39 units. The Project is consistent with the residential density for the N20 land use category.

- *Street Frontage*

Section 21.24.290 of the Los Angeles County Subdivision Ordinance requires that all lots in the subdivision of land shall provide street frontage. Section 21.24.040 allows the advisory agency to modify the requirements of Section 21.24.290 where it finds that topographic conditions, title limitations, the pattern of ownership, or the state of development of parcels in the immediate vicinity of a division of land make the strict application of the provisions of these sections impossible or impractical and that the public health, safety and general welfare will not be adversely affected thereby. The Project requests permission to waive street frontage requirements for lots no. 2, 3, and 4. The Project proposes a 26-foot-wide private driveway and fire lane providing access to all lots within the subdivision. Lots no. 1 and 5 contain street frontage along Kanan Road with access to the building pad areas provided along the proposed 26-foot wide private driveway and fire lane. Lots no. 2, 3, and 4 only have street frontage on the proposed private driveway and fire lane from which they take access. Lot no. 6, the open space lot, is sited between Kanan Road and lots no. 2, 3, and 4 and prevents them from maintaining street frontage. The request for waiver of street frontage is not recommended because the creation of the proposed lot no. 6 is not necessary to meet minimum required area, open-space, or landscaping requirements, and it obstructs street frontage to the proposed single-family residence lots. Alternative designs that provide street frontage for each lot while minimizing grading to preserve the natural and scenic resources of the site are available.

31. **LAND USE COMPATABILITY.** The Commission finds that the Project is not consistent with the Santa Monica Mountains North Area Land Use Plan. The proposed Project is not consistent with the policies related to hillside management, water quality, scenic resources, fire hazards, development and open space, and pattern and character of development.
32. **PHYSICAL SITE SUITABILITY.** The Commission finds that the site is not physically suitable for the type of development proposed. The Project would result in the creation of broad man-made slopes, large building pads, a man-made wall, and additional grading and vegetation disturbance in an area that is characterized by steep and irregular slopes and hillsides, and contains a mixture of natural appearing vegetation that characterize the natural and scenic views of the Project Site and its surroundings. The proposed graded slopes for the Project would result in manufactured slopes of up to 60-feet high, which may impact vistas of the mountain slopes along Kanan Road and the surrounding area. The Project is also proposing to construct a landscape buffer and wall along Kanan Road in an area containing natural slopes greater than 25% which is not a suitable design among the natural rock faces and slopes. The proposed wall also does not conform to the natural landform. The site is not suitable for the proposed large building pads and building site areas because they require a larger fuel modification area which would extend further into the undisturbed natural hillside and require a greater amount of vegetation removal. The existing terrain depression is not suitable for fill grading because the terrain

depression and vegetation present in, and around, the terrain depression contributes to the scenic resources of the Project Site and surrounding area.

33. **SEWER DISCHARGE.** The Commission finds that the discharge of sewage from this land division into public sewer system may violate the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (Commencing with Section 13000) of the Water Code. In the Subdivision Committee Report dated October 13, 2016, Public Health placed a hold for clearance of the Project. Public Health requested that the public water provided by Las Virgenes Water District, and public sewer as proposed for wastewater disposal, be evidenced by a current "Will Serve" Letter from the water purveyor prior to approval of the revised vesting tentative map. In their letter dated October 17, 2016, Public Health recommended approval of the Project based on the use of public water and public sewer proposed for wastewater disposal, but the committee report was not updated to remove the hold through the Subdivision Committee review process. Accordingly, Public Health has not issued recommendations for conditions of approval to be included in the Project to ensure compliance with all applicable Public Health requirements, including sewer discharge. As such, sewer discharge may not be adequately conditioned to comply with the requirements of the California Regional Water Quality Control Board pursuant to Division 7 (Commencing with Section 13000) of the Water Code.
34. **DESIGN IMPACT – PUBLIC HEALTH.** The Commission finds that the design of the subdivision and the type of improvements may cause serious public health problems, since sewage disposal, storm drainage, and geologic or soils factors may not have been adequately addressed. DPW recommended approval of the Project in their email dated June 26, 2018, which included conditions of approval related to sewage disposal, storm drainage, and geologic or soil factors. Such conditions are required to be met prior to final map approval. However, the Project has not been adequately reviewed under CEQA for potential public health impacts including sewage disposal, storm drainage, and geologic or soils factors. The Project is located in a HMA and contains Landslide Hazard areas which indicate a potential for geological or geotechnical conditions that may require mitigation or Project design alternatives.
35. **WILDLIFE/HABITAT IMPACTS.** The Commission finds that the proposed Project may have potential for an adverse effect on wildlife resources or the habitat upon which, either individually or cumulatively, the wildlife depends. Adequate environmental review under CEQA, including potential Project effects on wildlife resources, was not conducted for the Project due to the current recommendation for denial of the Project. The recommendation for denial of the Project is a result of the applicant's requests to proceed to hearing without re-designing the Project to be consistent with all applicable requirements and policies.
36. **PASSIVE COOLING.** The Commission finds that the design of the subdivision may not provide to the extent feasible, for future passive or natural heating or cooling opportunities therein. Future structures built on the property after subdivision

recordation will be required to comply with State and County Green Building standards, which regulate the heating and cooling efficiency of structures for the benefit of the natural environment. The Project has not provided adequate information or design specifications to determine if the subdivision can provide for future passive or natural heating or cooling opportunities.

37. **RIGHTS OF WAY/EASEMENTS.** The Commission finds that the division and development of the property in the manner set forth on this map may unreasonably interfere with the free and complete exercise of public entity and/or public utility rights-of-way and/or easements within this map. DPW recommended approval of the Project in their email dated June 26, 2018, which included conditions of approval related to rights-of-way and easements. Such conditions are required to be met prior to final map approval. Additionally, the street frontage requirements for lots no. 2, 3, and 4 is not recommended to be waived by Regional Planning and therefore the condition of approval for DPW would not be observed as required.
38. **WATERCOURSE IMPACT.** The Commission finds that the Pursuant to Article 3.5 of the Subdivision Map Act, the proposed subdivision does not contain or front upon any public waterway, river, stream, coastline, shoreline, lake, or reservoir.
39. **HOUSING EMPLOYMENT NEEDS.** The Commission finds that the housing and employment needs of the region were considered and balanced against the public service needs of local residents and available fiscal and environmental resources when the project was determined to not be consistent with the Santa Monica Mountains North Area Plan.
40. **PUBLIC NOTICE.** The Commission finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, and newspaper [Malibu Times], and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at the Agoura Hills Library located in the vicinity of the Agoura Hills community. On June 25th, 2018 a total of 39 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as to the courtesy mailing list for the Malibu Zoned District and to any additional interested parties.
41. **LOCATION OF DOCUMENTS.** 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 Land Divisions Section, Department of Regional Planning.

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

- A. The proposed use will not be consistent with the adopted Santa Monica Mountains North Area Plan.
- B. The proposed use at the site will adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. The proposed site is not 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.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

- 1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15270(a) of the State CEQA Guidelines (Projects Which Are Disapproved Statutory Exemption); and
- 2. Denies Revised Vesting Tentative Tract Map No. 52805-1.

ACTION DATE: 08/08/2018

VOTE:

Concurring:
Dissenting:
Abstaining:
Absent:

SDJ:MAG

07/24/18

**DRAFT FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
PROJECT NO. 98187-(3)
REVISED VESTING TENTATIVE TRACT MAP NO. 52805-1
CONDITIONAL USE PERMIT NO. RPPL2016003948**

1. **HEARING DATE(s).** The Los Angeles County (“County”) Regional Planning Commission (“Commission”) conducted a duly noticed public hearing on August 8, 2018 in the matter of Revised Vesting Tentative Tract Map No. 52805-1 (“Revised Map”), heard concurrently with Conditional Use Permit No. RPPL2016003948 (“CUP”).
2. **ENTITLEMENTS REQUESTED.** Land Developer Associates Corporation (“Permittee”) requests to revise an approved Vesting Tentative Tract Map No. 52805, which created five single-family residence lots and one open-space lot on 107.8 acres with a total of 120,000 cubic yards of grading, to create a total of five single-family residence lots and one open space lot on 107.8 acres with a revised total of 160,000 cubic yards of total grading, balanced on-site. The revised vesting tentative tract map dated September 13, 2016, depicts five single-family residence lots that are as follows: lot no.1 with 20.01 gross acres, lot no. 2 with 20.01 gross acres, lot no. 3 with 20.00 gross acres, lot no. 4 with 20.01 gross acres, and lot no. 5 with 25.80 gross acres. The revised map also depicts one open space lot which is 1.97 gross acres in size. The Project is further requesting permission to waive the street frontage requirements for lots no. 2, 3, 4, and 5.

The CUP is a request for on-site grading exceeding 100,000 cubic yards and for grading within the Santa Monica Mountains North Area Community Standard District exceeding 5,000 cubic yards. The Project includes a request for a total of 160,000 cubic yards, consisting of 80,000 cubic yards of cut and 80,000 cubic yards of fill, to be balanced on-site. The 60,000 cubic yards of cut authorized in the approved Vesting Tentative Tract Map No. 52805 will be filled and balanced throughout the building pad areas and interior private driveway and fire lane. The additional 20,000 cubic yards of cut requested in the revised map will be balanced on-site by filling 20,000 cubic yards in an existing depression in the terrain located in the southwest corner of the Project Site, adjacent to Kanan Road.

3. **LOCATION.** The Project is located along Kanan Road, approximately 7,900 feet southwest of the intersection of Kanan Road and Cornell Road, in the unincorporated Santa Monica Mountains North Area. The Assessors’ Parcel Number (“APN”) for the subject property is 2063-004-022 (“Project Site”).
4. **TOPOGRAPHY.** The Project Site is 107.8 gross acres in size and consists of one legal lot. The Project Site is irregular in shape with steep sloping topography and is undeveloped except for a small cleared area located in the southern portion of the Project Site, adjacent to Kanan Road.

5. **ZONING.** The Project Site is located in the Malibu Zoned District and is currently zoned A-1-20 (Light Agricultural- 20- Acre Minimum Required Lot Area).
6. **LAND USE CLASSIFICATION.** The Project Site is located within the N20 (Mountain Lands 20) land use category of the Santa Monica Mountains North Area ("SMMNA") Plan, Land Use Policy Map.
7. **SURROUNDING ZONING.** Surrounding Zoning within a 500-foot radius includes:

North: City of Agoura Hills - Agoura Village Specific Plan - Zone G (Open Space)
South: A-1-10 (Light Agricultural - 10 Acre Minimum Required Lot Area) and O-S (Open Space)
East: A-1-20 and RPD-2-0.5U (Residential Planned Development - 2 Acre Minimum Required Lot Area – 0.5 DU/AC)
West: A-1-20
8. **SURROUNDING LAND USES.** Surrounding land uses within a 500-foot radius include:

North: Vacant Land
South: Vacant Land and Single-Family Residences
East: Vacant Land
West: Vacant Land
9. **ZONING HISTORY/PREVIOUS CASES.** The Project Site was zoned A-1-20 on August 20, 2002 by Ordinance No. 2002-0062Z. Prior to the rezoning in 2002, the Project Site was zoned A-1-1 on April 11, 1958 by Ordinance No. 7310. Prior to the rezoning in 1958, the Project Site was zoned M-3 (Unclassified) on December 26, 1956 by Ordinance No. 1494.

There are two previous cases on the subject property, One-Stop Counseling No. R1ST201300063 and Vesting Tentative Tract Map No. 52805, which are described below:

One-Stop Counseling No. R1ST201300063 for a senior housing development was filed on September 9, 2013 and counseling took place on November 6, 2013.

Vesting Tentative Tract Map No. 52805 authorized the subdivision of 107.8 acres into five single-family residence lots and one open-space lot with 120,000 cubic yards of grading and was approved on November 20, 2003. The request initially included a proposal for 11 single-family residence lots and one open space lot with 453,249 cubic yards of grading. The Regional Planning Commission heard the case on May 31, 2000 where they received testimony both in support of, and against, the Project. The Commission discussed the Project and determined the Project included too much grading and was not in compliance with applicable policies, and instructed staff to prepare findings for denial. At their hearing on June 13, 2000 the Regional Planning

Commission gave the applicant the option to redesign the Project in lieu of a denial of the Project. The applicant opted to redesign the Project and March 14, 2001 the Regional Planning commission reviewed a revised proposal containing five single-family residence lots and one open-space lot, with 382,025 cubic yards of grading. Public testimony expressing concerns with the amount of grading and visual impact of the Project was heard by the Commission. The hearing was continued to June 13, 2001 where it was further continued to September 19, 2001 to allow the applicant to re-design the Project in response to concerns with the water systems. At the September 19, 2001 hearing, the Commission instructed the applicant to redesign with smaller pads and grading for foundations only. The hearing was continued to November 19, 2001 and again to January 9, 2002 because the revised map did not clear the subdivision committee in advance of the November 19, 2001 hearing date. At the January 9, 2002 hearing, the Commission closed the public hearing and instructed staff to prepare final conditions and findings for approval. At their hearing dated November 20, 2003 the Commission approved Vesting Tentative Tract Map No. 52805 authorizing the subdivision of 107.8 acres into five single-family residence lots and one open space lot, with 120,000 cubic yards of grading.

10. **MAP AND SITE PLAN DESCRIPTION.** The Revised Map depicts five single-family residence lots on 107.8 acres, located along the north side of Kanan Road. Each lot is at least 20 acres in size with lot no. 5 having the largest lot area with 25.8 acres. The map also depicts a 1.97 acre open-space lot adjacent to Kanan Road. The map depicts access to the site via a 26-foot wide private driveway and fire lane from Kanan Road. One segment of the on-site private driveway and fire lane provides access to lots no. 1 and 2 to the east, and the other segment provides access to lots no. 3, 4, and 5 to the west. The map depicts five building pads with one pad on each single-family residence lot. The depicted pad areas for lots no. 1 through 5 are 18,625 sq. ft., 16,700 sq. ft., 15,300 sq. ft., 11,100 sq. ft., and 70,750 sq. ft., respectively. The open space lot no. 6 is 1.97 acres in size, with 1.34 acres proposed to be landscaped and 0.63 acres proposed to be developed with the private driveway and fire lane. The map notes indicate that construction of residential buildings and accessory structures within lot no. 6 are prohibited and that lot no. 6 shall be dedicated to the Santa Monica Mountains Conservancy or other public agency approved by the Department of Regional Planning.

The proposed revised map depicts that all areas outside of the proposed pad areas and the required fuel modification zones, approximately 105 acres in total, would be set aside as open space by recording a conservation easement. The open space lot was depicted a separate 79-acre open space lot in the approved Vesting Tentative Tract Map No. 52805. 77 acres of such open space lot are now proposed to be included in the lot area for the proposed single-family residence lots. Pursuant to the Conditions of Approval of the approved Vesting Tentative Tract Map No. 52805, the Project applicant was required to execute an agreement to convey the open space lot to the Santa Monica Mountains Conservancy ("Conservancy") and further record a conservation easement for the benefit of the County and the Conservancy that encompasses all areas outside of the 200-foot fuel modification zone, as depicted on

the approved tentative map. The Project proposes to fill in an existing terrain depression area approximately 2.75 acres in size. This terrain depression is located outside of the 200-foot fuel modification zone depicted in the approved vesting tentative map. The filling of the terrain depression, as depicted in the revised map, would reduce the open space set aside area required by Vesting Tentative Tract Map No. 52805 by 2.75 acres.

11. **SITE ACCESS.** The Project Site is accessible via Kanan Road to the south. Access to the Project Site will be via an entrance/exit through the proposed private driveway and fire lane.
12. **PARKING.** The Project does not include the construction of any residences or other uses that require parking, but future development of single-family residences or other permitted uses in Zone A-1 will be required to provide parking consistent with applicable requirements at such time.
13. **INTERNAL CIRCULATION.** Internal circulation and access for the Project will be provided by a 26-foot wide, paved private driveway and fire lane. The private driveway and fire lane connects to Kanan Road and consists of two segments. One segment of the on-site private driveway and fire lane provides access to lots no. 1 and 2 to the east, and the other segment provides access to lots no. 3, 4, and 5 to the west. Lots no. 1 and 5 contain street frontage along Kanan Road but access to the building pad areas is provided along the proposed 26-foot wide private driveway and fire lane. Lots no. 2, 3, and 4 only have frontage along the proposed private driveway and fire lane. Lot no. 6, the open space lot, is sited between Kanan Road and lots no. 2, 3, and 4 and prevents them from maintaining street frontage.
14. **PRE-HEARING PROCEEDINGS.** Prior to the Commission's public hearing on the Project, the permittee individually met with residents neighboring the Project Site to discuss the Project.
15. **COUNTY AGENCY RECCOMENDATIONS.** The Los Angeles County Subdivision Committee consists of representatives of the Departments of Regional Planning ("Regional Planning"), Public Works ("DPW"), Parks and Recreation, Public Health ("Public Health") and the Fire Department. Based on the Subdivision Committee Report dated October 13, 2016 for the map dated September 13, 2016, DPW, Public Health, and Regional Planning did not clear the Project for public hearing and approval. The Fire Department and the Department of Parks and Recreation have cleared the Project. In response to staff's recommendations for Project redesign, the applicant declined to revise the Project and return to the Subdivision Committee for review and possible clearance of existing holds. Instead, the applicant requested to continue to the public hearing with holds from Regional Planning, DPW, and Public Health. The holds for Regional Planning include inconsistency with the land use policies, hillside development, grading, and scenic resource requirements. The holds for DPW included a request for the applicant to submit evidence that Regional Planning is prepared to recommend waiving street frontage requirements for lots no.

2, 3, and 4 and hydrology report requirements. The hydrology study report was later cleared by DPW in their email dated March 3, 2018 and the Project as a whole was cleared by DPW in their email dated June 26, 2018, which included conditions of approval for the Project. However, the committee report was not updated to remove the hold through the Subdivision Committee review process. The hold from Public Health included a request that the public water provided by Las Virgenes Water District, and public sewer as proposed for wastewater disposal, be evidenced by a current "Will Serve" Letter from the water purveyor prior to approval of the revised vesting tentative map. In their letter dated October 17, 2016, Public Health cleared the hold for the Project, but the committee report was not updated to remove the hold through the Subdivision Committee review process.

16. **CEQA ENVIRONMENTAL DETERMINATION.** Prior to the Commission's public hearing on the Project, Regional Planning staff determined that the Project qualified for a Statutory Exemption-Projects Which Are Disapproved- from the California Environmental Quality Act (Public Resources Code section 15270(a) ("CEQA"), the State CEQA Guidelines, and the Environmental Documents Reporting Procedures and Guidelines for the County, because staff is recommending that the Project be disapproved.
17. **LEGAL NOTIFICATION AND PUBLIC OUTREACH.** Pursuant to the provisions of sections 22.60.174 and 22.60.175 of the Zoning Code, the community was appropriately notified of the Project's public hearings by mail, newspaper, property posting, and departmental website posting. A total of 39 postcard notices were mailed out to properties located within the 500-foot radius of the project site and to those on the courtesy mailing list for the Malibu Zoned District.
18. **PUBLIC COMMENTS.** Prior to the Commission's public hearing, and prior to noticing the project for public hearing, the Department of Regional Planning ("Regional Planning") staff received four letters in support of the Project.
19. **HEARING PROCEEDINGS.** *To be inserted after the public hearing to reflect hearing proceedings.*
20. **VESTING MAP.** The subject tract map was submitted as a "vesting" tentative map. As such, it is subject to the provisions of Sections 21.38.010 through 21.38.080 of the County Code.
21. **PLAN CONSISTENCY.** The Project Site is located within the N20 (Mountain Lands 20) land use category of the Santa Monica Mountains North Area ("SMMNA") Plan. This designation consists of rolling hillside areas, steep slopes, and isolated remote mountain lands with difficult or no access. The maximum allowable residential density in the N20 land use category is one dwelling unit per 20 acres (1du/20ac). The N20 land use designation is intended for low density single-family housing, agriculture, equestrian uses, and other similar local serving uses. The Project is a request to revise an approved vesting tentative tract map to create a total of five single-family residence

lots and one open space lot on 107.8 acres, with a revised total of 160,000 cubic yards of grading, consisting of 80,000 cubic yards of cut and 80,000 cubic yards of fill, balanced on-site. The Project is consistent with the intended uses of the underlying land use category but is not consistent with the policies of the SMMNA Plan, including policies related to Hillside Management, Water Quality, Scenic Resources, Fire Hazards, Development and Open Space, and Pattern and Character of Development.

22. The Commission finds that the Project is not consistent with the applicable Hillside Management policies of the SMMNA Plan, including policy IV-9. The Project proposes to balance 80,000 cubic yards of cut on-site, including fill of 20,000 cubic yards in a terrain depression located in the south west portion of the Project Site. The Project proposes to create building pads for lots no. 1 through 4 that average 15,430 square feet in size. Lot no. 5 is proposed to have a 70,750 square-foot building pad area. The Project Site is located along Kanan Road and south of Lady Face Mountain, which is a prominent landform in the area. The proposed graded slopes for the Project would result in manufactured slopes of up to 60-feet high and located within a Hillside Management Area containing large amounts of area with slopes exceeding 25% grade. The Project has not been sufficiently designed with reduced building pad areas or other comparable design that reduces grading in order to preserve the natural features of the Project Site and surrounding area. The Project has not shown that the additional fill grading is a superior option compared to a reduction of building pad size, export of cut material, or other Project re-design that protects natural landforms and minimizes grading. As proposed, the Project may impact significant natural features and does not seek to minimize grading.
23. The Commission finds that the Project is not consistent with the applicable Hillside Management policies of the SMMNA Plan, including policy IV-10. The Project is located within a hillside management area that contains slopes over 25% grade. The Project proposes to create five flat building pad areas with an average size of 26,495 square feet and would be accessed by a 26-foot-wide private driveway and fire lane that is also located within a Hillside Management Area. The grades of the proposed manufactured slopes are approximately 38% in the areas near building pads for lots no. 1 and 2, 37% near the building pads for lots no. 3, 4, and 5, and approximately 45%, or 2:1 slopes, in the area that is proposed to be created by filling in the terrain depression with the additional requested grading. Such manufactured slopes do not conform to the natural landform and instead create broad slopes and flat pads in an area characterized by steep terrain and irregular slopes. The Project is also proposing to construct a landscape buffer and wall along Kanan Road in an area containing natural slopes greater than 25%. The proposed wall does not conform to the natural landform and impacts scenic resources of the Project Site. As proposed, the Project does not include a design that conforms to the natural landform and does not blend with the natural environment.
24. The Commission finds that the Project is not consistent with the Hillside Management policies of the SMMNA Plan, including policy IV-13. The Project includes a request to create five new single-family residence lots requiring a total of 160,000 cubic yards of

grading. The Project proposes to create five flat building pad areas with an average size of 26,495 square feet and would be accessed by a 26-foot wide private driveway and fire lane. The building pads and private driveway require the creation of manufactured slopes. The grades of the proposed manufactured slopes are approximately 38% in the areas near the building pads for lots no. 1 and 2, approximately 37% near the building pads for lots no. 3, 4, and 5, and approximately 45%, or 2:1 slopes, in the area that is proposed to be created by filling in the terrain depression with the requested additional grading. Such manufactured slopes do not conform to the natural landform and instead create broad slopes and flat pads in an area characterized by steep terrain and irregular slopes. The Project proposes to install landscaping and a buffer wall to screen the Project from Kanan Road. Such wall does not adapt to the natural hillside topography and instead alters the topography to screen the Project from surrounding vantage points. The Project is sited in the southern portion of the Project Site, close to Kanan Road, so as to avoid steeper slopes to the north. However, such design requires the creation of large gentle slopes and additional on-site grading which does not adapt and fit into the natural hillside topography and does not protect natural appearing views from surrounding vantage points.

25. The Commission finds that the Project is not consistent with the Water Quality policies of the SMMNA Plan, including policy IV-24. The Project proposes five building pads for five single-family residence lots with a total area of 132,475 square feet and one flat pad for a partially landscaped open-space lot with a total area of 85,813 square feet. The Project is located in a Very High Fire Hazard Severity Zone, which requires fuel modification with a typical radius of 200 feet from structures. Larger building pads and building site areas require a greater fuel modification area which extends further into the undisturbed natural hillside and requires more vegetation removal. The Project is requesting to fill in a terrain depression with 20,000 cubic yards of on-site cut material. The terrain depression area functions as a storm water detention pit and the slopes surrounding the detention pit to the north, east, and west support native California Coastal Sage/Chamise chaparral vegetation and the upper and middle slopes of the detention pit contain a variety of native vegetation types. The western and eastern banks of the detention pit contain primarily non-native vegetation. The Project would fill the detention pit and impact the native vegetation on the upper and middle slopes or areas surrounding the detention pit. The Project is utilizing large building pad areas with large fuel modification radii instead of smaller building pad areas with smaller fuel modification radii, resulting in a greater amount of vegetation disturbance. The Project proposes to re-vegetate all disturbed areas with native vegetation. However, according to General Goal III of the SMMNA Plan, preserving the natural environmental features includes consciously choosing to protect the natural terrain in its natural state over allowing development projects to proceed simply because impacts can be mitigated.
26. The Commission finds that the Project is not consistent with the Scenic Resource Policies of the SMMNA Plan, including policy IV-30. The Project proposes five building pads for five single-family residence lots with a total area of 132,475 square feet and

one open space lot with a total area of 85,813 square feet. The Project would create manufactured slopes to construct the proposed building pads. The slopes of the proposed manufactured slopes are approximately 38% in the areas near building pads for lots no. 1 and 2, 37% near the building pads for lots no. 3, 4, and 5, and approximately 45%, or 2:1 slopes, in the area the area that is proposed to be created by filling in the terrain depression with the requested additional grading. Such manufactured slopes do not conform to the natural landform and instead create broad slopes and flat pads in an area characterized by steep terrain and irregular slopes. The Project is also proposing to construct a landscape buffer and wall along Kanan Road in an area containing natural slopes greater than 25%. A man-made wall is not likely to blend with the existing terrain to the same extent as the existing undisturbed terrain in the area where the wall is proposed. Additionally, the Project proposes to fill in an existing terrain depression with 20,000 cubic yards of fill grading, resulting in additional man-made slopes. The Project has not been adequately re-designed with smaller building pad areas or other similar design to sufficiently reduce grading quantities. The Project would disturb an additional 125,000 square feet, approximately 2.75 acres, in addition to the three acres of disturbance required to construct the building pad areas and private driveway and fire lane. As a result, the Project is not sufficiently designed to ensure minimal visual disruption of existing settings.

27. The Commission finds that the Project is not consistent with the Fire Hazards policies of the SMMNA Plan, including policy V-10. The Project is located in a Very High Fire Hazard Severity Zone, which requires fuel modification with a typical radius of 200 feet from structures. Larger building pads and building site areas require a larger fuel modification area, which would extend further into the undisturbed natural hillside and requires a greater amount of vegetation removal. The Project also proposes to fill an onsite terrain depression which results in additional vegetation disturbance. The Project is proposing large building pad with large fuel modification radii instead of smaller building pad areas with smaller fuel modification radii, resulting in a greater amount of vegetation disturbance. The Project proposes to revegetate all disturbed areas with native vegetation. However, according to General Goal III of the SMMNA Plan, preserving the natural environmental features includes consciously choosing to protect the natural terrain in its natural state over allowing development projects to proceed simply because impacts can be mitigated. As currently proposed, the Project has not been sufficiently designed to avoid development in fire-hazardous areas with significant biological resources and instead has proposed mitigation measures that would require intrusive fuel breaks and fuel medication areas to protect new development.
28. The Commission finds that the Project is not consistent with the Development and Open Space policies of the SMMNA Plan, including policy VI-3. The Project proposes five building pads for five single-family residence lots with a total area of 132,475 square feet and one open space lot with a total area of 85,813 square feet. The Project would create manufactured slopes to accomplish creation of the proposed building pads. Pursuant to the conditions of approval of the approved Vesting Tentative Tract Map No. 52805, the Project applicant was required to execute an agreement to convey

the open-space lot to the Conservancy and further record a conservation easement for the benefit of the County and the Conservancy that encompasses all areas outside of the 200-foot fuel modification zone, as depicted on the approved tentative map. The Project proposes to fill in an existing terrain depression area that is approximately 2.75 acres in size. This terrain depression is located outside of the 200-foot fuel modification zone depicted in the approved vesting tentative map. The filling of this area would result in new disturbance in an area previously required to be set aside as a conservation easement. It would also create additional man-made slopes or flat areas which do not preserve or maintain the existing diverse topographical features of the Project Site. The filling of the terrain depression would reduce the open space area set aside in the revised map by 2.75 acres, thereby providing less open space than was required by the approved tentative tract map.

29. The Commission finds that the Project is not consistent with the Pattern and Character of Development policies of the SMMNA Plan, including Policy VI-13. The Project proposes five building pads for five single-family residence lots with a total area of 132,475 square feet and one building pad for an open space lot with a total area of 85,813 square feet. The grades of the proposed manufactured slopes are approximately 38% in the areas near the building pads for lots no. 1 and 2, 37% near the building pads for lots no. 3, 4, and 5, and approximately 45%, or 2:1 slopes, in the area that is proposed to be created by filling in the terrain depression with the additional proposed grading. Such manufactured slopes do not conform to the natural landform and instead create broad slopes and flat pads in an area characterized by steep terrain and irregular slopes. The project proposes to fill in an existing terrain depression with 20,000 cubic yards of fill grading rather than reduce the size of the proposed building pad areas to reduce required grading quantities. The proposed design includes man-made forms such as broad slopes, retaining walls, a wall for visual buffering, the creation of manmade slopes and flat areas, and large areas of vegetation clearance required for fire safety around the proposed building pad areas. The large building pads proposed, which have an average area of 26,495 square feet, would reduce the presence and appearance of existing natural features within the hillside area.
30. **ZONING CODE CONSISTENCY.** The Commission finds that the Project would not be consistent with the applicable regulations of the Zoning Code. The Project Site is within Zone A-1-20 (Light Agricultural- 20 Acre Minimum Required Lot Area) and is subject to the following standards:
- *A-1 Zone Development Standards*
The site is zoned A-1-20, which allows for single-family residence uses on a 20-acre minimum required lot size. A maximum of five residential units would be allowed on the approximately 107.8 gross-acre site under Zone A-1-20. The Project proposes to create five new single-family residence lots and one open space lot that would allow for future development of five-single family residences and accessory structures. The Project proposes minimum lot sizes of at least 20 acres, with four of the building pad areas averaging 15,431 square feet and one

building pad area with 70,750 square feet. Therefore, the Project has more than adequate area to accommodate development while observing the minimum required yards. If approved, future development of single-family residences, or other permitted uses in Zone A-1, will be required to comply with all applicable development standards including roofing and exterior siding materials, minimum dimensions and floor area, height limits, and parking.

- *On-Site Grading Project*

Pursuant to Section 22.24.100, a CUP shall be required for any on-site grading project which involves a volume of earth greater than 100,000 cubic yards. The Project includes a request for a CUP and is required to meet the Burden of Proof pursuant to Section 22.56.040. As currently proposed, the Project may impact the health, welfare, peace and comfort of persons residing or working in the surrounding area, may be detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or may jeopardize or otherwise constitute a menace to the public health, safety or general welfare. The Project would create manufactured slopes to accomplish the proposed building pads. Such manufactured slopes do not conform to the natural landform and instead create broad slopes and flat pads in an area characterized by steep terrain and irregular slopes. The Project is also proposing to construct a landscape buffer and wall along Kanan Road in an area containing natural slopes greater than 25%. A man-made wall is not likely to blend in with the existing undisturbed terrain that presently exists in the area where the wall is proposed. The applicant's request cites a market demand for larger pad sizes as a rationale for the proposed design. Such design requires the creation of large gentle slopes and additional on-site grading instead of redesigning the Project to adapt and fit into the natural topography, thereby protecting natural appearing views from surrounding vantage points. The use of large building pads, steep manufactured slopes, a man-made wall, and additional grading activities that cause a greater disturbance to the existing natural terrain does not result in a visual quality that will complement community character and benefit current and future residents.

- *Santa Monica Mountains North Area CSD*

Pursuant to Section 22.4.133.D, a CUP, as provided in Part 1 of Chapter 22.56, shall be required for any grading on a lot or parcel of land, or in connection with any project, that exceeds 5,000 cubic yards of total cut, plus fill material. In addition to the Burden of Proof Requirements of Section 22.56.090.A, additional findings pertaining to the grading shall be made pursuant to Section 22.44.133.D.4.b. The Commission finds that the grading will be performed in a manner that does not minimize disturbance to the natural landscape and terrain through design features for the project such as, but not limited to, locating the building pad in the area of the project site with the least slope, clustering structures, and locating the project close to a paved street traveled by the public. The Commission also does not find that the grading will be accompanied by other project features that maximize preservation of visual quality and community character through design features such as, but not limited to, reduced structural height, use of architectural features

including shape, materials, and color to promote blending with the surrounding environment, and the use of locally indigenous vegetation for concealment of the project. The Project includes a revised total of 160,000 cubic yards of grading, consisting of 80,000 cubic yards of cut and 80,000 cubic yards of fill, balanced on-site. The Project proposes to create five flat building pad areas with an average size of 26,495 square feet, one open space lot that is 1.97 acres in size, and would be accessed by a 26-foot-wide private driveway and fire lane. In order to construct the building pads and private driveway/fire lane, the Project would create manufactured slopes that do not minimize disturbance to the natural landscape and instead create broad slopes and flat pads in an area characterized by steep terrain and irregular slopes. The Project proposes to install landscaping and a buffer wall to screen the Project from Kanan Road. The use of large manufactured slopes, large building pads, and a man-made wall detracts from the visual quality and character of the community.

- *Hillside Management*

Under the Hillside Management Area Ordinance No. 82-0003 applicable to the Project, any residential development that exceeds a certain low-density threshold in a rural hillside management area is required to obtain a Hillside Management CUP ("HM-CUP"). The Project proposes five single-family residence lots and one open space lot, and the low-density threshold calculated for the Project is 8.56. The Project does not exceed the low-density threshold calculated for the Project and therefore, does not require a HM-CUP. Section 22.56.217 of the County Code imposes additional requirements for projects within hillside management areas. The current Hillside Management Areas Ordinance, adopted October 6, 2015, does not apply to the Project because the Project application was submitted on December 2, 2014 and is subject to the previous Hillside Management Areas Ordinance No. 82-0003. Such ordinance stipulates that the maximum density for a proposed development is that which is permitted by the adopted community plan for the area in which the proposed development is located. The Project is subject to the Santa Monica Mountains North Area Plan, N20 land use category, which establishes a density factor of .05 for both slopes of 25-50% and slopes 50% or greater. The Project proposes five single-family residence lots and one open space lot with a maximum allowable density of 5.39 units. The Project is consistent with the residential density for the N20 land use category.

- *Street Frontage*

Section 21.24.290 of the Los Angeles County Subdivision Ordinance requires that all lots in the subdivision of land shall provide street frontage. Section 21.24.040 allows the advisory agency to modify the requirements of Section 21.24.290 where it finds that topographic conditions, title limitations, the pattern of ownership, or the state of development of parcels in the immediate vicinity of a division of land make the strict application of the provisions of these sections impossible or impractical and that the public health, safety and general welfare will not be adversely affected thereby. The Project requests permission to waive street frontage requirements for lots no. 2, 3, and 4. The Project proposes a 26-foot-wide private driveway and fire

lane providing access to all lots within the subdivision. Lots no. 1 and 5 contain street frontage along Kanan Road with access to the building pad areas provided along the proposed 26-foot wide private driveway and fire lane. Lots no. 2, 3, and 4 only have street frontage on the proposed private driveway and fire lane from which they take access. Lot no. 6, the open space lot, is sited between Kanan Road and lots no. 2, 3, and 4 and prevents them from maintaining street frontage. The request for waiver of street frontage is not recommended because the creation of the proposed lot no. 6 is not necessary to meet minimum required area, open-space, or landscaping requirements, and it obstructs street frontage to the proposed single-family residence lots. Alternative designs that provide street frontage for each lot while minimizing grading to preserve the natural and scenic resources of the site are available.

31. **LAND USE COMPATABILITY.** The Commission finds that the Project is not consistent with the Santa Monica Mountains North Area Land Use Plan. The proposed Project is not consistent with the policies related to hillside management, water quality, scenic resources, fire hazards, development and open space, and pattern and character of development.
32. **PHYSICAL SITE SUITABILITY.** The Commission finds that the site is not physically suitable for the type of development proposed. The Project would result in the creation of broad man-made slopes, large building pads, a man-made wall, and additional grading and vegetation disturbance in an area that is characterized by steep and irregular slopes and hillsides, and contains a mixture of natural appearing vegetation that characterize the natural and scenic views of the Project Site and its surroundings. The proposed graded slopes for the Project would result in manufactured slopes of up to 60-feet high, which may impact vistas of the mountain slopes along Kanan Road and the surrounding area. The Project is also proposing to construct a landscape buffer and wall along Kanan Road in an area containing natural slopes greater than 25% which is not a suitable design among the natural rock faces and slopes. The proposed wall also does not conform to the natural landform. The site is not suitable for the proposed large building pads and building site areas because they require a larger fuel modification area which would extend further into the undisturbed natural hillside and require a greater amount of vegetation removal. The existing terrain depression is not suitable for fill grading because the terrain depression and vegetation present in, and around, the terrain depression contributes to the scenic resources of the Project Site and surrounding area.
33. **COMPATIBILITY WITH SURROUNDINGS.** The Commission finds that the requested use at the location will adversely affect the health, peace, comfort, or welfare or persons residing or working in the surrounding area; be detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, or jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare. The Project would create manufactured slopes to accomplish the proposed building pads. Such manufactured slopes do not conform to the natural landform and instead create broad slopes and flat pads in an area characterized by

steep terrain and irregular slopes. The Project is also proposing to construct a landscape buffer and wall along Kanan Road in an area containing natural slopes greater than 25%. A man-made wall is not likely to blend in with the existing terrain and will impact scenic resources within the Project Site. The Project has not been sufficiently designed with reduced building pad areas or other comparable design that reduces the amount of grading required for the Project. The Project has also not shown that the additional proposed grading is necessary for the safety of current and future residents. The total area of disturbance under the approved Vesting Tentative Tract Map No. 52805 is approximately three acres. The Project is requesting an additional 2.75 acres of disturbance through the revised map application, for a total of 5.75 acres of disturbance on the Project Site. The area containing the terrain depression, in which the additional grading fill is proposed, was required to be set aside as open space by the Conditions of Approval and Mitigation and Monitoring Reporting Program of the approved Vesting Tentative Tract Map No. 52805, through a conservation easement to encompass all areas located outside of the 200-foot fuel modification zones depicted on the tentative map.

34. **DEVELOPMENT STANDARDS.** The Commission finds that the proposed site is not adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 21 (Subdivision Code) and Title 22 (Zoning Code), or as is otherwise required in order to integrate said use with the uses in the surrounding area. The Project would not substantially comply with the development standards of the Zoning Code because the Project does not comply with the CUP requirements for an On-site Grading Project, or grading exceeding 5,000 cubic yards within the Santa Monica Mountains North Area CSD. The proposed Project design requires the creation of large gentle slopes and additional on-site grading, instead of redesigning the Project to adapt and fit into the natural hillside topography, thereby protecting natural appearing views from surrounding vantage points. The use of large building pads, steep manufactured slopes, a man-made wall, and additional grading activities that cause a greater disturbance to the existing natural terrain does not result in a visual quality that will complement community character or benefit current and future residents.
35. **ADEQUATE STREETS.** The Commission finds that the proposed site is not 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, including provisions ensuring adequate highways or streets to serve the proposed Project. The Project is proposing an on-site private driveway and fire lane taking access from Kanan Road. DPW recommended approval of the Project in their email dated June 26, 2018, which included conditions of approval related to rights-of-way, driveways, easements, and turn lane improvements on Kanan Road. Such conditions are required to be met prior to final map approval. The street frontage requirements for lots no. 2, 3, and 4 is not recommended to be waived by Regional Planning and therefore the condition of approval for DPW would not be observed as required. Additionally, traffic impacts have not been adequately evaluated under CEQA due to the current recommendation

for denial of the Project. The recommendation for denial of the Project is a result of the applicant's requests to proceed to hearing without re-designing the Project to be consistent with all applicable requirements and policies.

36. **CSD GRADING REQUIREMENTS.** The Commission finds that that the grading will not be performed in a manner that minimizes disturbance to the natural landscape and terrain through design features for the project such as, but not limited to, locating the building pad in the area of the project site with the least slope, clustering structures, and locating the project close to a paved street traveled by the public. The Commission further finds that the grading will not be accompanied by other project features that maximize preservation of visual quality and community character through design features such as, but not limited to, reduced structural height, use of architectural features including shape, materials, and color to promote blending with the surrounding environment, and the use of locally indigenous vegetation for concealment of the project. The Project includes a revised total of 160,000 cubic yards of grading, consisting of 80,000 cubic yards of cut and 80,000 cubic yards of fill, balanced on-site. The Project proposes to create five flat building pad areas with an average size of 26,495 square feet, one open-space lot that is 1.97 acres in size, and would be accessed by a 26-foot-wide private driveway and fire lane. In order to construct the building pads and private driveway/fire lane, the Project would create manufactured slopes that do not minimize disturbance to the natural landscape and instead create broad slopes and flat pads in an area characterized by steep terrain and irregular slopes. The Project proposes to install landscaping and a buffer wall to screen the Project from Kanan Road. The use of large manufactured slopes, large building pads, and a man-made wall detracts from the visual quality and character of the community.
37. **PUBLIC NOTICE.** The Commission finds that pursuant to sections 22.60.174 and 22.60.175 of the County Code, the community was properly notified of the public hearing by mail, and newspaper [Malibu Times], and property posting. Additionally, the Project was noticed and case materials were available on Regional Planning's website and at the Agoura Hills Library located in the vicinity of the Agoura Hills community. On June 25th, 2018 a total of 39 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well as to the courtesy mailing list for the Malibu Zoned District and to any additional interested parties.
38. **LOCATION OF DOCUMENTS.** 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 Land Divisions Section, Department of Regional Planning.

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

- A. The proposed use will not be consistent with the adopted Santa Monica Mountains North Area Plan.
- B. The proposed use at the site will adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. The proposed site is not adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. The proposed site is not 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.

THEREFORE, THE REGIONAL PLANNING COMMISSION:

- 1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15270(a) of the State CEQA Guidelines (Projects Which Are Disapproved Statutory Exemption); and
- 2. Denies Conditional Use Permit No. RPPL2016003948.

ACTION DATE: 08/08/2018

VOTE:

Concurring:

Dissenting:

Abstaining:

Absent:

SDJ:MAG

07/23/18

Attachment D

Burden of Proof Statement



CONDITIONAL USE PERMIT BURDEN OF PROOF

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

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

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

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

SEE ATTACHED

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

SEE ATTACHED

C. That the proposed site is adequately served:

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

SEE ATTACHED

CONDITIONAL USE PERMIT BURDEN OF PROOF

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

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

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or

Response:

This project was originally approved December 12, 2003. Since the approval, we commenced with preparing the improvement plans it was realized there was a bust in the grading quantities that resulted in 20,000 cubic yards of export. This would result in approximately 1,400 truckloads of export that would adversely affect the health, peace comfort or welfare of the persons residing or working in the surrounding area. By approving this project it meet the intent of the original approval and alleviate the need for export. The development will cause temporary discomfort with the adjacent residents in the area. Ultimately, the discomfort will be eliminated and you will have a development that embraces the area's rural and semi-rural character of the community. The property will have a substantial amount of natural vegetation that abuts Kanan Road. The homes visibility from Kanan Road will be minimal since they are recessed back approximately 100'- 200' feet. We will maintain the rural lifestyle of the area and will not install sidewalks, curbs, gutters and street lights along Kanan Road to maintain its existing atmosphere. We have designed for large lots that will allow us the opportunity to maintain similar housing within the community, but have kept the street width to the minimum required by the County of Los Angeles Land Development Division and Los Angeles County Fire Department.

CONDITIONAL USE PERMIT BURDEN OF PROOF

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

2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or

Response:

The intent of the development is keep approximately 98 acres as open space this will not only allow us to protect the natural environments, but to preserve the overall systematic way the land naturally processes its elements. Since over ninety percent of the project, will remain untouched, we are in keeping with the North Area Plan, "By protecting natural environments from insensitive development and accommodating habitat linkages, watershed preservation and scenic viewsheds, the scenic beauty of the area would also be preserved for future generations". The open space will then provide for trails and hiking which will provide use and enjoyment to the community. With the development that is being proposed, we will further enhance the prestige to an already prestigious community with semi-custom homes that will be sprawled out, thus utilizing the terrain provided.

3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

Response:

In concert with goal III of the North Area Plan, "Goal III looks to minimize the alterations to the natural terrain, not only to preserve natural environmental features, but also to protect residents' health and safety within the developed land". This property will have over 90 acres that will remain in its natural state. By filling the two holes left from the Kanan Road widening, we will promote the safety to the community and also bring development into an area that is subject to vandalism and possibly illegal activities. Since the emphasis on the development is to conform to the existing nature of the community, we have propose a low density development and kept the improvement activities closest to Kanan Road.

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

CONDITIONAL USE PERMIT BURDEN OF PROOF

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

Response:

The development consists of 107.8 acres but only 17 acres being disturbed that is closest to Kanan Road with the least amount of terrain. The development will consist of 5 residential lots that will be a minimum 20 acres each with a proposed 5 acre pad for each lot. This will provide a continuous extension of the properties that are currently in place. The development is low density, rural that will have minimal impacts on the natural environment along with the preservation of the southerly LadyFace Mountain. The open space area, which is consist approximately 90 acres will be kept natural and will provide for any nearby wildlife species in the area with more than adequate habitat. The development has been designed to fit into the hillside setting which has allowed us to keep the development clustered within a relatively small area of the property. The development basically incorporates large lots to preserve the natural environment and provide privacy in a rural setting.

- C. That the proposed site is adequately served:
1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and
 2. By other public or private service facilities as are required.

Response:

The proposed development abuts Kanan Road which has a 100' right of way and currently is used as a thoroughfare between the highway 101 and Pacific Coast Highway. The additional vehicles this development would add is negligible. We will need to bring water to the site but there is sufficient pressure once the main is installed and sewer is at the property line. We also have an existing gas line that will be utilized and power is available in close proximity to the project.

Attachment E

Subdivision Committee

Reports



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

PROJECT NUMBER

98187

HEARING DATE

TBD

REQUESTED ENTITLEMENTS

Revised Vesting Tentative Tract Map No. 52805
Conditional Use Permit RPPL2016003948
Environmental Assessment No. 201400279

SUBDIVISION COMMITTEE REPORT

OWNER / APPLICANT

Astoria Estates LLC (Land Developer Associates Corp.)

**MAP/EXHIBIT
DATE:**

9/13/16

**SCM REPORT
DATE:**

10/13/16

SCM DATE:

10/20/16

PROJECT OVERVIEW

To revise an approved vesting tentative tract map approved for the subdivision of 107.8 acres into 5 single family lots to include additional grading and an additional open space lot.

Subdivision: To create five single-family residence lots and one open space lots (6 total lots).

CUP: For development within a non-urban hillside management area and onsite grading in excess of 100,000 cubic yards;

MAP STAGETentative: Revised: Amendment: Amended :
Exhibit "A"Modification to :
Recorded MapOther: **MAP STATUS**Initial: 1st Revision: 2nd Revision: # Revision (requires a fee): **LOCATION**

Kanan Road, approximately 4,300 feet northeast of the intersection of Kanan Road and Troutdale Drive.

ACCESS

Kanan Road

ASSESSORS PARCEL NUMBER(S)

2063004022

SITE AREA

107.8 acres (gross)

GENERAL PLAN / LOCAL PLAN

Santa Monica Mountains North Area

ZONED DISTRICT

THE MALIBU

SUP DISTRICT3rd**LAND USE DESIGNATION**

N20 (1 DU/20AC)

ZONE

A-1-20

CSDSANTA MONICA
MOUNTAINS NORTH
AREA**PROPOSED UNITS**

(DU)

5 DU

MAX DENSITY/UNITS

(DU)

5 DU

GRADING

(CUT/FILL, IMPORT/EXPORT, ONSITE/OFFSITE)

80,000 cubic yards of cut

80,000 cubic yards of fill

160,000 cubic yards total, balanced on site

ENVIRONMENTAL DETERMINATION (CEQA)

Pending

SUBDIVISION COMMITTEE DEPARTMENT CLEARANCEDepartment

Regional Planning

Status

Hold

ContactSteven Jones (213) 974-6433 sdjones@planning.lacounty.gov

Public Works	Hold	Henry Wong (626) 458-4961 hwong@dpw.lacounty.gov
Fire	Cleared	Juan Padilla (323) 890-4243 jpadilla@fire.lacounty.gov
Parks & Recreation	Cleared	Clement Lau (213) 351-5120 clau@parks.lacounty.gov
Public Health	Hold	Michelle Tsiebos (626) 430-5382 mtsiebos@ph.lacounty.gov

SUBDIVISION COMMITTEE STATUS

Reschedule for Subdivision Committee Meeting:
Reschedule for Subdivision Committee Reports Only:

PREVIOUS CASES

TR52805

REGIONAL PLANNING ADDITIONAL COMMENTS AND HOLDS

Case Status/Recommendation: At this time, Regional Planning does not recommend approval of the revised tentative map. Clarify the project description and/or reduce the volume of grading proposed. Please read below for further details.

Environmental Determination:

Clear Hold

1. As previously requested, a spring survey may be necessary. For any questions related to site biology, you may contact the biologist, Joseph Decruyenaere, directly at 213-974-1448 or jdecruyenaere@planning.lacounty.gov.

Land Use Policy:

Clear Hold

2. Demonstrate the resource protection required by the non-urban hillside development criterion referenced in the Santa Monica Mountains North Area Plan to preserve major natural features, minimize environmental disruption and the loss of scenic and open lands. Justify the division of the open space lot. Grading has not been shown to be critical to safety, reduce grading to minimize the project's impact.

Tentative Map:

Clear Hold

3. Be advised that if approved, grading shall not begin during the rainy season, defined as October 15 any year through April 15 of the subsequent year.

Healthy Design Ordinance ("HDO"):

Clear Hold

4. Final Map Condition: The onsite tree planting requirement will be one tree per each 25 feet of existing and proposed street frontage located within the subject property. Based on the project total of 1,712.30 linear feet of street frontage, a total of 68 tree plantings shall be required for the project and indicated on a tree planting plan to be approved by Regional Planning prior to final map recordation.

RESUBMITTAL INSTRUCTIONS

If a map revision is required, please submit the following items:

- A completed and signed Land Division application,
- A signed and dated cover letter describing all changes made to the map,
- Five (5) folded and collated copies of Tract/Parcel Map and Exhibit Map/Exhibit "A,"
- A digital (CD or Flash drive) copy of the map/exhibit in PDF format,
- Revision fee payment (for the 3rd revision and thereafter), and
- Other materials requested by the case planner.

NOTE: An appointment is required for resubmittal. You must call the Land Divisions Section at 213-974-6433 to schedule the appointment. Prior to scheduling, you are encouraged to contact the case planner for a preview of your next SCM submittal.

It is recommended that this tentative map not be approved at this time. This recommendation is based upon information or lack of information that is available concerning the subject property. The removal of this recommendation is contingent upon the submission and satisfactory review of the following:

1. Provide evidence that the Department of Regional Planning is prepared to recommend waiving the street frontage requirement for Lots 2, 3, and 4.
2. A water quality section of the hydrology report is required to comply with the LID requirements. Please see attached Hydrology review sheet (Comments 1 and 2) for requirements. Please be advised that the submittal received on 08/24/2016 was reviewed but not approved.

HCW

Prepared by Aissa Carrillo

tr52805L-rev'dmap-rev1.doc

<http://planning.lacounty.gov/case/view/98-187/>

Phone (626) 458-3126

Date 10-11-2016



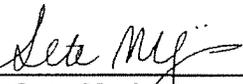
COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION
HYDROLOGY UNIT

TRACT MAP NO. 52805

REVISED TENTATIVE MAP DATED 09/13/16
EXHIBIT MAP 09/13/16

Approval and clearance of the tentative map is subjected to compliance with the following **drainage** comments:

1. A water quality section of the Hydrology Report is required to comply with the LID requirements of Los Angeles County Code Section 12.84 (<http://library.municode.com/index.aspx?clientId=16274>). Previous submittal received on 08/24/16 was reviewed and not approved.
2. Revise the hydrology to reflect changes on the tentative map.

Reviewed by  Date 10/06/16 Phone (626) 458-4921
Seta Marjanian

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – SUBDIVISION
TRACT NO. 52805 (Rev'd)

Page 1/1

TENTATIVE MAP DATED 09-13-2016
EXHIBIT MAP DATED 09-13-2016

- If this recommendation of disapproval is changed to a recommendation of approval based on additional information, the following reports would be recommended for inclusion in the conditions of tentative approval:

Prepared by Aissa Carrillo
tr52805L-rev'dmap-rev1.doc
<http://planning.lacounty.gov/case/view/98-187/>

Phone (626) 458-3126

Date 10-11-2016

The following report consisting of ____ 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/parcel 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, Underground 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. 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.
6. 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.
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 and Fire Department.
9. Reserve reciprocal easements for drainage, ingress/egress, sewer, water, utilities, right to grade, and maintenance purposes, in documents over the common private driveways to the satisfaction of Public Works.
10. The following note shall be placed on all tract and parcel maps with lot sizes of five acres or more: "Further division of this property to lot sizes below five acres will require standard improvements be completed as a condition of approval. The improvements will include but not limited to providing access, installation of water mains, appurtenances and fire hydrants, and conformance to Los Angeles County development standards."
11. The street frontage requirement for Lots 2, 3, and 4 needs to be waived by the Advisory Agency.
12. Show open space lots on the final map and dedicate residential construction rights over the open space lots.
13. 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.
14. 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.
15. A final guarantee will be required at the time of filing of the final map with the Registrar-Recorder/County Clerk's Office.
16. 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 \$5,000 with Public Works to defray the cost of verifying conditions of approval for the purpose of issuing final map clearances.

County of Los Angeles Department of Public Works
Geotechnical and Materials Engineering Division
GEOLOGIC AND SOILS ENGINEERING REVIEW SHEET
900 S. Fremont Avenue, Alhambra, CA 91803

Tentative Tract Map 52805 Tentative Map Dated 9/13/16 (Rev./Exhib) Parent Tract
Grading By Subdivider? [Y] (Y or N) 80,000 yd³ Location Agoura APN
Geologist Southwest Geotechnical, Inc. Subdivider Astoria Estates, LLC
Soils Engineer Southwest Geotechnical, Inc. Engineer/Arch. West Coast Technical Consultants, Inc.

Review of:

Geologic Report(s) Dated:
Soils Engineering Report(s) Dated:
Geotechnical Report(s) Dated: 1/3/00, 7/12/99, 6/24/99, 4/7/99
References:

TENTATIVE MAP FEASIBILITY IS RECOMMENDED FOR APPROVAL FROM A GEOTECHNICAL STANDPOINT

THE FOLLOWING CONDITIONS MUST BE FULFILLED:

- G1. 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 policy memo GS051.0 in the County of Los Angeles Department of Public Works Manual for Preparation of Geotechnical Reports. The Manual is available at: http://dpw.lacounty.gov/gmed/permits/docs/manual.pdf.
G2. 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.
G3. Prior to grading plan approval, a detailed geotechnical report must be submitted that addresses the proposed grading. All recommendations of the geotechnical consultant(s) must be incorporated into the plan. The report must comply with the provisions of the County of Los Angeles Department of Public Works Manual for Preparation of Geotechnical Reports. The Manual is available at: http://dpw.lacounty.gov/gmed/permits/docs/manual.pdf.
G4. 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. For information on the RUA policy refer to policy memo GS063.0 in the County of Los Angeles Department of Public Works Manual for Preparation of Geotechnical Reports. The Manual is available at: http://dpw.lacounty.gov/gmed/permits/docs/manual.pdf.
S1. At the grading plan stage, submit grading plans to the GMED for verification of compliance with County Codes and policies.

NOTE(S) TO THE PLAN CHECKER/BUILDING AND SAFETY DISTRICT ENGINEER:
ON-SITE SOILS HAVE A MEDIUM EXPANSION POTENTIAL.

Prepared by
[Signature]
REGISTERED PROFESSIONAL ENGINEER
JEREMY CHUN YIN WAN
No. GE 2849
SOUTH COAST DISTRICT
Geotechnical
STATE OF CALIFORNIA

PROFESSIONAL GEOLOGIST
Geir R. Mathisen
No. 2376
CERTIFIED
ENGINEERING
GEOLOGIST
STATE OF CALIFORNIA
[Signature]
Geir Mathisen
Geology Section
Date 10/6/16

1. Approval of this map pertaining to grading is recommended.

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:

2. The BMP system currently proposed in the hydrology report is not necessarily approved and shall be subject to final engineering review. If the BMP system is found to not meet, satisfy, or conform to Public Works standards or requirements then the applicant is responsible for proposing alternate methods of satisfying the LID requirements. Alternate methods may cause alterations to the project substantial enough that the project may no longer be deemed substantially conforming with the original tentative map approval or conditions. If so, the applicant is responsible for processing any required amendments or revisions to the tentative map and any related engineering reports to attain substantial conformity.
3. Provide approval of:
 - a. The latest hydrology study 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 Wildlife, 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:

4. 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, 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.
5. A maintenance agreement or CC&Rs may be required for all privately maintained drainage devices, slopes, and other facilities.

Name Nazem Said  Date 09/22/16 Phone (626) 458-4921

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

1. The request to waive street frontage is subject to approval by the advisory agency. If not waived, the subdivider shall revise the tentative map and exhibit map and provide street frontage to every parcel to the satisfaction of Public Works.
2. Reserve a non-exclusive access easement along all proposed Private Driveway and Firelanes to the satisfaction of Public Works and the Fire Department.
3. Grade the shoulder to ultimate street improvement elevations along the property frontage on Kanan Road to the satisfaction of Public Works.
4. Vacate the existing 100' of slope easement and replace with 5' of slope easement along the graded portion of Kanan Road frontage to the satisfaction of Public Works. The 5' of slope easement is required to allow for future remedial encroachment when Kanan Road is constructed to its ultimate section.
5. Provide standard property line return radii of 13 feet at the intersection of Astoria Place and Kanan Road plus additional right of way for a corner cutoff to the satisfaction of Public Works.
6. Construct new driveway entrance at Astoria Place to the satisfaction of Public Works. Additional right of way may be required at the driveway entrance to the satisfaction of Public Works.
7. Construct additional pavement to provide a left-turn lane and a right-turn lane on Kanan Road at Astoria Place to the satisfaction of Public Works.
8. Prepare signing and striping plans on Kanan Road to the satisfaction of Public Works.
9. Repair any damaged improvements during construction to the satisfaction of Public Works.
10. Prior to final map approval, enter into an agreement with the County franchised cable TV operator (if an area is served) to permit the installation of cable in a common utility trench to the satisfaction of Public Works; or provide documentation that steps to provide cable TV to the proposed subdivision have been initiated to the satisfaction of Public Works.

PC

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

1. The subdivider shall install and dedicate main line sewers and serve each lot with a separate house lateral or have approved and bonded sewer plans on file with Public Works.
2. A sewer area study for the proposed subdivision (PC 12043AS, dated 08-16-2016) was reviewed and approved. A Will Serve letter from Las Virgenes Water District was obtained prior to approval of the sewer area study. No additional mitigation measures are required. The sewer area study shall be invalidated should there be an increase in the total number of dwelling units, an increase in the density, dwelling units occur on previously identified building restricted lots, a change in the proposed sewer alignment, an increase in the tributary sewershed, a change in the sewer connection points, or the adoption of a land use plan or a revision to the current plan. A revision to the approved sewer area study may be allowed at the discretion of the Director of Public Works. The approved sewer area study shall remain valid for two years from the date of sewer area study approval. After this period of time, an update of the area study shall be submitted by the applicant if determined to be warranted by Public Works.
3. The subdivider shall determine from the Las Virgenes Municipal Water District where the connection to the trunk sewer system and disposal facilities of the District shall be made, and shall meet the requirements of the Water District for the use of the sewerage facilities. Acceptance by the District must be assured in writing.
4. Easements are required, subject to review by Public Works to determine the final locations and requirements.
5. Offsite improvements are required.



COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - WATER
TRACT MAP NO. 52805 (Rev.)

Page 1/1

TENTATIVE MAP DATE 09-13-2016
EXHIBIT MAP DATE 09-13-2016

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

1. Water system shall be provided to the satisfaction of the Department of Public Works at time of building permits.

 Prepared by Tony Khalkhali
tr52805w-rev1.doc

Phone (626) 458-4921

Date 10-06-2016



COUNTY OF LOS ANGELES FIRE DEPARTMENT FIRE PREVENTION DIVISION

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

PROJECT: TR 52805

MAP DATE: September 13, 2016 – Revised Map

THE FIRE DEPARTMENT RECOMMENDS APPROVAL OF THE PROPOSED CHANGES TO THE REVISED TENTATIVE MAP AS PRESENTLY SUBMITTED WITH THE FOLLOWING CONDITIONS OF APPROVAL.

FINAL MAP CONDITIONS OF APPROVAL

1. A copy of the Final Map shall be submitted to the Fire Department for review and approval prior to recordation.

PROJECT CONDITIONS OF APPROVAL

1. This property is located within the area described by the Fire Department as "Very High Fire Hazard Severity Zone". A "Fuel Modification Plan" shall be submitted and approved prior to building permit issuance. (Contact: Fuel Modification Unit, Fire Station #32, 605 North Angeleno Avenue, Azusa, CA 91702-2904, Phone (626) 969-5205 for details).
2. All proposed buildings shall be places such that a fire lane is provided to within 150 feet of all exterior walls of the first story. This measurement shall be by an approved route around the exterior of the building or facility. Verification for compliance will be performed during the Fire Department review of the architectural plan prior to building permit issuance.
3. The on-site private driveways shall provide a minimum paved unobstructed width of 20 feet, clear to the sky. Verification for compliance will be performed during the Fire Department review of the architectural plan prior to building permit issuance.
4. Each proposed lot shall provide an approved Fire Department turnaround within the pads area since the driveway exceed a length of 150 feet. Verification for compliance will be performed during the Fire Department review of the architectural plan prior to building permit issuance.



COUNTY OF LOS ANGELES FIRE DEPARTMENT FIRE PREVENTION DIVISION

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

PROJECT: TR 52805

MAP DATE: September 13, 2016 – Revised Map

5. Any change of direction within a private driveway shall provide a 32 feet centerline turning radius. Verification for compliance will be performed during the Fire Department review of the architectural plan prior to building permit issuance.
6. The gradient of the on-site private driveways shall not exceed 15 percent. Any changes in grade shall not exceed 10 percent within a 10 feet distance or 5.7 degrees. Cross slopes and required Fire Department turnarounds shall not exceed 2 percent grades. Verification for compliance will be performed during the Fire Department review of the architectural plan prior to building permit issuance.
7. The Fire Department is prohibited from setting water requirements for this subdivision per Title 21, the County of Los Angeles Subdivision Code. However, the Fire Department will be setting water requirements for fire protection purposes during the Fire Department review of the architectural plan prior to building permit issuance.
8. An approved automatic fire sprinkler system is required for proposed building within this development. Submit design plans to the Fire Department Sprinkler Plan Check Unit for review and approval prior to installation.
9. The driveways required for fire apparatus access shall be posted with signs stating "No Parking-Fire Lane" and/or striped accordingly in compliance with the County of Los Angeles Fire Code prior to occupancy.
10. All future buildings shall provide approved address numbers. Compliance required prior to occupancy to the satisfaction of the Department of Public Works and the County of Los Angeles Fire Code.
11. The proposed driveways within this development shall provide approved street names and signs. All proposed buildings shall provide approved address numbers. Compliance required prior to occupancy to the satisfaction of the Department of Public Works and the County of Los Angeles Fire Code.

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



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



PARK OBLIGATION REPORT

Tentative Map #	52805	DRP Map Date:	09/13/2016	SCM Date:	10/20/2016	Report Date:	10/11/2016
Park Planning Area #	33B		AGOURA / CALABASAS			Map Type:	REVISED

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:

This project is exempt from park obligation requirements because:

Residential lot(s) [specify lot #'s] are 10 or more acres in size. Residential lots 1, 2, 3, 4, and 5 are all 10 or more acres in size.

Trails:

No trails.

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: *Kathline King*
Kathline J. King, Chief of Planning



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



PARK OBLIGATION WORKSHEET

Tentative Map #	52805	DRP Map Date:	09/13/2016	SMC Date:	10/20/2016	Report Date:	10/11/2016
Park Planning Area #	33B		AGOURA / CALABASAS			Map Type:	REVISED

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

(P)eople 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	3.15	0.0030	0	0.00
M.F. >= 5 Units	2.87	0.0030	0	0.00
Mobile Units	2.30	0.0030	0	0.00
Exempt Units			0	
Total Acre Obligation =				0.00

Park Planning Area = **33B AGOURA / CALABASAS**

Ratio	Acre Obligation	RLV / Acre	In-Lieu Base Fee
@(0.0030)	0.00	\$370,574	\$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	\$370,574	\$0



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

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

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

TERRI S. WILLIAMS, REHS
Director of Environmental Health

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

www.publichealth.lacounty.gov

BOARD OF SUPERVISORS

Hilda Solis
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Don Knabe
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October 11, 2016

Tentative Tract Map No. 52805-1

Vicinity: The Malibu

Tentative Tract Map Date: September 13, 2016

The Los Angeles County Department of Public Health – Environmental Health Division has reviewed **Tentative Tract Map 52805-1** based on the use of public water (Las Virgenes Water District) and public sewer as proposed for wastewater disposal. A copy of a current signed "Will Serve" letter from the water purveyor shall be provided to this Department prior to approval of the tentative tract map.

Prepared by:

V.C.
VICENTE C. BAÑADA, REHS
Environmental Health Specialist IV
Land Use Program
5050 Commerce Drive
Baldwin Park, California 91706
vbanada@ph.lacounty.gov
TEL (626) 430-5381 • FAX (626) 813-3016



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

PROJECT NUMBER

98187

HEARING DATE

TBD

REQUESTED ENTITLEMENTS

Revised Vesting Tentative Tract Map No. 52805
Environmental Assessment No. 201400279

SUBDIVISION COMMITTEE REPORT

OWNER / APPLICANT

Astoria Estates LLC (Land Developer Associates Corp.)

**MAP/EXHIBIT
DATE:**

12/02/14

**SCM REPORT
DATE:**

12/31/14

SCM DATE:

01/15/15

PROJECT OVERVIEW

To revise an approved vesting tentative tract map approved for the subdivision of 107.8 acres into 5 single family lots to include additional grading and two additional open space lots.

Subdivision: To create 5 single-family lots and 2 open space lots (7 total lots).

CUP: For development within a non-urban hillside management area and onsite grading in excess of 100,000 cubic yards;

MAP STAGE

Tentative:

Revised:

Amendment:

Amended :
Exhibit "A"

Modification to :
Recorded Map

Other:

MAP STATUS

Initial:

1st Revision:

2nd Revision:

Revision (requires a fee):

LOCATION

Kanan Road, approximately 4,300 feet northeast of the intersection of Kanan Road and Troutdale Drive.

ACCESS

Kanan Road

ASSESSORS PARCEL NUMBER(S)

2063004022

SITE AREA

107.8 acres (gross)

GENERAL PLAN / LOCAL PLAN

Santa Monica Mountains North Area

ZONED DISTRICT

THE MALIBU

SUP DISTRICT

3rd

LAND USE DESIGNATION

N20 (1 DU/20AC)

ZONE

A-1-20

CSD

SANTA MONICA
MOUNTAINS NORTH
AREA

PROPOSED UNITS

(DU)

5 DU

MAX DENSITY/UNITS

(DU)

5 DU

GRADING

(CUT/FILL, IMPORT/EXPORT, ONSITE/OFFSITE)

80,000 cubic yards of cut

80,000 cubic yards of fill

160,000 cubic yards total, balanced on site

ENVIRONMENTAL DETERMINATION (CEQA)

Pending

SUBDIVISION COMMITTEE DEPARTMENT CLEARANCE

Department

Status

Contact

Regional Planning

Hold

Steven Jones (213) 974-6433 sdjones@planning.lacounty.gov

Public Works	Hold	Henry Wong (626) 458-4961 hwong@dpw.lacounty.gov
Fire	Cleared	Juan Padilla (323) 890-4243 jpadilla@fire.lacounty.gov
Parks & Recreation	Cleared	Clement Lau (213) 351-5120 clau@parks.lacounty.gov
Public Health	Hold	Michelle Tsiebos (626) 430-5382 mtsiebos@ph.lacounty.gov

SUBDIVISION COMMITTEE STATUS

Reschedule for Subdivision Committee Meeting:

Reschedule for Subdivision Committee Reports Only:

PREVIOUS CASES

TR52805

REGIONAL PLANNING ADDITIONAL COMMENTS AND HOLDS

Case Status/Recommendation: At this time, Regional Planning does not recommend approval of the revised tentative map. Updated environmental documents and technical reports are required along with an updated slope density map. Please read below for further details.

Environmental Determination:

Clear Hold

1. A review of the mitigated negative declaration document may direct the current environmental determination, pending the staff biologist's comments. For any questions related to site biology, you may contact the biologist, Joseph Decruyenaere, directly at 213-974-1448 or jdecruyenaere@planning.lacounty.gov.
2. Provide copies of the latest (within 2 years) technical reports. The time is fast approaching for a spring survey.

Land Use Policy:

Clear Hold

3. Demonstrate the resource protection required by the non-urban hillside development criterion referenced in the Santa Monica Mountains North Area Plan to preserve major natural features, minimize environmental disruption and the loss of scenic and open lands. Justify the division of the open space lot. If grading is not critical to safety, leave lots 6 and 7 as one unimproved lot to minimize grading

Tentative Map:

Clear Hold

4. The revised tentative map shall show and contain source of water supply, proposed method of sewage disposal.
5. Ensure that the total linear feet of existing and proposed street frontage is indicated in the notes section (table).
6. Conditional Use Permit (CUP) required for grading in excess of 5,000 cubic yards and shall not begin during the rainy season, defined as October 15 any year through April 15 of the subsequent year.

Conditional Use Permit:

Clear Hold

7. A CUP is required for the amount of grading proposed pursuant to the community standards district (CSD), see#8, above. Submit a separate fee, updated application and burden of proof responses
8. Please provide an updated slope map with proposed property lines and pad areas shown.

Community Standards District:

9. A CUP is required for the amount of grading proposed pursuant to the community standards district (CSD), see#8, above. Submit a separate fee, updated application and burden of proof responses

Healthy Design Ordinance ("HDO"):

Clear Hold

10. Final Map Condition: The onsite tree planting requirement will be one tree per each 25 feet of existing and proposed street frontage located within the subject property. Based on the project total of 1,712.30 linear feet of street frontage, a total of 68 tree plantings shall be required for the project and indicated on a tree planting plan to be approved by Regional Planning prior to final map recordation.

RESUBMITTAL INSTRUCTIONS

If a map revision is required, please submit the following items:

- *A completed and signed Land Division application,*
- *A signed and dated cover letter describing all changes made to the map,*
- *Six (6) folded and collated copies of Tract/Parcel Map and Exhibit Map/Exhibit "A,"*
- *A digital (CD or Flash drive) copy of the map/exhibit in PDF format,*
- *Revision fee payment (for the 3rd revision and thereafter), and*
- *Other materials requested by the case planner.*

*NOTE: An appointment is required for resubmittal. **You must call the Land Divisions Section at 213-974-6433 to schedule the appointment.** Prior to scheduling, you are encouraged to contact the case planner for a preview of your next SCM submittal.*

It is recommended that this tentative map not be approved at this time. This recommendation is based upon information or lack of information that is available concerning the subject property. The removal of this recommendation is contingent upon the submission and satisfactory review of the following:

- (1) The street frontage requirement for Lots 2, 3, 4 and 5 needs to be waived by the Advisory Agency.
- (2) An approved hydrology report. Please see attached Storm Drain and Hydrology review sheet (Comment 1) for comments and requirements.
- (3) Please see attached Grading review sheet (Comments 2 and 3) for comments and requirements.
- (4) Please see attached Road review sheet for comments and requirements.
- (5) A revised tentative map and a revised exhibit map are required to show the following additional items:
 - a. Clearly delineate and call out all proposed lines.
 - b. Please see attached Subdivision checked plans for comments and requirements.
 - c. Please see attached Storm Drain and Hydrology review sheet (Comment 2) for comments and requirements.
 - d. Please see attached Grading review sheet (Comment 1) for comments and requirements.
- (6) Provide the name of the water source for public water on the "Land Division Application".

HC

JC

Prepared by John Chin

Phone (626) 458-4918

Date 12-23-2014



COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION
HYDROLOGY UNIT

TRACT MAP NO. 52805

REVISED TENTATIVE MAP DATED 12/02/14
EXHIBIT MAP 12/02/14

Approval and clearance of the tentative map is subjected to compliance with the following **drainage** comments:

1. A water quality section of the Hydrology Report is required to comply with the LID requirements of Los Angeles County Code Section 12.84 (<http://library.municode.com/index.aspx?clientId=16274>).
2. Revise the hydrology to reflect changes on the tentative map.

Reviewed by *Ernesto J Rivera* Date 12/18/14 Phone (626) 458-4921
Ernesto J Rivera

It is recommended that this tentative map not be approved at this time. This recommendation is based upon information or lack of information that is available concerning the subject property. The removal of this recommendation is contingent upon the submission and satisfactory review of the following:

1. A revised tentative map and exhibit map are required to show the following additional items:
 - a. LA County updated benchmark information.
 - b. Retaining wall information. All retaining walls should be labeled and dimensioned with the height provided at the tallest point in the wall and any points where the height changes.
 - c. Slope set back as required per grading ordinance (J108).
 - d. All existing on-site public and private easements with names of the holders, document numbers and recorded dates. Label all easements as "to remain", "to be relocated", or "to be abandoned. If applicable, add a general note that no private easements exist on the site.
 - e. Slope easement limits of the Kanan Rd for future widening/improvements.
 - f. Drainage capacity for the 26-foot-wide driveway and entrance knuckle to accommodate the emergency overflow from the basins.
 - g. Graphical scale.
 - h. Slopes of all proposed driveways.
 - i. Size of all basins and the bottom and berm elevations to ensure no impact to surrounding improvement due to the basin emergency overflow.
2. Approval of the latest drainage concept/hydrology study/water quality plan by the Storm Drain and Hydrology Section of Land Development Division. The hydrology will analyze drainage impact to Kanan Road and properties south of Kanan Road due to proposed improvements.
3. Soil and geology approval for the 1.5:1 slope must be obtained prior to the map approval since it may affect limits of grading.

COUTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - GRADING
REVISED TRACT NO. 52805

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TENTATIVE MAP DATED 12-02-2014
EXHIBIT MAP DATED 12-02-2014

Name N. Said  Date 12/10/2014 Phone (626) 458-4921
P:\dpub\SUBPCHECK\Plan Checking Files\Tract Map\TR 52805\GP 52805\2014-12-03 TTR 52805 SUMBITTAL

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - ROAD
TRACT NO. 52805 (Rev.)

Page 1/1

TENTATIVE MAP DATED 12-02-2014
EXHIBIT MAP DATED 12-02-2014

It is recommended that this tentative map not be approved at this time. This recommendation is based upon information or lack of information that is available concerning the subject property. The removal of this recommendation is contingent upon the submission and satisfactory review of the following:

- (1) All lots must have street frontage unless the Department of Regional Planning (DRP) is prepared to waive such requirement to the Advisory Agency. Submit evidence of DRP's concurrence that street frontage can be waived and place a note on the tentative map requesting permission to waive street frontage requirements. If the request is not granted, the subdivider shall revise the tentative map to provide a private and future street (commensurate with public standards) to serve each lot.



Prepared by Patricia Constanza
tr52805r-rev

Phone (626) 458-4921

Date 12-22-2014

REVISIONS

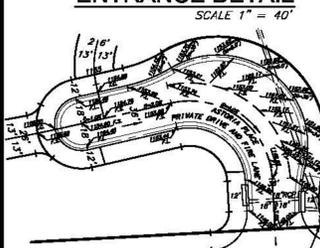
- 2/99 - Add Entrance Detail, Section "A" & "B", Specific Drainage design, Street & Data, F.H.'s, and related Minor corrections from L.A. Co. O.R.P. Report 1/99.
- 8/00 - Eliminate Lot 6 SFR to be incorporated as Lot 6 open space deleting the prior Lot 7 designation for open space. Revise LOT SUMMARY to reflect the above changes. Also revise Lot 5 from 2.46 to 8.76 lot area & 43,000 sq ft to 89,125 sq ft. Water tower location and associated grading for same is shown on drawing.
- 1/03 - Revise Lots to 20± Acres, Addition of 80± Acres Conservation Dedication, Addition of 1.8± Acres Landscape Lot 7. Revise LOT SUMMARY to reflect the above.
- 10/14 - Revise Map to show graded pad west of and including Lot 5 and a portion of the Open Space Lot.

If applicable, show and call out all existing on-site and private easements with names of the holder, document numbers and recorded dates. Label all easements as "to remain", "to be relocated", or "to be abandoned". If easement is to be abandoned, indicate the proposed timing of the abandonment. If there are no existing on-site public and private easements, add the annotation "No existing on-site public and private easements" on the tentative map.

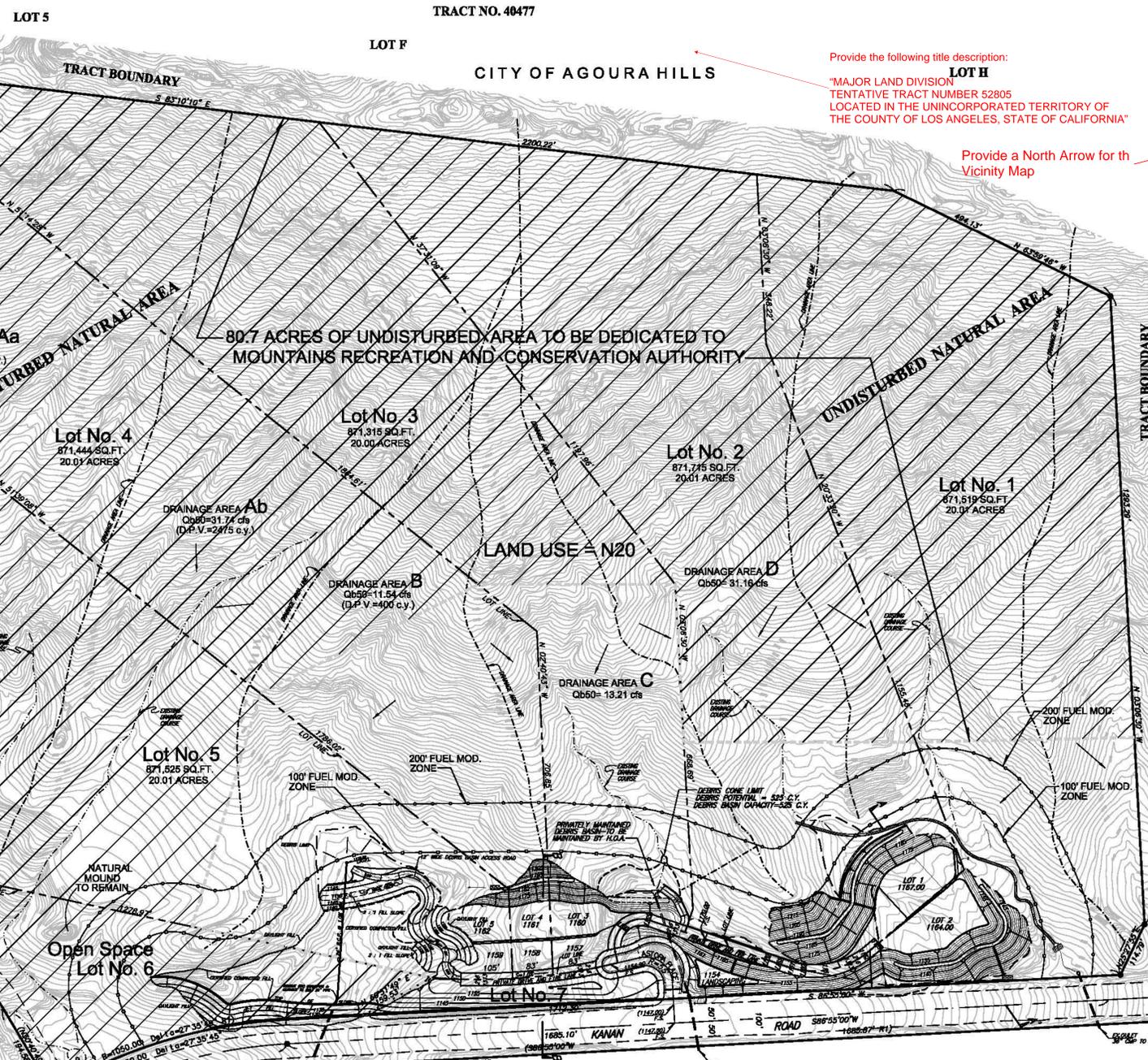
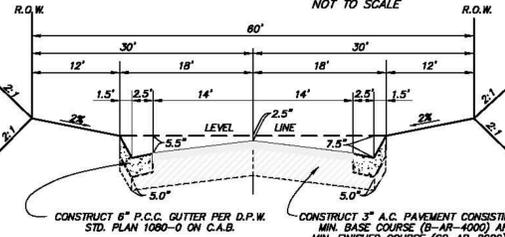
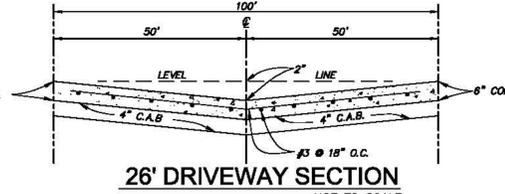
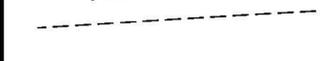
LOT SUMMARY

LOT NO.	USE	LOT AREA (AC)	PAD AREA
1	SFR	20.01 ACRES (MAX.)	18,625 S.F.
2	SFR	20.01 ACRES (MAX.)	16,700 S.F.
3	SFR	20.00 ACRES (MAX.)	15,300 S.F.
4	SFR	20.01 ACRES (MAX.)	11,100 S.F.
5	SFR	20.01 ACRES (MAX.)	13,300 S.F.
6	OPEN SPACE	5.79 ACRES (MAX.)	-
7	LANDSCAPE LOT	1.83 ACRES (MAX.)	-

ENTRANCE DETAIL



KANAN ROAD



VICINITY MAP



SCALE

1"=100'

FIRE DEPT. REQUIREMENTS
 INSTALL 6 PUBLIC (2 1/2" x 4" x 2 1/2") FIRE HYDRANTS CONFORMING TO AMERICAN WATERWORKS ASSN. STD. C903-COUNTY OF LOS ANGELES-FIRE DEPT-FIRE PROTECTION WATER REQUIREMENTS (REG FIRE FLOW=1250 G.P.M. @ 20 p.s.i. FOR 2 hr.)

EARTH QUANTITIES

EXCAVATION	80,000	CUBIC YARDS
EMBANKMENT	80,000	CUBIC YARDS
IMPORT/EXPORT	0	CUBIC YARDS

LEGAL DESCRIPTION

DESCRIPTION: THE LAND REFERRED TO HEREIN IS SITUATED IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1 AS SHOWN ON PARCEL MAP NO. 12776, FILED IN BOOK 159 PAGES 94 THROUGH 97 INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

TITLE REPORT FURNISHED BY:

STEWART TITLE OF CALIFORNIA, INC.
 LOS ANGELES DIVISION
 305 N. BRAND BLVD., STE. 1200
 GLENDALE, CA 91203
 (818) 502-2700

MAP ASSESSORS PARCEL #2063-004-022 (107.8 ACRES)

EXISTING ZONING -A1-1
 PROPOSED ZONING -A1-1

LAND USE DESIGNATION = N20

HOUSE NUMBERING MAP NO. 159 H 053

FIRE ZONE 4

REVISED TRACT MAP NO. 52805

GENERAL PLAN DESIGNATION N20 (MOUNTAIN LANDS 20)

ASTORIA ESTATES

JASSAS CAPITAL, L.L.C.
 16027 Ventura Blvd., Ste. 604
 Encino, Ca. 91406
 PHONE: (818) 849-3282, Ext. 114

PREPARED BY:
 West Coast Technical Consultants, Inc.
 1197 E. Los Angeles Ave., C115
 Simi Valley, Ca. 93065
 PHONE: (818) 818-0000
 UNDER SUPERVISION OF:
 Rogelio R. Lugo
 R.C.E. 35036 EXP. 09/31/2015

SHEET
1 OF **1**

REVISIONS

- 2/99 - Add Entrance Detail, Section "A" & "B", Specific Drainage design, Street & Data, F.H.'s, and related Minor corrections from L.A. Co. G.R.P. Report, 1/99.
- 8/00 - Eliminate Lot 6 SFR to be incorporated as Lot 6 open space deleting the prior Lot 7 designation for open space. Revise LOT SUMMARY to reflect the above changes. Also revise Lot 5 from 2.46 to 8.76 lot area & 43,000 sf to 88,125 sf of PAD. Water tower location and associated grading for same is shown on drawing.
- 1/03 - Revise Lots to 20± Acres, Addition of 80± Acre Conservation Dedication, Addition of 1.8± Acre Landscape Lot 7. Revise LOT SUMMARY to reflect the above.
- 10/14 - Revise Map to show graded pad west of and including Lot 5 and a portion of the Open Space Lot.

LOT 5

TRACT NO. 40477

LOT F

CITY OF AGOURA HILLS

Provide the following title description:

"MAJOR LAND DIVISION LOT H TENTATIVE TRACT NUMBER 52805 LOCATED IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA"

Provide a North Arrow for the Vicinity Map



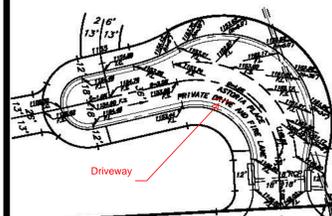
VICINITY MAP

LOT SUMMARY

LOT NO.	USE	LOT AREA (AC)	PAD AREA
1	SFR	20.01 ACRES (MAX.)	18,625 S.F.
2	SFR	20.01 ACRES (MAX.)	16,700 S.F.
3	SFR	20.00 ACRES (MAX.)	15,300 S.F.
4	SFR	20.01 ACRES (MAX.)	11,100 S.F.
5	SFR	20.01 ACRES (MAX.)	13,300 S.F.
6	OPEN SPACE	5.79 ACRES (MAX.)	-
7	LANDSCAPE LOT	1.83 ACRES (MAX.)	-

ENTRANCE DETAIL

SCALE 1" = 40'



KANAN ROAD

Open Space Lot No. 6

LAND USE = N20

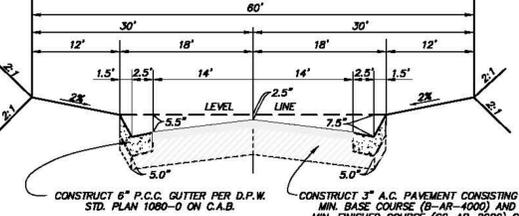
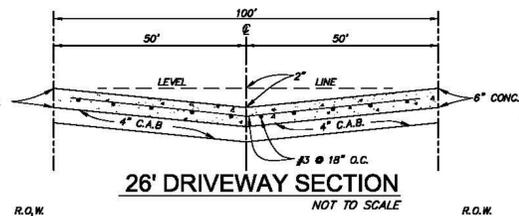
SCALE

1"=100'

FIRE DEPT. REQUIREMENTS
INSTALL 6 PUBLIC (2" x 4" x 2 1/2") FIRE HYDRANTS CONFORMING TO AMERICAN WATERWORKS ASSN. STD. C903-COUNTY OF LOS ANGELES-FIRE DEPT.-FIRE PROTECTION WATER REQUIREMENTS (REG FIRE FLOW=1250 G.P.M. @ 20 p.s.i. FOR 2 hr.)

EARTH QUANTITIES

EXCAVATION	80,000	CUBIC YARDS
EMBANKMENT	80,000	CUBIC YARDS
IMPORT/EXPORT	0	CUBIC YARDS



Clearly delineate and call out the proposed lot line for lots 6 and 7

Call Out: Private Driveway and Fire Lane

Cleanly delineate and call out the proposed lot line for lots 1 and 2

What is this line

LEGAL DESCRIPTION

DESCRIPTION: THE LAND REFERRED TO HEREIN IS SITUATED IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1 AS SHOWN ON PARCEL MAP NO. 12776, FILED IN BOOK 159 PAGES 94 THROUGH 97 INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

TITLE REPORT FURNISHED BY:

STEWART TITLE OF CALIFORNIA, INC.
LOS ANGELES DIVISION
305 N. BRAND BLVD., STE. 1200
GLENDALE, CA 91203
(818) 502-2700

MAP ASSESSORS PARCEL #2063-004-022 (107.8 ACRES)

EXISTING ZONING -AI-1
PROPOSED ZONING -AI-1

LAND USE DESIGNATION = N20

HOUSE NUMBERING MAP NO. 159 H 053

FIRE ZONE 4

TMAP NO. 45674

Provide registration stamp & signature of the land surveyor/civil engineer

EXHIBIT "A"
OF
TRACT MAP NO. 52805
GENERAL PLAN DESIGNATION N20 (MOUNTAIN LANDS 20)

ASTORIA ESTATES

JASSAS CAPITAL, L.L.C.
16027 Ventura Blvd., Ste. 604
Encino, Ca. 91406
PHONE: (818) 849-3282, Ext. 114

PREPARED BY:

West Coast Technical Consultants, Inc.
1197 E. Los Angeles Ave., C115
Simi Valley, Ca. 93065
PHONE: (818) 518-0000
UNDER SUPERVISION OF:
Rogelio R. Lugo
R.C.E. 35035 EXP. 08/31/2015

SHEET

1 OF 1

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – SUBDIVISION

Page 1/1

TRACT NO. 52805

TENTATIVE MAP DATED 05-14-2014
EXHIBIT MAP DATED 05-14-2014

- If this recommendation of disapproval is changed to a recommendation of approval based on additional information, the following reports would be recommended for inclusion in the conditions of tentative approval:

Prepared by  John Chin

Phone (626) 458-4918

Date 12-11-2014

Tr52805L-1-Revised Map-New (Map Dated 12-02-2014).doc
<http://planning.lacounty.gov/case/view/98-187/>

The following reports consisting of ___ 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. The following note shall be placed on all tract and parcel maps with lot sizes of five acres or more: "Further division of this property to lot/parcel sizes below five acres will require standard improvements be completed as a condition of approval. The improvements will include but not limited to providing access, installation of water mains, appurtenances and fire hydrants, and conformance to Los Angeles County development standards."
10. Furnish the Public Works' Street Name Unit with a list of street names acceptable to the subdivider. These names must not be duplicated within a radius of 20 miles.
11. A mapping & Property management Division house numbering clearance is required prior to approval of the final map.
12. Show open space lots on the final map and dedicate residential construction rights over the open space lots.
13. Provide reciprocal easements for ingress/egress, utilities, right to grade, drainage, and maintenance purposes, etc., over the common driveways on the final map to the satisfaction of Public Works.
14. The street frontage requirement for Lots 2, 3, 4 and 5 needs to be waived by the Advisory Agency.
15. 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.

16. 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.
17. A final guarantee will be required at the time of filing of the final map with the Registrar-Recorder/County Clerk's Office.
18. 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.

JWC

JC

Prepared by John Chin

Phone (626) 458-4918

Date 12-23-2014

**County of Los Angeles Department of Public Works
Geotechnical and Materials Engineering Division
GEOLOGIC AND SOILS ENGINEERING REVIEW SHEET
900 S. Fremont Avenue, Alhambra, CA 91803**

Tentative Tract Map 52805 Tentative Map Dated 12/2/14 (Rev./Exhib) Parent Tract
 Grading By Subdivider? [Y] (Y or N) 80,000 yd³ Location Agoura APN APN
 Geologist Southwest Geotechnical, Inc. Subdivider Astoria Estates, LLC
 Soils Engineer Southwest Geotechnical, Inc. Engineer/Arch. West Coast Technical Consultants, Inc.

Review of:

Geologic Report(s) Dated: _____
 Soils Engineering Report(s) Dated: _____
 Geotechnical Report(s) Dated: 1/3/00, 7/12/99, 6/24/99, 4/7/99
 References: _____

TENTATIVE MAP FEASIBILITY IS RECOMMENDED FOR APPROVAL FROM A GEOTECHNICAL STANDPOINT

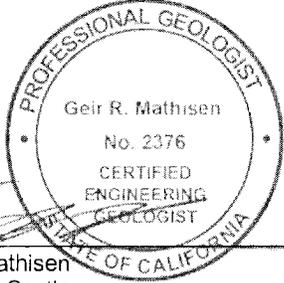
THE FOLLOWING CONDITIONS MUST BE FULFILLED:

- G1. 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 policy memo GS051.0 in the County of Los Angeles Department of Public Works *Manual for Preparation of Geotechnical Reports*. The Manual is available at: <http://dpw.lacounty.gov/gmed/permits/docs/manual.pdf>.
- G2. 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.
- G3. Prior to grading plan approval, a detailed geotechnical report must be submitted that addresses the proposed grading. All recommendations of the geotechnical consultant(s) must be incorporated into the plan. The report must comply with the provisions of the County of Los Angeles Department of Public Works *Manual for Preparation of Geotechnical Reports*. The Manual is available at: <http://dpw.lacounty.gov/gmed/permits/docs/manual.pdf>.
- G4. 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. For information on the RUA policy refer to policy memo GS063.0 in the County of Los Angeles Department of Public Works *Manual for Preparation of Geotechnical Reports*. The Manual is available at: <http://dpw.lacounty.gov/gmed/permits/docs/manual.pdf>.
- S1. At the grading plan stage, submit grading plans to the GMED for verification of compliance with County Codes and policies.

NOTE(S) TO THE PLAN CHECKER/BUILDING AND SAFETY DISTRICT ENGINEER:
 ON-SITE SOILS HAVE A MEDIUM EXPANSION POTENTIAL.

Prepared by _____

 Jeremy Wan
 Soils Section


 Geir Mathisen
 Geology Section
 Date 12/17/14

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

1. Provide standard property line return radii of 13 feet at the intersection of Astoria Place and Kanan Road plus additional right of way for a corner cutoff to the satisfaction of Public Works.
2. Dedicate vehicular access rights on Kanan Road, unless the Department of Regional Planning requires the construction of a wall. In such cases, complete access rights shall be dedicated.
3. Construct new driveway entrance at Astoria Place to the satisfaction of Public Works. Additional right of way may be required at the driveway entrance to the satisfaction of Public Works.
4. Prior to final map approval, enter into an agreement with the County franchised cable TV operator (if an area is served) to permit the installation of cable in a common utility trench to the satisfaction of Public Works; or provide documentation that steps to provide cable TV to the proposed subdivision have been initiated to the satisfaction of Public Works.
5. Repair any damaged improvements during construction to the satisfaction of Public Works.
6. Construct additional pavement to provide a left-turn lane and a right-turn lane on Kanan Road at Astoria Place to the satisfaction of Public Works.
7. Prepare signing and striping plans on Kanan Road to the satisfaction of Public Works.



Prepared by Patricia Constanza
tr52805r-rev

Phone (626) 458-4921

Date 12-22-2014

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

1. The subdivider shall install and dedicate main line sewers and serve each lot with a separate house lateral or have approved and bonded sewer plans on file with Public Works.
2. The subdivider shall submit an area study to Public Works to determine if capacity is available in the proposed and existing sewerage system servicing this land division. If the system is found to have insufficient capacity, upgrade of the proposed and existing sewerage system is required to the satisfaction of Public Works.
3. The subdivider shall determine from the Las Virgenes Municipal Water District where the connection to the trunk sewer system and disposal facilities of the District shall be made, and shall meet the requirements of the Water District for the use of the sewerage facilities. Acceptance by the District must be assured in writing.
4. Easements are required, subject to review by Public Works to determine the final locations and requirements.
5. Offsite improvements are required.
6. A deposit is required to review documents and plans for final map clearance in accordance with Section 21.36.010(c) of the Subdivision Ordinance.

Prepared by Vilong Truong
tr52805s-1-Revised Map-new.doc

Phone (626) 458-4921

Date 12-17-2014

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - WATER
TRACT MAP NO. 52805

Page 1/1

TENTATIVE MAP DATE SUBMITTED 12-02-2014
EXHIBIT MAP DATE SUBMITTED 12-02-2014

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

1. Water system shall be provided to the satisfaction of the Department of Public Works at time of building permits.


Prepared by Vilong Truong
tr52805w-1-Revised Map-new.doc

Phone (626) 458-4921

Date 12-17-2014



**COUNTY OF LOS ANGELES FIRE DEPARTMENT
FIRE PREVENTION DIVISION**

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

PROJECT: TR 58205

MAP DATE: December 02, 2014 – Revised Map

**THE FIRE DEPARTMENT RECOMMENDS APPROVAL OF THE PROPOSED
CHANGES TO THE REVISED TENTATIVE MAP AS PRESENTLY SUBMITTED
WITH THE FOLLOWING CONDITIONS OF APPROVAL.**

CONDITIONS OF APPROVAL

1. All previously approved Fire Department conditions of approval and requirements have not changed, they are still applicable to the overall project.

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



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



PARK OBLIGATION REPORT

Tentative Map #	52805	DRP Map Date: 12/02/2014	SCM Date: 01/15/2015	Report Date: 12/30/2014
Park Planning Area #	33B	AGOURA / CALABASAS	Map Type: REVISED	

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:

This project is exempt from park obligation requirements because:

Residential lot(s) [specify lot #'s] are 10 or more acres in size. Residential lots 1, 2, 3, 4, and 5 are all 10 or more acres in size.

Trails:

No trails.

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: *Kathline J. King*
Kathline J. King, Chief of Planning



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



PARK OBLIGATION WORKSHEET

Tentative Map #	52805	DRP Map Date: 12/02/2014	SMC Date: 01/15/2015	Report Date: 12/30/2014
Park Planning Area #	33B	AGOURA / CALABASAS		Map Type: REVISED

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	2.79	0.0030	0	0.00
M.F. < 5 Units	2.39	0.0030	0	0.00
M.F. >= 5 Units	2.77	0.0030	0	0.00
Mobile Units	2.45	0.0030	0	0.00
Exempt Units			0	
Total Acre Obligation =				0.00

Park Planning Area = **33B AGOURA / CALABASAS**

Ratio	Acre Obligation	RLV / Acre	In-Lieu Base Fee
@(0.0030)	0.00	\$362,528	\$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	\$362,528	\$0



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

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

ANGELO J. BELLOMO, REHS, QEP
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.publichealth.lacounty.gov

BOARD OF SUPERVISORS

Hilda Solis
First District

Mark Ridley-Thomas
Second District

Sheila Kuehl
Third District

Don Knabe
Fourth District

Michael D. Antonovich
Fifth District

December 10, 2014

Amended tract Map No. 52805-1

Vicinity: Malibu

Amended tract Map Date: December 2, 2014

The Los Angeles County Department of Public Health – Environmental Health Division has reviewed the **Amended Tract Map 52805-1** for the modification of the grading envelope. A copy of a current original signed “Will Serve” letter from the water purveyor shall be provided to this Department prior to approval of the tentative tract map.

Prepared by:

MICHELLE TSIEBOS, REHS, DPA (M.T.)
Environmental Health Specialist IV
Land Use Program
5050 Commerce Drive
Baldwin Park, California 91706
mtsiebos@ph.lacounty.gov
TEL (626) 430-5382 • FAX (626) 813-3016

Attachment F

County Department Letters

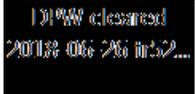
Martin Gies

From: Phoenix Khoury
Sent: Wednesday, June 27, 2018 6:16 AM
To: Steven Jones
Cc: Rodney Singh; Daniel Singh; Martin Gies; Henry Wong
Subject: tr52805 rev'd map rev1

To: Steven Jones
Department of Regional Planning

Rodney Singh
Contact

Attached is the pdf copy of our conditions for TR52805 rev'd map-rev1 (Map Dated 09-13-2016), which includes Hydrology Section's conditions of approval:



Public Works has **no holds** for this project. Therefore, we **recommend** approval to the Advisory Agency (AA) and consider it complete to go to Public Hearing.

Thank you,

Phoenix Khoury
Associate Civil Engineer
Los Angeles County Public Works
Office: (626) 458-3133

The following report consisting of 9 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/parcel 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, Underground 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. 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.
6. 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.

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 and Fire Department.
9. Reserve reciprocal easements for drainage, ingress/egress, sewer, water, utilities, right to grade, and maintenance purposes, in documents over the common private driveways to the satisfaction of Public Works.
10. The following note shall be placed on all tract and parcel maps with lot sizes of five acres or more: "Further division of this property to lot sizes below five acres will require standard improvements be completed as a condition of approval. The improvements will include but not limited to providing access, installation of water mains, appurtenances and fire hydrants, and conformance to Los Angeles County development standards."
11. The street frontage requirement for Lots 2, 3, and 4 needs to be waived by the Advisory Agency.
12. Show open space lots on the final map and dedicate residential construction rights over the open space lots.
13. 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.
14. 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.
15. A final guarantee will be required at the time of filing of the final map with the Registrar-Recorder/County Clerk's Office.

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – SUBDIVISION
TRACT NO. 52805 (Rev'd)

Page 3/3

TENTATIVE MAP DATED 09-13-2016
EXHIBIT MAP DATED 09-13-2016

16. Within 30 days of the approval date of this land use entitlement or at the time of the first plan check submittal, the applicant shall deposit the sum of \$5,000 with Public Works to defray the cost of verifying conditions of approval for the purpose of issuing final map clearances.

HW



Prepared by Phoenix Khoury

Phone (626) 458-3133

Date (Rev. 06-26-2018)

tr52805L-rev'dmap-rev1 (rev'd 06-26-2018).doc
<http://planning.lacounty.gov/case/view/98-187/>



COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

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

TRACT MAP NO.: 052805

REVISED TENTATIVE MAP DATED: 09/13/2016
EXHIBIT MAP DATED: 09/13/2016

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

Prior to Improvement Plans Approval:

1. Comply with the hydrology study, which was approved on 03/05/2018, or the latest revision, to the satisfaction of the Department of Public Works.

Name  Date 06/26/2018 Phone (626) 458-4921
Seta Marjanian

County of Los Angeles Department of Public Works
Geotechnical and Materials Engineering Division
GEOLOGIC AND SOILS ENGINEERING REVIEW SHEET
900 S. Fremont Avenue, Alhambra, CA 91803

Tentative Tract Map 52805 Tentative Map Dated 9/13/16 (Rev./Exhib) Parent Tract _____
Grading By Subdivider? [Y] (Y or N) 80,000 yd³ Location Agoura APN _____
Geologist Southwest Geotechnical, Inc. Subdivider Astoria Estates, LLC
Soils Engineer Southwest Geotechnical, Inc. Engineer/Arch. West Coast Technical Consultants, Inc.

Review of:

Geologic Report(s) Dated: _____
Soils Engineering Report(s) Dated: _____
Geotechnical Report(s) Dated: 1/3/00, 7/12/99, 6/24/99, 4/7/99
References: _____

TENTATIVE MAP FEASIBILITY IS RECOMMENDED FOR APPROVAL FROM A GEOTECHNICAL STANDPOINT

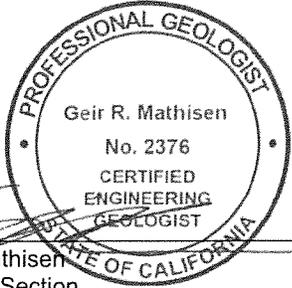
THE FOLLOWING CONDITIONS MUST BE FULFILLED:

- G1. 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 policy memo GS051.0 in the County of Los Angeles Department of Public Works *Manual for Preparation of Geotechnical Reports*. The Manual is available at: <http://dpw.lacounty.gov/gmed/permits/docs/manual.pdf>.
- G2. 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.
- G3. Prior to grading plan approval, a detailed geotechnical report must be submitted that addresses the proposed grading. All recommendations of the geotechnical consultant(s) must be incorporated into the plan. The report must comply with the provisions of the County of Los Angeles Department of Public Works *Manual for Preparation of Geotechnical Reports*. The Manual is available at: <http://dpw.lacounty.gov/gmed/permits/docs/manual.pdf>.
- G4. 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. For information on the RUA policy refer to policy memo GS063.0 in the County of Los Angeles Department of Public Works *Manual for Preparation of Geotechnical Reports*. The Manual is available at: <http://dpw.lacounty.gov/gmed/permits/docs/manual.pdf>.
- S1. At the grading plan stage, submit grading plans to the GMED for verification of compliance with County Codes and policies.

NOTE(S) TO THE PLAN CHECKER/BUILDING AND SAFETY DISTRICT ENGINEER:
ON-SITE SOILS HAVE A MEDIUM EXPANSION POTENTIAL.

Prepared by _____

Jeremy Wan
Soils Section


Geir Mathisen
Geology Section
Date 10/6/16

1. Approval of this map pertaining to grading is recommended.

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:

2. The BMP system currently proposed in the hydrology report is not necessarily approved and shall be subject to final engineering review. If the BMP system is found to not meet, satisfy, or conform to Public Works standards or requirements then the applicant is responsible for proposing alternate methods of satisfying the LID requirements. Alternate methods may cause alterations to the project substantial enough that the project may no longer be deemed substantially conforming with the original tentative map approval or conditions. If so, the applicant is responsible for processing any required amendments or revisions to the tentative map and any related engineering reports to attain substantial conformity.
3. Provide approval of:
 - a. The latest hydrology study 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 Wildlife, 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:

4. 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, 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.
5. A maintenance agreement or CC&Rs may be required for all privately maintained drainage devices, slopes, and other facilities.

Name Nazem Said  Date 09/22/16 Phone (626) 458-4921

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

1. The request to waive street frontage is subject to approval by the advisory agency. If not waived, the subdivider shall revise the tentative map and exhibit map and provide street frontage to every parcel to the satisfaction of Public Works.
2. Reserve a non-exclusive access easement along all proposed Private Driveway and Firelanes to the satisfaction of Public Works and the Fire Department.
3. Grade the shoulder to ultimate street improvement elevations along the property frontage on Kanan Road to the satisfaction of Public Works.
4. Vacate the existing 100' of slope easement and replace with 5' of slope easement along the graded portion of Kanan Road frontage to the satisfaction of Public Works. The 5' of slope easement is required to allow for future remedial encroachment when Kanan Road is constructed to its ultimate section.
5. Provide standard property line return radii of 13 feet at the intersection of Astoria Place and Kanan Road plus additional right of way for a corner cutoff to the satisfaction of Public Works.
6. Construct new driveway entrance at Astoria Place to the satisfaction of Public Works. Additional right of way may be required at the driveway entrance to the satisfaction of Public Works.
7. Construct additional pavement to provide a left-turn lane and a right-turn lane on Kanan Road at Astoria Place to the satisfaction of Public Works.
8. Prepare signing and striping plans on Kanan Road to the satisfaction of Public Works.
9. Repair any damaged improvements during construction to the satisfaction of Public Works.
10. Prior to final map approval, enter into an agreement with the County franchised cable TV operator (if an area is served) to permit the installation of cable in a common utility trench to the satisfaction of Public Works; or provide documentation that steps to provide cable TV to the proposed subdivision have been initiated to the satisfaction of Public Works.

PC

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

1. The subdivider shall install and dedicate main line sewers and serve each lot with a separate house lateral or have approved and bonded sewer plans on file with Public Works.
2. A sewer area study for the proposed subdivision (PC 12043AS, dated 08-16-2016) was reviewed and approved. A Will Serve letter from Las Virgenes Water District was obtained prior to approval of the sewer area study. No additional mitigation measures are required. The sewer area study shall be invalidated should there be an increase in the total number of dwelling units, an increase in the density, dwelling units occur on previously identified building restricted lots, a change in the proposed sewer alignment, an increase in the tributary sewershed, a change in the sewer connection points, or the adoption of a land use plan or a revision to the current plan. A revision to the approved sewer area study may be allowed at the discretion of the Director of Public Works. The approved sewer area study shall remain valid for two years from the date of sewer area study approval. After this period of time, an update of the area study shall be submitted by the applicant if determined to be warranted by Public Works.
3. The subdivider shall determine from the Las Virgenes Municipal Water District where the connection to the trunk sewer system and disposal facilities of the District shall be made, and shall meet the requirements of the Water District for the use of the sewerage facilities. Acceptance by the District must be assured in writing.
4. Easements are required, subject to review by Public Works to determine the final locations and requirements.
5. Offsite improvements are required.



COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - WATER
TRACT MAP NO. 52805 (Rev.)

Page 1/1

TENTATIVE MAP DATE 09-13-2016
EXHIBIT MAP DATE 09-13-2016

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

1. Water system shall be provided to the satisfaction of the Department of Public Works at time of building permits.



Prepared by Tony Khalkhali
tr52805w-rev1.doc

Phone (626) 458-4921

Date 10-06-2016



COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION
HYDROLOGY UNIT

TO: Jensen Design & Survey, Inc.
(805) 633 - 2222

Date: 03/05/2018

REVIEW OF REVISION TO HYDROLOGY STUDY

PD/MTD. NO.	<u>N/A</u>	DATE OF REPORT	<u>02/28/2018</u>
TR NO.	<u>52805</u>	PLAN CHECK NO.	<u>6</u>

We have reviewed your Revision to Hydrology Study.

The Revised Hydrology Study has been approved.

Refer to comments below:

COMMENTS:

1. Infiltration rate for the project site has been assumed but must be approved by Geotechnical and Materials Engineering Division prior to the grading plans. Any changes to the assumed infiltration rate may require a revised Hydrology Study and/or Tentative Map.

REVIEWED BY:

Seta Marjanian
SATENIG SETA MARJANIAN (626) 458-4921

APPROVED BY:

Michele Chimienti
MICHELE CHIMIENTI





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

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

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

TERRI S. WILLIAMS, REHS
Director of Environmental Health

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

www.publichealth.lacounty.gov

October 17, 2016

Tentative Tract Map No. 52805-1

Vicinity: The Malibu

Tentative Tract Map Date: September 13, 2016

The Los Angeles County Department of Public Health – Environmental Health Division recommends the approval of **Tentative Tract Map 52805-1** based on the use of public water (Las Virgenes Water District) and public sewer as proposed for wastewater disposal. Any variation from the approved use of water supply and/or approved method of sewage disposal shall invalidate the Department's approval.

Prepared by:

VICENTE C. BAÑADA, REHS *V.C.*
Environmental Health Specialist IV
Land Use Program
5050 Commerce Drive
Baldwin Park, California 91706
vbanada@ph.lacounty.gov
TEL (626) 430-5381 • FAX (626) 813-3016



BOARD OF SUPERVISORS

Hilda Solis
First District

Mark Ridley-Thomas
Second District

Sheila Kuehl
Third District

Don Knabe
Fourth District

Michael D. Antonovich
Fifth District

Attachment G

Photographs



 **SANTA MONICA MOUNTAINS**
A NATIONAL RECREATION AREA

The sign is a black rectangular board with a white border, mounted on a wooden post. It features a colorful logo on the left and text on the right. Below the main text are three circular icons: the National Park Service arrowhead, the National Recreation Area logo, and the Santa Monica Mountains logo.

















Attachment H

Aerial Image

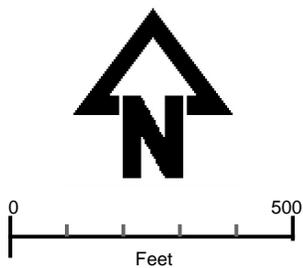


Project No. 98187-(3)

Aerial Image

Printed: Jun 26, 2018

Copyright 2013 - Los Angeles County Department of Regional Planning, GIS Section. Note: This map represents a quick representation of spatial imagery or vector layers using GIS-NET3. The map should be interpreted in accordance with the GIS-NET3 Public disclaimer statement. Printed with permission from the Los Angeles County Dept. of Regional Planning. All rights reserved.



Attachment I

Land Use and Zoning Maps

LAND USE

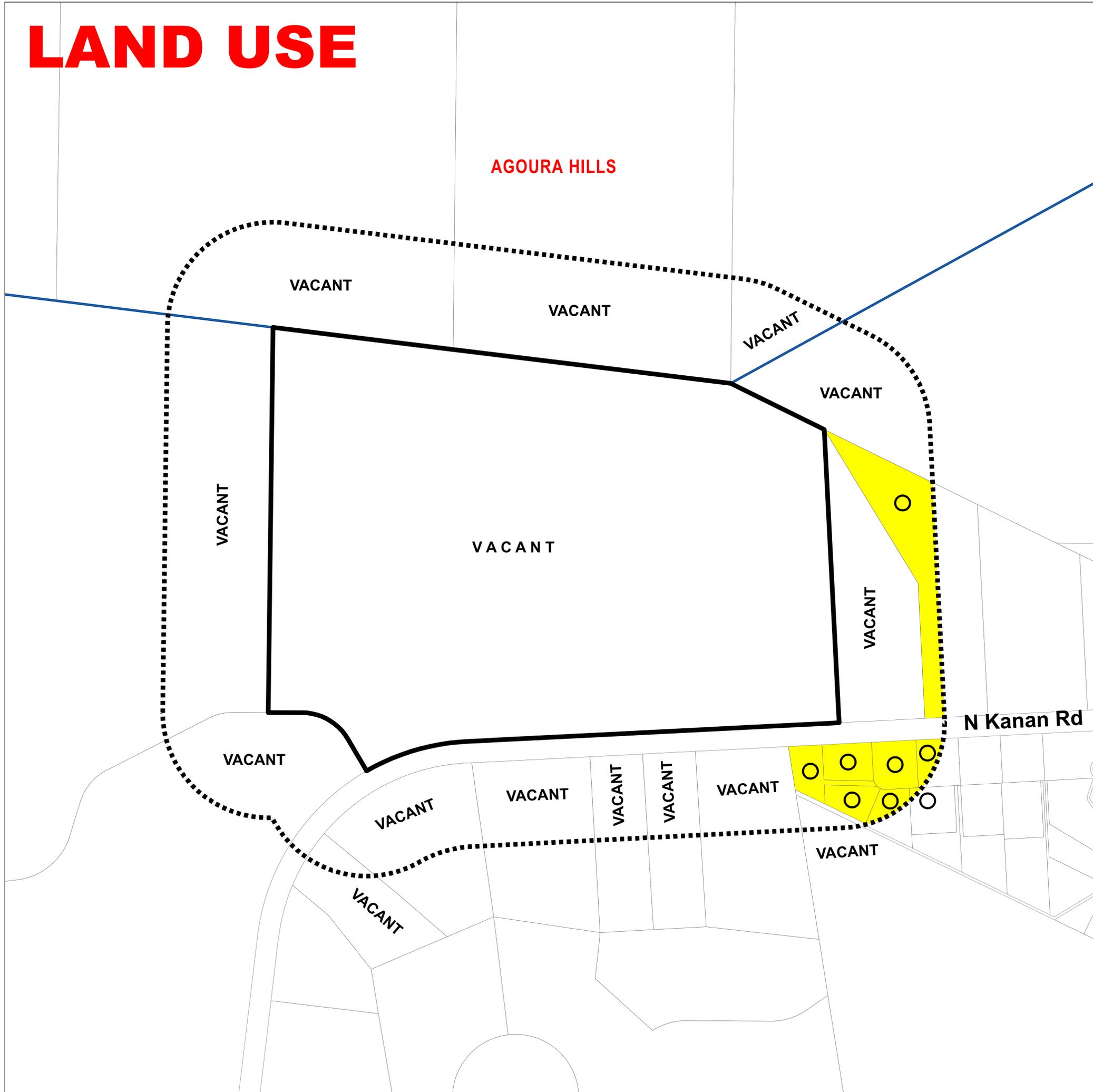
LAND USE 500 FOOT RADIUS MAP

Proj. 98187 (3)
CUP RPPL 2016003948
Revised Map 52805-1

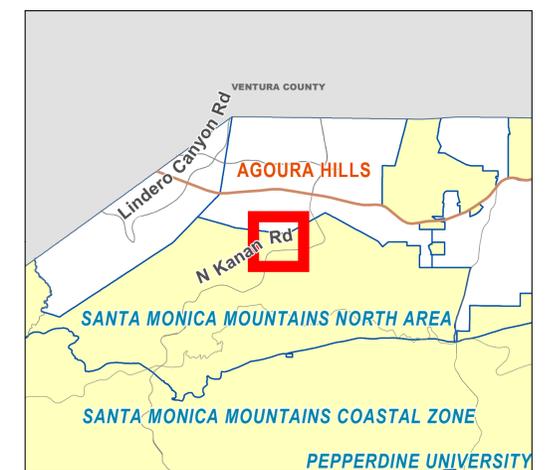
AGOURA HILLS

Legend

- SINGLE-FAMILY RESIDENCE
- SINGLE-FAMILY RESIDENCE
- VACANT



VICINITY MAP



0 100 200 400 600 800 Feet



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

ZONING

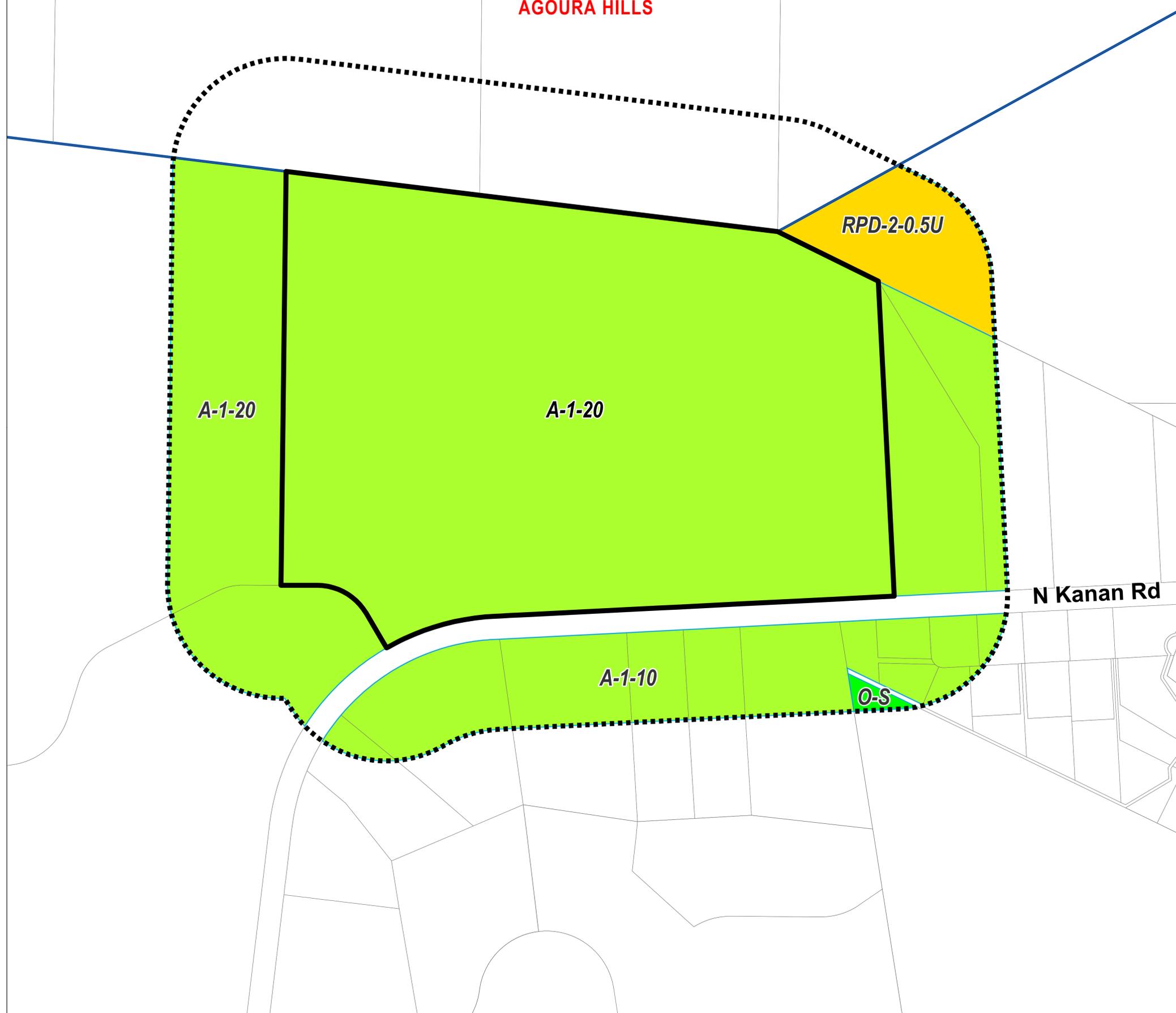
ZONING 500 FOOT RADIUS MAP

Proj. 98187 (3)
CUP RPPL 2016003948
Revised Map 52805-1

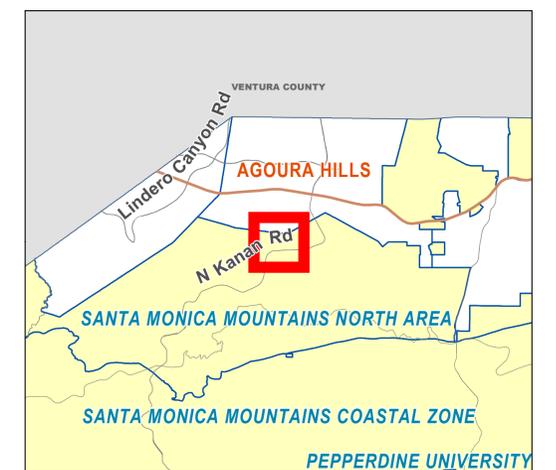
AGOURA HILLS

Legend

-  RPD - Residential Planned Development
-  A-1 - Light Agricultural
-  O-S - Open Space



VICINITY MAP



0 100 200 400 600 800 Feet



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

Attachment J

Revised VTTM No. 52805-1

LOT NO.	USE	LOT AREA (AC)	PAD AREA	STREET FRONTAGE	LOT WIDTH
1	SFR	20.01 ACRES	18,625 S.F.	510 FEET	
2	SFR	20.01 ACRES	16,700 S.F.	*	83'
3	SFR	20.00 ACRES	15,300 S.F.	*	83'
4	SFR	20.01 ACRES	11,100 S.F.	*	105'
5	SFR	25.80 ACRES	70,750 S.F.	665 FEET	
6	LANDSCAPE LOT (LANDSCAPED) (DEVELOPED)	1.97 ACRES (TOTAL) 1.34 ACRES (DEVELOPED) 0.63 ACRES	-	1040 FEET	

* LOTS WITHOUT KAMAN ROAD STREET FRONTAGE

RECEIVED
DEPT OF REGIONAL PLANNING
TR52805-1 REVISED
13 SEP 2016

NOTES:

COUNTY OF LOS ANGELES - SUBDIVISION NOTES

FURTHER DIVISION OF THIS PROPERTY TO LOT PARCEL SIZES BELOW FIVE ACRES WILL REQUIRE SITE IMPROVEMENTS TO BE COMPLETED AS A CONDITION OF APPROVAL. THE IMPROVEMENTS WILL INCLUDE BUT NOT LIMITED TO PROVIDING ACCESS, INSTALLATION OF WATER MAINS, APPURTENANCES AND FIRE HYDRANTS AND CONFORM TO LA COUNTY DEVELOPMENT STANDARDS.

COUNTY OF LOS ANGELES - PLANNING DEPT. NOTES

CONSTRUCTION OF RESIDENTIAL BUILDINGS AND ACCESSORY STRUCTURES WITHIN OPEN SPACE LOT 6 IS PROHIBITED.

OPEN SPACE LOT 6 SHALL BE DEVELOPED TO THE SANTA MONICA MOUNTAIN CONSERVANCY OR OTHER PUBLIC AGENCY APPROVED BY THE DEPARTMENT OF REGIONAL PLANNING.

A CONSERVATION EASEMENT THAT ENCOMPASSES ALL AREAS OUTSIDE THE 200 FOOT MODIFICATION ZONE SHALL BE RECORDED AS AN EASEMENT TO THE COUNTY OF LOS ANGELES AND THE SANTA MONICA CONSERVANCY.

COUNTY OF LOS ANGELES - ROAD DEPT. NOTES

A REQUEST FOR PERMISSION TO WALK STREET FRONTAGE REQUIREMENTS FOR LOTS 2, 3, 4, & 5.

COUNTY OF LOS ANGELES - FIRE DEPT. NOTES

INSTALL 6" PUBLIC UTILITY WATER MAINS TO THE LOTS. PROVIDE 2" FIRE PROTECTION WATER REQUIREMENTS (RATED FIRE FLOW=1250 G.P.M. @ 20 P.S.I. FOR 2 H.).

PROVIDING UTILITIES COMPANIES

WATER AND SEWER: LAS VIRGENES WATER DISTRICT
PHONE: AT&T
CABLE: TIME WARNER / CHARTER COMM
GAS: SOUTHERN CALIFORNIA GAS COMPANY
ELECTRICITY: SOUTHERN CALIFORNIA EDISON

EASEMENT LEGEND:

- | EASEMENT NO. | DESCRIPTION |
|--------------|--|
| 1 | 40' EASEMENT FOR RECIPROCAL INGRESS & EGRESS PUBLIC UTILITIES & CABLE TV IN BK 159, PG 94 OF TRACT MAP 12776 TO REMAIN |
| 2 | 100' WIDE SLOPE EASEMENT FOR RECIPROCAL INGRESS & EGRESS, PUBLIC UTILITIES IN BK 159, PG 94 OF TRACT MAP 12776 TO BE ABANDONED AT TIME OF TRACT MAP RECORDED |
| 3 | EASEMENTS FOR STORM DRAIN RECORDED TO 25/25/150 #2404, BK 1644, PG 442, CG 102 TO BE ABANDONED AT TIME OF TRACT MAP RECORDED |

LEGAL DESCRIPTION

DESCRIPTION: THE LAND REFERRED TO HEREIN IS SITUATED IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1 AS SHOWN ON PARCEL MAP NO. 12776, FILED IN BOOK 159 PAGES 94 THROUGH 97 INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

TITLE REPORT FURNISHED BY: FIDELITY NATIONAL TITLE COMPANY, LOS ANGELES DIVISION, 5000 VAN NUYS BLVD., SHERMAN OAKS, CA 91403, (818) 881-7900, MAP ASSASSIN PARCEL #2063-004-022 (107.8 ACRES)

EXISTING ZONING -A1-1
PROPOSED ZONING -A1-1
GENERAL PLAN DESIGNATION N20 (MOUNTAIN LANDS 20)
HOUSE NUMBERING MAP NO. 159 H 053
FIRE ZONE 4

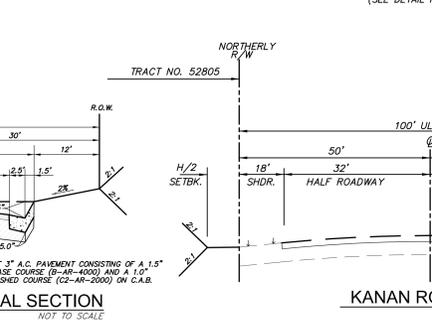
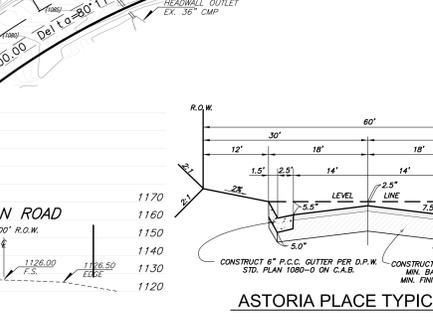
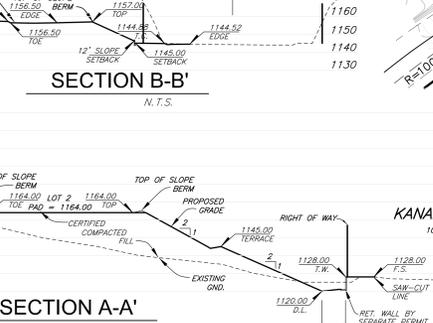
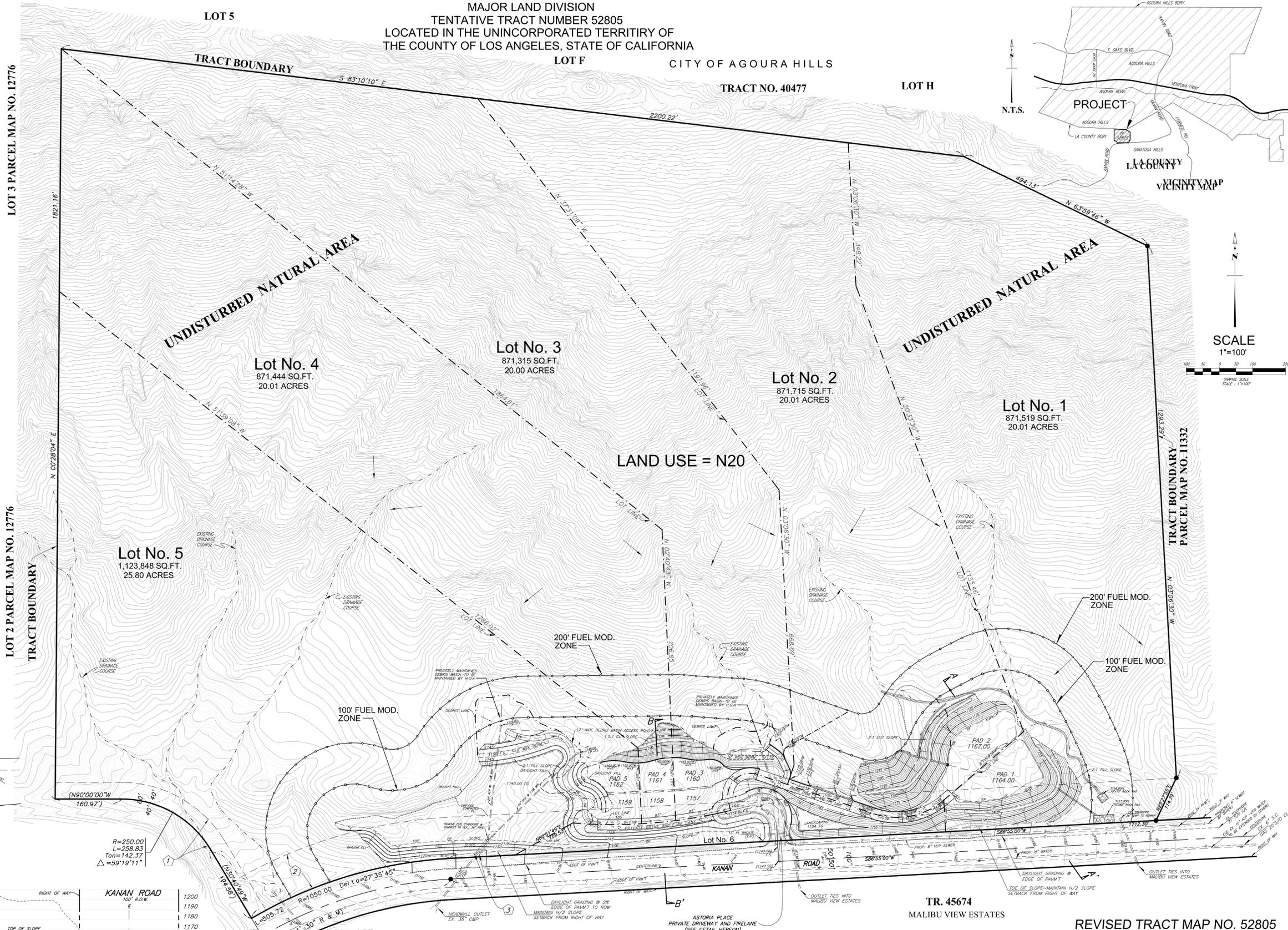
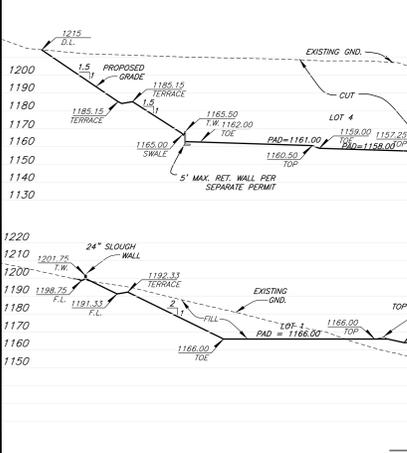
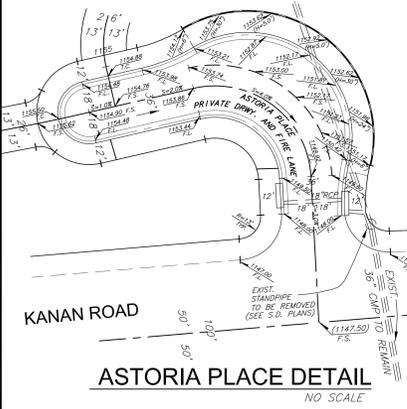
BENCHMARKS

BM # 11462 MALIBU (2008) 1,128.842 (344.0114)
DPM BM TAG IN W WINDMILL DRAIN 10.5M(34.4) S C/S KAMAN RD. & 1.1K(760) W/O CASTLE VIEW DR 30M(987) E/O FR #2404006

BM # 11675 MALIBU (2008) 1,072.922 (327.0289)
LAGO BM TAG IN CTR CONC. HOUS. 11M(36) W/O C/L KAMAN RD. 73.5M(241) E/O CL EXIT MALIBU VIEW ESTATES 4.5M(14.8) W/O M WPK #324

EARTH QUANTITIES

EXCAVATION	80,000	CUBIC YARDS
EMBANKMENT	80,000	CUBIC YARDS
IMPORT/EXPORT	0	CUBIC YARDS



TR. 45674
MALIBU VIEW ESTATES

REVISED TRACT MAP NO. 52805

ASTORIA ESTATES

ASTORIA ESTATES, L.L.C.
15445 Ventura Blvd., Ste. 900
Sherman Oaks, Ca. 91403
PHONE: (310) 216-0094
PHONE: (310) 629-8866

PREPARED BY:
West Coast Technical Consultants, Inc.
1197 E. Los Angeles Ave., C115
Simi Valley, Ca. 93065
PHONE: (818) 216-0094

UNDER SUPERVISION OF:
Phillip M. Berger, P.E.
R.C.E. 13128 EXP. 03/31/2017

SHEET
1 OF **1**

Attachment K

Revised Exhibit Map

LOT SUMMARY				
LOT NO.	USE	LOT AREA (AC)	PAD AREA	STREET FRONTAGE
1	SFR	20.01 ACRES	18,625 S.F.	510 FEET
2	SFR	20.01 ACRES	16,700 S.F.	83'
3	SFR	20.01 ACRES	15,300 S.F.	83'
4	SFR	20.01 ACRES	11,100 S.F.	100'
5	SFR	25.80 ACRES	70,750 S.F.	665 FEET
6	LANDSCAPE LOT (UNDEVELOPED)	1.97 ACRES (TOTAL)	-	1040 FEET
6	LANDSCAPE LOT (DEVELOPED)	1.84 ACRES	-	-
6	LANDSCAPE LOT (DEVELOPED)	0.63 ACRES	-	-

RECEIVED DEPT OF REGIONAL PLANNING TRS3805-1 EXHIBIT 13 SEP 2016

NOTES:

COUNTY OF LOS ANGELES - SUBMISSION NOTES:
 FURTHER DIVISION OF THIS PROPERTY TO LOTS PARCELS SIZES BELOW FIVE ACRES WILL REQUIRE STD. IMPROVEMENTS BE COMPLETED AS A CONDITION OF APPROVAL. THE IMPROVEMENTS WILL INCLUDE BUT NOT LIMITED TO PROVIDING ACCESS, INSTALLATION OF WATER MAINS, APPOINTMENTS AND FIRE HYDRANTS AND CONFORM TO LA COUNTY DEVELOPMENT STDS.

COUNTY OF LOS ANGELES - PLANNING DEPT. NOTES:
 CONSTRUCTION OF RESIDENTIAL BUILDINGS AND ACCESSORY STRUCTURES WITHIN OPEN SPACE LOT 6 IS PROHIBITED. OPEN SPACE LOT 6 SHALL BE DEDICATED TO THE SANTA MONICA MOUNTAINS CONSERVANCY AND OTHER PUBLIC AGENCY APPROVED BY THE DEPARTMENT OF REGIONAL PLANNING. A CONSERVATION EASEMENT THAT ENCOMPASSES ALL AREAS OUTSIDE THE 200' FUEL MODIFICATION ZONE SHALL BE RECORDED AS AN EASEMENT TO THE COUNTY OF LOS ANGELES AND THE SANTA MONICA CONSERVANCY.

COUNTY OF LOS ANGELES - ROAD DEPT. NOTES:
 A REQUEST FOR PERMISSION TO WAIVE STREET FRONTAGE REQUIREMENTS FOR LOTS 2, 3, 4 & 5.

COUNTY OF LOS ANGELES - FIRE DEPT. NOTES:
 INSTALL 6" PUBLIC (6" x 4" x 2 1/2") FIRE HYDRANTS WITH 100' WIDE SLOPE EASEMENT FOR RECIPROCAL ACCESS. PUBLIC UTILITIES IN BK 159 PG 94 OF TRACT MAP 12776 TO BE ABANDONED AT TIME OF TRACT MAP RECORDED.

EASEMENTS FOR STORM DRAINING RECORDED 10/22/1998 EXHIBIT, BK 2844, PG 442, OR TO BE ABANDONED AT TIME OF TRACT MAP RECORDED.

PROVIDING UTILITIES COMPANIES:

WATER AND SEWER: LAS VIRGENES WATER DISTRICT
 PHONE: 310.716.1817
 CABLE: TIME WARNER / CHARTER COMM.
 GAS: SOUTHERN CALIFORNIA GAS COMPANY
 ELECTRICITY: SOUTHERN CALIFORNIA EDISON

EASEMENT LEGEND:

- | EASEMENT NO. | DESCRIPTION |
|--------------|--|
| 1 | 40' EASEMENT FOR RECIPROCAL INGRESS & EGRESS PUBLIC UTILITIES IN BK 159 PG 94 OF TRACT MAP 12776 TO REMAIN |
| 2 | 100' WIDE SLOPE EASEMENT FOR RECIPROCAL INGRESS & EGRESS PUBLIC UTILITIES IN BK 159 PG 94 OF TRACT MAP 12776 TO BE ABANDONED AT TIME OF TRACT MAP RECORDED |
| 3 | EASEMENTS FOR STORM DRAINING RECORDED 10/22/1998 EXHIBIT, BK 2844, PG 442, OR TO BE ABANDONED AT TIME OF TRACT MAP RECORDED |

LEGAL DESCRIPTION:

DESCRIPTION THE LAND REFERRED TO HEREIN IS SITUATED IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:
 PARCEL 1 AS SHOWN ON PARCEL MAP NO. 12776, FILED IN BOOK 159 PAGES 94 THROUGH 97 INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

TITLE REPORT FURNISHED BY:
 FIDELITY NATIONAL TITLE COMPANY
 LOS ANGELES DIVISION
 5000 VAN NUYS BLVD.
 SHERMAN OAKS, CA 91403
 (818) 891-7800
 MAP ASSESSORS PARCEL #2063-04-022 (107.8 ACRES)

EXISTING ZONING - A1-1
 PROPOSED ZONING - M-1
 GENERAL PLAN DESIGNATION N20 (MOUNTAIN LANDS 20)
 HOUSE NUMBERING MAP NO. 159 H 053
 FIRE ZONE - 4

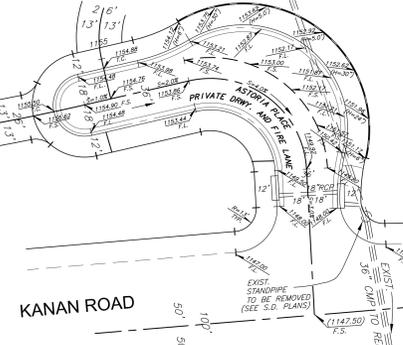
BENCHMARKS:

BM # 11462 MALIBU (2008) 1,128.642 (344.011M)
 CORNER TO INTERSECTION OF KANAN RD. & 1.1K(7.7M) W/O CASTLE VIEW DR 30M(98') E/O PG #424089E

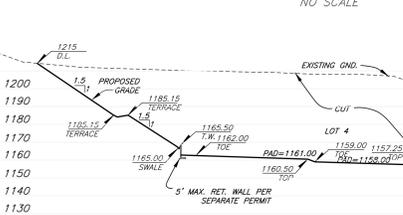
BM # 11675 MALIBU (2008) 1,072.932 (327.028M)
 LAGOON TO INTERSECTION OF KANAN RD. & 1.1K(7.7M) W/O CASTLE VIEW DR 30M(98') E/O PG #424089E

EARTH QUANTITIES:

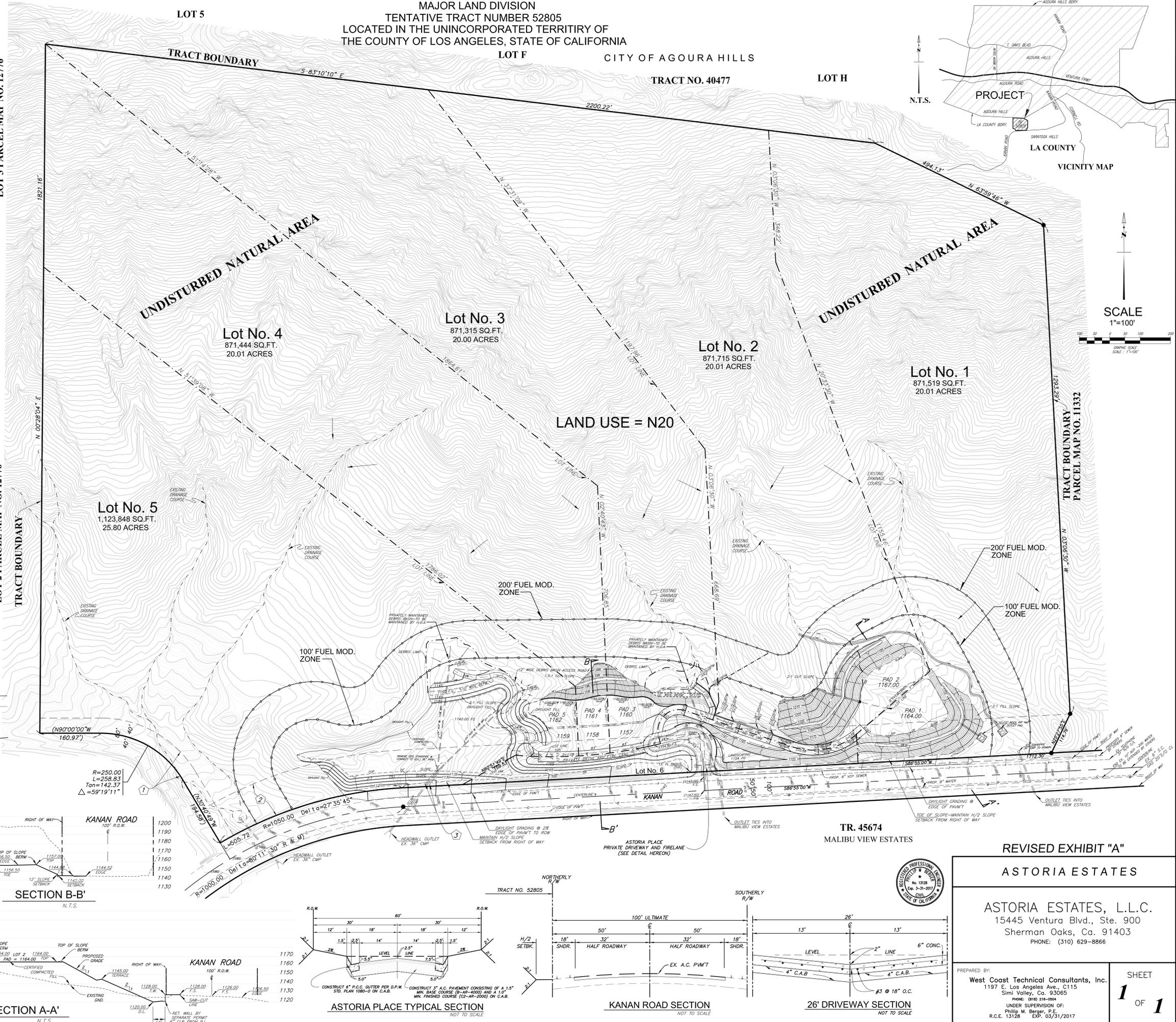
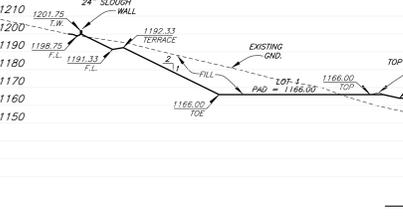
EXCAVATION	80,000	CUBIC YARDS
EMBANKMENT	80,000	CUBIC YARDS
IMPORT/EXPORT	0	CUBIC YARDS



SECTION B-B'



SECTION A-A'



LOT 3 PARCEL MAP NO. 12776

LOT 2 PARCEL MAP NO. 12776

SECTION B-B'

SECTION A-A'

ASTORIA PLACE TYPICAL SECTION NOT TO SCALE

KANAN ROAD SECTION NOT TO SCALE

26' DRIVEWAY SECTION NOT TO SCALE



REVISED EXHIBIT "A"
ASTORIA ESTATES
 ASTORIA ESTATES, L.L.C.
 15445 Ventura Blvd., Ste. 900
 Sherman Oaks, Ca. 91403
 PHONE: (310) 629-8866

PREPARED BY:
 West Coast Technical Consultants, Inc.
 1197 E. Los Angeles Ave., C115
 Simi Valley, Ca. 93065
 PHONE: (818) 216-0004
 UNDER SUPERVISION OF:
 Phillip M. Berger, P.E.
 R.C.E. 13128 EXP. 03/31/2017

SHEET
1
 OF
1

Attachment L

VTTM No. 52805

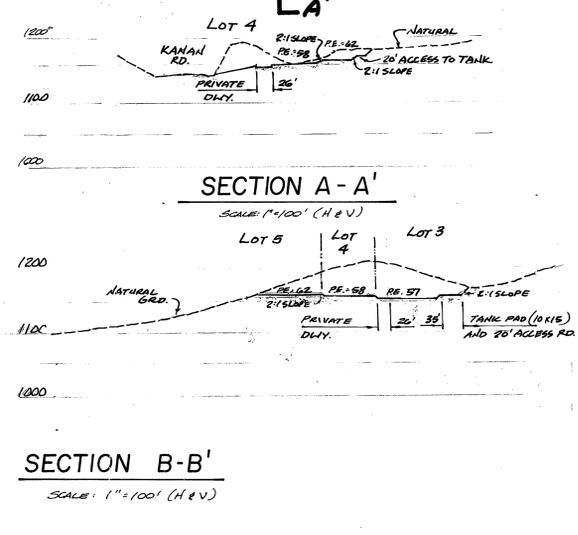
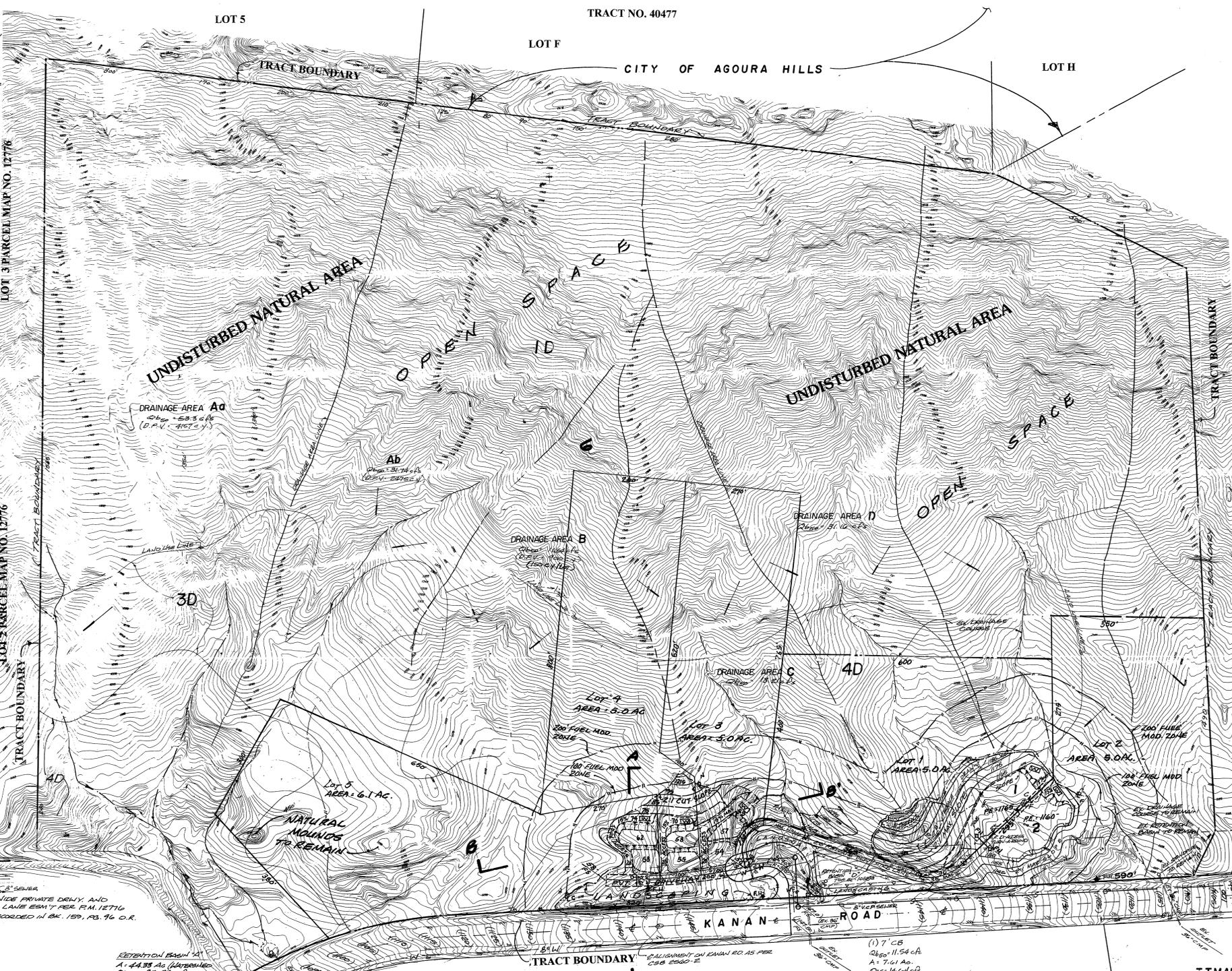
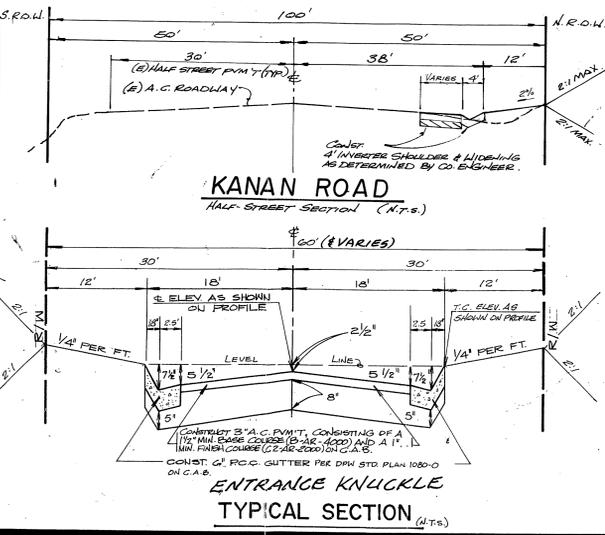
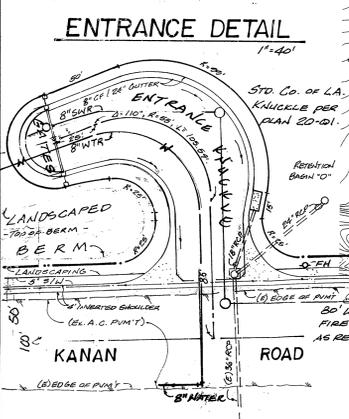
REVISIONS

8/00 - Add Entrance Detail, Section 'A-A', Showing Drainage design, street & Data, F.H.C. and related Minor corrections from C.A. Co. D.R.P. Report 1/00.

8/00 - Eliminate Lot 6 SFR to be incorporated as lot 6 open space deleting the prior Lot 7 designation for open space. Revise LOT SUMMARY to reflect the above changes. Also revise Lot 5 from 2.46 to 8.16 lot area & 4,900 SF to 67,123 SF PAD. Water tower location and associated grading for same is shown on drawing.

LOT SUMMARY

LOT NO.	USE	LOT AREA (AC)	PAD (S.F.)
1	SFR	5.0 AC (MAX)	8,000 (MAX)
2	SFR	5.0 AC (MAX)	8,000 (MAX)
3	SFR	5.0 AC (MAX)	8,000 (MAX)
4	SFR	5.0 AC (MAX)	8,000 (MAX)
5	SFR	5.0 AC (MAX)	8,000 (MAX)
6	OPEN SPACE	79.0 AC	-



LEGAL DESCRIPTION

DESCRIPTION: THE LAND REFERRED TO HEREIN IS SITUATED IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1 AS SHOWN ON PARCEL MAP NO. 12776, FILED IN BOOK 159 PAGES 94 THROUGH 97 INCLUSIVE OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

TITLE REPORT FURNISHED BY:

STEWART TITLE OF CALIFORNIA, INC.
LOS ANGELES DIVISION
505 N. BRAND BLVD., STE. 1200
GLENDALE, CA 91203
(818) 502-2700

MAP ASSESSORS PARCEL #2063-004-022 (107 ACRES)

EXISTING ZONING - A1-1

PROPOSED ZONING - A1-1

HOUSE NUMBERING MAP NO. 159 H053

FIRE ZONE 4

TENTATIVE TRACT MAP NO. 52805
GENERAL PLAN DESIGNATION R-NON-URBAN

ASTORIA ESTATES

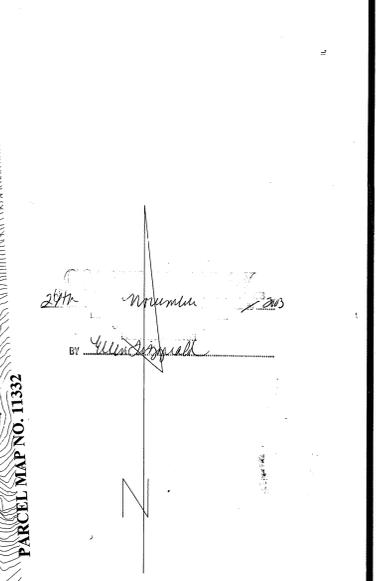
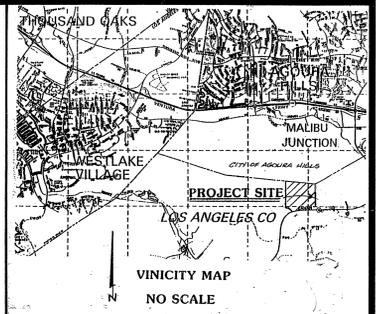
DENTEC HOLDINGS INC.
1843 BUSINESS CENTER DRIVE
DUARTE, CA 91010
PHONE: (626) 305-8454

DEPT. OF REGIONAL PLANNING
NOV 06 2001 REV. (REV RECD)
RECEIVED CS INDEX NO.

PREPARED BY: DENTEC HOLDINGS INC.
1843 BUSINESS CENTER DRIVE
DUARTE, CA 91010
PHONE: (626) 305-8454

UNDER SUPERVISION OF:
PHILIP A. GUSTAFSON
R.C.E. 13875, EXP. 03/31/2005
341 E. 55TH ST., LONG BEACH, CA 90805
PHONE: (562) 428-0066

SHEET
1 OF 1



FIRE DEPT. REQUIREMENTS

INSTALL 6 PUBLIC (6 V.4.1.2.4) FIRE HYDRANTS CONFORMING TO AMERICAN WATERWORKS ASSN. STD. C 2503 - COUNTY OF LOS ANGELES - FIRE DEPT. FIRE PROTECTION WATER REQUIREMENTS (SEE FIRE FLOW 1250 G.P.M. @ 20' D.P.S. FOR 2 H.E.)

100' WIDE SLOPE AND DRAINAGE BASEMENT AS SHOWN IN 1987 #3689 IN BK D 2561 PG. 190.

EARTH QUANTITIES

EXCAVATION - 60,000 CUBIC YARDS
EMBANKMENT - 45,000 CUBIC YARDS
SHRINKAGE - (15%) 15,000 CUBIC YARDS
IMPORT - 0 CUBIC YARDS

7 TMAP NO. 45674

SUBDIVIDER



Attachment M

**VTTM No. 52805 Findings,
Conditions, MMRP**



Los Angeles County
Department of Regional Planning



Planning for the Challenges Ahead

CERTIFIED-RECEIPT
REQUESTED

James E. Hartl, AICP
Director of Planning

December 12, 2003

Dentec Holdings
1843 Business Center Drive
Duarte, California 91010

Gentlemen:

SUBJECT: VESTING TENTATIVE TRACT MAP 52805-(3)

A public hearing on Vesting Tentative Tract Map 52805-(3) was held before the Regional Planning Commission on March 1, 2000, May 31, 2000, June 14, 2000, March 14, 2001, June 13, 2002, September 19, 2001 and January 9, 2002.

After considering the evidence presented, the Regional Planning Commission, in its action on November 24, 2003 approved Vesting Tentative Tract Map in accordance with Los Angeles County Code Title 21 (Subdivision Ordinance) and the Subdivision Map Act, subject to the recommendations and conditions of the Subdivision Committee. A copy of the approved findings and conditions is attached.

The action on the vesting tentative tract map authorizes the subdivision of the 107.8 acre project site into 5 single-family lots.

The decision of the Regional Planning Commission regarding the vesting tentative tract map shall become effective on the date of the decision, provided no appeal of the action taken has been filed with the Office of the Clerk of the Board, Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012. Please contact the Clerk of the Board of Supervisors at (213) 974-1432 for the current appeal fee.

The vesting tentative tract map approval shall expire on **November 24, 2005**. If the subject tentative map does not record prior to the expiration date, a request in writing for an extension of the approval, accompanied by the appropriate fee, must be received prior to the expiration date.

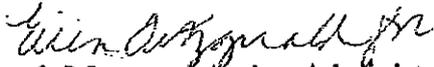
Dentec Holdings
December 12, 2003

2

If you have any questions regarding this matter, please contact Ms. Ellen Fitzgerald of the Land Divisions Section of the Department of Regional Planning at (213)974-6433, Monday through Thursday, 7:00 am to 6:00 pm. Our offices are closed on Fridays.

Very truly yours,

DEPARTMENT OF REGIONAL PLANNING
James E. Hartl, AICP
Director of Planning



Frank Meneses, Acting Administrator
Current Planning Division

FM:ef

Enclosures: Findings and Conditions, Fish and Game Fee Notification

c: Board of Supervisors
Subdivision Committee
Santa Monica Mountains Conservancy

**FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
FOR VESTING TENTATIVE TRACT MAP NO. 52805**

1. The Los Angeles County Regional Planning Commission conducted a duly noticed public hearing in the matter of Vesting Tentative Tract Map No. 52805 on March 1, 2000, May 31, 2000, June 14, 2000, March 14, 2001, June 13, 2001, September 19, 2001 and January 9, 2002.
2. Vesting Tentative Tract Map No. 52805 is a proposal to subdivide the subject property into 5 single-family lots and one open space lot.
3. Approximately 79 acres of the subject property, shown as lot 6 on the tentative map, will be dedicated to a public agency. Additionally, a conservation easement will be recorded over those areas of Lots 1 through 5 outside the building pads and fuel modification zones.
4. The subject site is located on the north side of Kanan Road, approximately 4,300 feet northeasterly of the intersection of Kanan Road and Troutdale Drive in the Malibu Zoned District.
5. The subject property is 107.8 acres in size with hilly topography. The property is presently vacant. Access to the proposed development will be provided from Kanan Road, a major highway.
6. The project site is currently zoned A-1-20 (Light Agricultural – 20 acre minimum lot area). This zoning was established on September 19, 2002 following the adoption of Ordinance 2002-0062Z in conjunction with the Zoning Consistency Program for the Santa Monica Mountains North Area Plan. Prior to September 19, 2002, the site was zoned A-1-1 (Light Agricultural – 1 acre minimum lot area).
7. The proposed development complies with the applicable zoning of the property in that it meets the requirements of the A-1-1 zone, which zone was in effect at the time the tentative map application was determined to be complete. All proposed lots exceed one acre in size and provide the required area of the A-1-1 zone; in all other respects, the project complies with the A-1-1 zone, as well as with the A-1-20 zone.
8. Surrounding zoning is A-1-20 to the east and west, A-1-10 to the south. The city of Agoura Hills is located to the north..
9. Surrounding land uses consist of generally vacant property. No structures are located within 500 feet of the site.
10. The applicant originally proposed an 11-lot residential subdivision, but the Regional

**VESTING TENTATIVE TRACT MAP NO. 52805
FINDINGS**

Planning Commission determined that the proposed grading was excessive and the project was inconsistent with the policies of the Santa Monica Mountains Interim Area Plan, which was the adopted general plan for the area at that time. The Commission discussed options with the project applicant and the applicant chose to redesign the project to reduce grading and to limit density to a maximum of 5 lots.

11. The property is depicted within the N20 (Mountain Lands 20) land use category on the land use policy map of the Santa Monica Mountains North Area Plan, which was adopted by the Board of Supervisors on October 24, 2000. Lands designated as Mountain Lands consist of rolling hillside areas, steep slopes, and isolated remote mountain lands with difficult or no access. Permitted uses include low density single family housing as well as other low intensity uses. The Plan encourages clustering of uses to reduce disturbances to the environment. The N20 category permits a maximum residential density of one dwelling unit per 20 acres, which would limit development on the subject 107.8-acre property to a maximum of five single family residence lots. The project is consistent with the goals and policies of the Santa Monica Mountains North Area Plan in that the project density of five residential lots does not exceed the maximum density of the N20 designation, grading on the site will be minimal, and the project provides for dedication of the open space lot to a public agency for permanent maintenance and recordation of a conservation easement over large portions of the residential lots.
12. During the public hearing on January 9, 2002, the Regional Planning Commission reviewed the revised proposal for 5 single-family residence lots and 1 open space lot and determined that the proposal had fully addressed the issues raised during the public hearing process.
13. At the public hearing, the Regional Planning Commission received oral and written testimony regarding the proposed development. The Santa Monica Mountains Conservancy, the National Park Service and the Cornell Preservation Association testified in opposition to the project.
14. The proposed development is compatible with surrounding land use patterns. An 18-lot single family residential development has recently been constructed southeasterly of the site, however the area immediately adjacent to the site is largely vacant.
15. The site is physically suitable for the type of development and density being proposed. The site has adequate building sites to be developed in accordance with the County grading ordinance, has access to a County-maintained street, will be served by a private sewage disposal system to be installed in accordance with the requirements of the Department of Health Services, will have flood hazards and geological hazards mitigated

**VESTING TENTATIVE TRACT MAP NO. 52805
FINDINGS**

in accordance with the requirements of the Department of Public Works, and will be provided with a water system which will meet the anticipated domestic and fire protection needs. As provided by Section 21.32.060 of the Los Angeles County Code (Subdivision Ordinance), water mains and fire hydrants and fire flows are not required by the County Forester and Fire Warden since the proposed lot sizes are more than 5 areas in size. Proposed water tanks and fire sprinklers have been determined to be acceptable and approval of these shall be required prior to issuance of building permits for construction.

16. The design of the subdivision and the type of improvements proposed will not cause serious public health problems, since sewage disposal, storm drainage, fire protection, and geological and soils factors are addressed in the conditions of approval.
17. The design of the subdivision and the proposed improvements will not cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat. The subject property is not located in a Significant Ecological Area and does not contain any stream courses or high-value riparian habitat.
18. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities therein.
19. The division and development of the property in the manner set forth on this map will not unreasonably interfere with the free and complete exercise of public entity and/or public utility rights-of-way and/or easements within this map, since the design and development as set forth in the conditions of approval and shown on the tentative map provide adequate protection for any such easements.
20. The proposed project is located and designed so as to avoid or minimize hillside development. The project has demonstrated creative and imaginative design through its use of clustering and considerations given to size, scale and bulk resulting in a visual quality that will complement community character and benefit current and future residents.
21. The proposed subdivision does not contain or front upon any public waterway, river, stream, coastline, shoreline, lake or reservoir, as those terms are used in Article 3.5 of the Subdivision Map Act (California Government Code Section 66410 *et seq.*).
22. The housing and employment needs of the region were considered and balanced against the public service needs of local residents and available fiscal and environmental resources when the project was determined to be consistent with the General Plan.

**VESTING TENTATIVE TRACT MAP NO. 52805
FINDINGS**

23. This tract map has been submitted as a "Vesting" Tentative Tract Map. As such, it is subject to the provisions of Sections 21.38.010 through 21.38.080 of the Los Angeles County Code.
24. An Initial Study was prepared for this project and circulated for public review in compliance with the California Environmental Quality Act (California Public Resources Code Section 21000 *et seq.*) ("CEQA"), the State CEQA Guidelines, and the environmental document reporting procedures and guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on fire services, biota, cultural resources and visual qualities. Prior to the release of the proposed Mitigated Negative Declaration and Initial Study for public review, the applicant made or agreed to revisions in the project which would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur, and there is no substantial evidence, in light of the whole record before the Commission, that the project as revised may have a significant effect on the environment. Based on the Initial Study and project revisions, the Department of Regional Planning has prepared a Mitigated Negative Declaration for this project.
25. Changes in the proposed project or conditions of approval are necessary in order to ensure that the proposed project will not have a significant effect on the environment, and such conditions or changes have been included in the Mitigation Monitoring Program prepared for the project. The Mitigation Monitoring Program is contained in the Mitigated Negative Declaration and identifies in detail the manner in which compliance with the measures adopted to mitigate or avoid potential adverse impacts to the environment is ensured. The Commission finds that the Mitigation Monitoring Program is adequately designed to ensure compliance with the mitigation measures during project implementation.
26. After consideration of the Mitigated Negative Declaration together with any comments received during the public review process, the Regional Planning Commission finds on the basis of the whole record before the Commission that there is no substantial evidence the project will have a significant effect on the environment, finds that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Commission, and adopts the Mitigated Negative Declaration and Mitigation Monitoring Program for the project.
27. 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 the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the

**VESTING TENTATIVE TRACT MAP NO. 52805
FINDINGS**

Section Head of the Land Divisions Section, Los Angeles County Department of
Regional Planning.

THEREFORE, in view of the findings of fact and conclusions presented above, Vesting
Tentative Tract Map No. 52805 is APPROVED subject to the attached conditions established by
the Regional Planning Commission, including recommendations of the Los Angeles County
Subdivision Committee.

DEPARTMENT OF REGIONAL PLANNING
TENTATIVE TRACT MAP NO. 52805

Map Date: 11-6-01

CONDITIONS:

1. Conform to the applicable requirements of Titles 21 and 22 of the Los Angeles County Code (Subdivision and Zoning Ordinances), including the requirements of the A-1 zone.
2. Permission is granted to adjust lot lines to the satisfaction of the Department of Regional Planning.
3. Submit a copy of the project Covenants, Conditions, and Restrictions, road maintenance agreement, if any, and conservation easement to the Department of Regional Planning for review and approval.
4. Provide at least 40 feet of street frontage at the property line for each lot fronting on the cul-de-sac and knuckle and at least 50 feet of street frontage at the property line for all other lots, except for flag lots. Provide approximately radial lot lines for each lot.
5. Each flag lot (Lot Nos. 1, 2 and 4) shall have a fee access strip of at least 15 feet in width.
6. Dedicate vehicular access rights on the final map from all abutting lots directly to Kanan Road to the satisfaction of the Department of Regional Planning and Department of Public Works
7. Grant to the general public a non-exclusive easement for ingress and egress and road purposes over the private and future street (entrance access street) to the satisfaction of the Department of Public Works and the Department of Regional Planning.
8. Show lot lines to the centerline of the private and future street or show the private and future street as a separate lot on the final map.
9. Provide for the continued maintenance of the private and future street through a homeowners' association, road maintenance district, or road maintenance agreement.
10. Construct, or bond with the Department of Public Works for the construction of, paving over the common driveways with a minimum width of 26 feet.
11. Label the common driveways as "Private Driveway and Fire Lane" on the final map.
12. Post the common driveways with signs stating "No Parking – Fire Lane" and provide for continuous posting and enforcement of the parking restriction in the Covenants, Conditions and Restrictions.

13. Provide for the continued maintenance of the common driveways to the satisfaction of the Department of Regional Planning.
14. Provide reciprocal easements for ingress and egress over the common driveway for the benefit of the lots served. Submit a letter agreeing to reserve reciprocal easements for ingress and egress over the common driveway for the benefit of the lots served when the lots are sold and submit a copy of the document to be recorded to the Department of Regional Planning for review and approval.
15. Permission is granted to have a gated entrance to the subdivision to the satisfaction of the Department of Public Works and the Fire Department.
16. Provide slope planting and an irrigation system in accordance with the County Grading Ordinance. Provide in the Covenants, Conditions and Restrictions for the continued maintenance of the plantings for lots having planted slopes. The landscaping shall be locally indigenous species, where feasible. Fire retardant plants should be given first consideration.
17. Dedicate to the County of Los Angeles on the final map the right to prohibit construction of residential and accessory structures over the open space lot (Lot No. 6) to the satisfaction of the Department of Regional Planning.
18. Permission is granted to create additional open space lots to the satisfaction of the Department of Regional Planning.
19. As agreed, provide for the ownership and maintenance of the open space lot to the satisfaction of the Department of Regional Planning. Prior to final map approval, dedicate Lot No. 6 to the Santa Monica Mountains Conservancy or other public agency approved by the Department of Regional Planning, or submit an executed agreement with the Conservancy providing for the conveyance of the lot.
20. Record, for the benefit of the County and the Santa Monica Mountains Conservancy, a conservation easement that encompasses all areas outside the 200-foot fuel modification zone as depicted on the approved tentative tract map.
21. No grading permit shall be issued prior to the recordation of the final map except as authorized by the Department of Regional Planning.

22. Record a covenant and agreement agreeing to limit the height of the residence and water tank to be constructed on each lot to a maximum height of 20 feet and 12 feet, respectively. Also, submit a plot plan to the Department of Regional Planning for approval prior to issuance of building permits for the residential structures and the water tanks to ensure that the development does not exceed these height limits, and that the water tanks are adequately camouflaged.

23. Provide for the planting of at least one tree of a non-invasive species within the front yard of each residential lot. The location and species of said tree shall be incorporated into a site plan or landscape plan. Prior to final map approval, the site/landscape plan shall be approved by the Department of Regional Planning and the Fire Department and a bond shall be posted with the Department of Public Works, or other verification shall be submitted to the satisfaction of the Department of Regional Planning, to ensure the planting of the required tree.

24. Prior to issuance of building permits, pay a fee to the Los Angeles County Librarian, as this project's contribution to mitigating impacts on the library system in the Santa Monica Mountains Planning Area, in the amount required by Chapter 22.72 at the time of payment, and provide proof of payment to the Department of Regional Planning. The current fee amount is \$668.00 per dwelling unit ($\$668.00 \times 5$ dwelling units = \$3,340.00). The subdivider may contact the County Librarian at (562) 940-8430 regarding payment of the fees.

25. Prior to recordation of the final map, deposit the sum of \$3,000.00 with the Department of Regional Planning in order to defray the cost of reviewing the subdivider's reports and verifying compliance with the information contained in the reports required by the Mitigation Monitoring Program.

26. Within five (5) days of the tentative map approval date, remit processing fees (currently \$1275.00) payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the California Public Resources Code and Section 711.4 of the California Fish and Game Code, to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game. No project subject to this requirement is final, vested or operative until the fee is paid.

27. The conditions and/or changes in the project, set forth in the Mitigated Negative Declaration as necessary in order to assure that the proposed project will not have a significant effect on the environment, are incorporated herein by this reference and made conditions of approval of the tentative map. Comply with all such conditions/changes in accordance with the attached Mitigation Monitoring Program. Record a covenant and agreement, and submit a copy to the Department of Regional Planning for approval, agreeing to the conditions/changes imposed by the Mitigated Negative Declaration. As a means of ensuring the effectiveness of such

conditions and/or changes to the project; submit mitigation monitoring reports to the Department of Regional Planning, no less than once per year, and to the Fire Department, Health Hazardous Materials Division, for approval as frequently as may be required by either department. The reports shall describe the status of the subdivider's compliance with the required project conditions/changes.

28. 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 tentative approval, which action is brought within the applicable time period of California Government Code Section 66499.37 or any other applicable limitation period. The County shall promptly notify the subdivider of any claim, action, or proceeding and the County shall cooperate fully 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 fully in the defense, the subdivider shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
29. In the event that any claim, action, or proceeding as described above is filed against the County, the subdivider shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000.00 from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to the subdivider or the subdivider's counsel. The subdivider shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the subdivider shall deposit additional fund to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the subdivider, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost of collection and duplication of records and other related documents shall be paid by the subdivider in accordance with Section 2:170.010 of the Los Angeles County Code.

Except as expressly modified hereinabove, this approval is subject to all those conditions set forth in the attached Mitigation Monitoring Program and the attached reports recommended by the Los Angeles County Subdivision Committee, consisting of the Department of Public Works, Fire Department, Department of Parks and Recreation, and Department of Health Services.

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

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

- 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.
- Easements are tentatively required, subject to review by the Director of Public Works to determine the final locations and requirements.
- 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 County Recorder. 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.
- In lieu of establishing the final specific locations of structures on each lot/parcel 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.
- 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.
- 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 the Department of Public Works.

- Label driveways and multiple access strips as "Private Driveway and Fire Lane" and delineate on the final map to the satisfaction of the Department of Public Works.
- The following note shall be placed on all tract and parcel maps with lot sizes of five acres or more: "Further division of this property to lot/parcel sizes below five acres will require standard improvements be completed as a condition of approval. The improvements will include but not limited to providing access, installation of water mains, appurtenances and fire hydrants, and conformance to Los Angeles County development standards."
- Furnish the Department of Public Works' Street Name Unit with a list of street names acceptable to the subdivider. These names must not be duplicated within a radius of 20 miles.
- A Mapping & Property Management Division house numbering clearance is required prior to approval of the final map.
- A final tract map must be processed through the Director of Public Works prior to being filed with County Recorder.
- 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 this Department for the following mapping items; mathematical accuracy; survey analysis; and correctness of certificates, signatures, etc.
- Quitclaim or relocate easements running through proposed structures.
- Extend lot lines to the center of private and future streets.
- Grant ingress/egress and utility easements to the public over the private and future or future streets.
- If the entire entrance access street is approved to be designated as a private drive and fire lane by the Department of Regional Planning, reserve reciprocal easements for ingress and egress; utilities, maintenance purposes, and right to grade, etc., over the common driveway on the final map to the satisfaction of the Department of Public Works.
- Show open space note and dedicate residential construction rights over the open space lots.

DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - SUBDIVISION
TRACT MAP NO. 52805 (Rev.)

Page 3/3

TENTATIVE MAP DATED 11-06-2001

- A final guarantee will be required at the time of filing of the final map with the County Recorder.

-HW/for
Name Randine M. Ruiz

Phone (626) 458-4915

Date 11-26-2001



**COUNTY LOS ANGELES DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION
SUBDIVISION PLAN CHECKING SECTION - DRAINAGE UNIT**

TRACT NO. 52805

REVISED TENTATIVE MAP DATED: 11/06/2001

DRAINAGE CONDITIONS

- Portions of the existing property lying in and adjacent to the natural drainage courses are subject to flood hazard.
- Portions of the existing property are subject to sheet overflow.
- Comply with the following requirements to the satisfaction of Director of Public Works prior to the filing of the final map:
 - Provide drainage facilities to remove the flood hazard and dedicate and show necessary easements and/or right of way on the final map.
 - A hydrology study for design of drainage facilities/delineation of flood hazard is required. Hydrology study shall be approved prior to submittal of improvement plans.
 - Place a note of flood hazard on the final map and show and label all natural drainage courses.
 - Notify the State Department of Fish and Game prior to commencement of work within any natural drainage course.
 - Contact the State Water Resources Control Board to determine if a Notice of Intent (NOI) and a Storm Water Pollution Prevention Plan (SWPPP) are required to meet National Pollution Discharge Elimination System (NPDES) construction requirements for this site.
 - A deposit is required to review documents and plans for final map clearance in accordance with Section 21.36.010 of the Subdivision Ordinance.
 - Comply with the requirements of the drainage concept / Standard Urban Stormwater Mitigation Plan (SUSMP) plan which was conceptually approved on January 10, 2000 to the satisfaction of the Department of Public Works.

=====

GRADING CONDITIONS

- A grading plan and soils report must be submitted and approved prior to approval of the final map.
- A deposit is required to review documents and plans for final map clearance in accordance with Section 21.36.010(c) of the Subdivision Ordinance.
- Comply with the SUSMP requirements at grading submittal.

Name JB P. M. TOBIAS Date 11/20/01 Phone (626) 458-4921

County of Los Angeles Department of Public Works
MATERIALS ENGINEERING DIVISION
GEOLOGIC REVIEW SHEET
900 S. Fremont Ave., Alhambra, CA 91803
TEL. (626) 458-4925

DISTRIBUTION

- 1 Geologist
- 1 Soils Engineer
- 1 LDMA/Proc. Center
- 1 Section File
- 1 Subdivision

VIEWER CALLING HOURS
9 a.m. & 3-4 p.m. Mon.-Thurs.
mail: gjohnson@dpw.co.la.ca.us

TENTATIVE TRACT 52805
 SUBDIVIDER Dentec Holdings, Inc.
 ENGINEER/ARCH. Dentec Holdings, Inc.
 GEOLOGIST Southwest Geotechnical, Inc. (9903132-A)
 SOILS ENGINEER Same as above

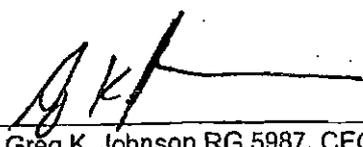
TENTATIVE MAP DATED 11/6/01
 ADDRESS 3155 Kanan Road
 LOCATION Agoura
 REPORT DATE 1/3/00
 REPORT DATE 1/3/00

X] TENTATIVE MAP FEASIBILITY IS RECOMMENDED FOR APPROVAL. PRIOR TO FILING THE FINAL LAND DIVISION MAP, THE FOLLOWING CONDITIONS MUST BE FULFILLED:

- The final map must be approved by the Geology and Soils Sections to assure that all geotechnical (geology and soils) factors have been properly evaluated.
- A grading plan must be geotechnically approved by the Geology and Soils Sections. This grading plan must be based on a detailed engineering geology report and/or soils engineering report and show all recommendations submitted by them. It must also agree with the tentative map and conditions as approved by the Planning Commission. If the subdivision is to be recorded prior to the completion and acceptance of grading and the completion of soils work, corrective grading bonds will be required.
- All geologic hazards associated with this proposed development must be eliminated, or delineate restricted use areas, approved by the consultant geologist and/or soils engineer, to the satisfaction of the Geology and Soils Sections; and dedicate to the County the right to prohibit the erection of buildings or other structures within the restricted use areas.
- Comply with remarks/conditions of approval on the attached Soils Engineering Review Sheet dated 11/24/01.

X] TENTATIVE MAP IS APPROVED FOR FEASIBILITY. THE FOLLOWING INFORMATION IS APPLICABLE TO THIS DIVISION OF LAND:

- The subdivider is advised that approval of this division of land is contingent upon the installation and use of a sewer system.
- A deposit fee in the amount of \$ 480.00 (6 hrs. @ \$80.00/hr.) must be verified and is required to initiate review of the Final Map by the Geology and Geotechnical Engineering Sections.

Prepared by 
 Greg K. Johnson RG 5987, CEG 2050

Date 11/20/01

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
MATERIALS ENGINEERING DIVISION

SOILS ENGINEERING REVIEW SHEET

Address: 900 S. Fremont Ave.
Alhambra, CA 91803
Telephone: (626) 458-4925
Fax: (626) 458-4913
Calling hours - Monday through Thursday 8-9 a.m. & 3-4 p.m.

District Office 9.1
Job No. LX 001129
Sheet 1 of 1

DISTRIBUTION:

Tentative Tract <u>52805</u>	___ Drainage and Grading
Location <u>3155 Kanan Road, Malibu</u>	___ Geo/Soils Central File
Developer/Owner <u>Dentec Holdings, Inc.</u>	___ District Engineer
Engineer/Architect <u>Dentec Holdings, Inc.</u>	___ Geologist
Soils Engineer <u>Southwest Geotechnical (9903132-A)</u>	___ Soils Engineer
Geologist <u>Same as above</u>	___ Engineer/Architect

Review of:

Tentative Tract Map Dated By Regional Planning 11/20/01 (Rev.)

Previous review sheet dated 11/5/01

ACTION:

Tentative Map feasibility is recommended for approval, subject to conditions below:

REMARKS:

1. Submit two sets of grading plans to the Soils Section for verification of compliance with County codes and policies.
2. At the grading plan check stage: provide chemical test results (sulfate, chloride, resistivity, etc.) for the on-site soils to address the presence of chemicals deleterious to concrete and ferrous materials. The tests must be in accordance with California Test Methods, Department of Transportation, or equivalent (aqueous solution tests, such as EPA Tests or similar methods are not acceptable for determination of resistivity).
3. Prior to approval of the Final Map for recordation, the following must be shown on the Final Map:
The location of "Restricted Use Areas", as recommended in the soils reports.

NOTE(S) TO THE PLAN CHECKER/BUILDING AND SAFETY ENGINEER:

PER THE SOILS ENGINEER, THE ON-SITE SOILS HAVE A MEDIUM EXPANSION POTENTIAL.

Prepared by _____

Gan Lem



Date 11/20/01

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

- A minimum centerline curve length of 100-feet shall be maintained on all local streets. Curves through intersections should be avoided when possible. If unavoidable, the alignment shall be adjusted so that the proposed BC and EC of the curve through the intersection is set back a minimum of 100 feet away from the BCR's of the intersection. Reversing curves need not exceed a radius of 1500-feet and any curve need not exceed a radius of 3,000-feet.
- The minimum centerline radius is 350 feet on all local streets with 40 feet between curbs and on all the streets where grades exceed 10 percent.
- Compound curves are preferred over broken-back curves. Broken-back curves must be separated by a minimum of 200 feet of tangent. If compound curves are used, the radius of the smaller curve (when less than 1,000 feet) shall not be less than two-thirds of the larger curve. The curve length of compound curves shall be adjusted to exceed a minimum curve length of 100 feet, when appropriate, in accordance with AASHTO guidelines.
- The central angles of the right of way radius returns shall not differ by more than 10 degrees on local streets.
- Provide standard property line return radii of 13 feet at the intersection of entrance access street with Kanan Rd.
- Driveways will not be permitted within 25 feet upstream of any catch basins when street grades exceed 6 percent.
- Provide a street name for the entrance access street.
- Make an offer of private and future right of way 29 feet from centerline on the entrance access street.
- Provide private and future right of way for a modified knuckle on the entrance access street in the vicinity of Kanan Rd. to the satisfaction of the Department of Public Works.
- Whenever there is an offer of a future street or a private and future street, provide a drainage statement/letter.

- Dedicate vehicular access rights on Kanan Rd., unless the Department of Regional Planning requires the construction of a wall. In such cases, complete access rights shall be dedicated.
- ~~Provide and install street name signs prior to occupancy of building(s).~~
- All utility lines shall be underground to the satisfaction of the Department of Public Works. Please contact our Construction Division at (626)458-3129 for new location of any above ground utility structure in parkway.
- ~~Prior to final map approval, the subdivider shall enter into an agreement with the County franchised cable TV operator (if an area is served) to permit the installation of cable in a common utility trench.~~
- Install postal delivery receptacles in groups to serve two or more residential units.
- Repair any broken or damaged improvements on Kanan Rd. within or abutting the subdivision.
- Construct drainage improvements and offer easements needed for street drainage or slopes.
- Offsite improvements are tentatively required. It shall be the sole responsibility of the developer to acquire the necessary right of way and/or easements.
- Construct inverted shoulder pavement 14 feet (lane width) and 4 feet (shoulder width) with concrete flowline on the entrance access street to the satisfaction of the Department of Public Works.
- Construct a modified knuckle on the entrance access street in the vicinity of Kanan Rd. to the satisfaction of the Department of Public Works.
- Construct pavement widening with four feet inverted shoulders and graded parkway on Kanan Rd. to the satisfaction of the Department of Public Works. If needed, relocate the utility poles to the satisfaction of the Department of Public Works.
- Construct additional pavement to provide a left-turn lane and a right-turn lane on Kanan Rd. at the entrance access street to the satisfaction of the Department of Public Works.

- Construct offsite pavement transitions on Kanan Rd. in the vicinity of the easterly and westerly tract boundaries to the satisfaction of the Department of Public Works. It shall be the sole responsibility of the developer to acquire the necessary right of way and/or easement.

- Construct the gated entry to the satisfaction of the Department of Public Works.

- Prepare signing and striping plans on Kanan Rd. to the satisfaction of the Department of Public Works.

- We have no objection to designating the entire entrance access street from a private and future street to a private drive and fire lane. If the entire entrance access street is approved to be designated as a private drive and fire lane by the Department of Regional planning, reserve reciprocal ingress and egress easements and right to grade for the common driveways to the satisfaction of the Department of Public Works.
- A deposit is required to review documents and plans for final map clearance.

Name Randine M. Ruiz

-HCW/for

Phone (626) 458-4915

Date 11-26-2001

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

- The subdivider shall install and dedicate main line sewers and serve each lot with a separate house lateral or have approved and bonded sewer plans on file with the Department of Public Works.
- The subdivider shall submit an area study to the Department of Public Works to determine capacity is available in the sewerage system to be used as the outlet for the sewers in this land division. If the system is found to have insufficient capacity, the problem must be resolved to the satisfaction of the Department of Public Works.
- The subdivider shall determine from the Las Virgenes Municipal Water District where the connection to the trunk sewer system and disposal facilities of the District shall be made, and shall meet the requirements of the Water District for the use of the sewerage facilities. Acceptance by the District must be assured in writing.
- Easements are required, subject to review by the Director of Public Works to determine the final locations and requirements.
- Offsite improvements are required.
- A deposit is required to review documents and plans for final map clearance in accordance with Section 21.36.010(c) of the Subdivision Ordinance.

-HW/for
Name Randine M. Ruiz

Phone (626) 458-4915

Date 11-26-2001

DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - WATER
TRACT MAP NO. 52805 (Rev.)

Page 1/1

TENTATIVE MAP DATED 10-18-2001

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

- Water system shall be provided to the satisfaction of the Department of Public Works ~~at time of building permits.~~

HW/for

Name Randine M. Ruiz

Phone (626) 458-4915

Date 11-08-2001

November 26, 2001

Los Angeles County
Department of Regional Planning
320 W. Temple
Los Angeles, CA

Regarding: Tract ⁵²⁸⁰⁶~~52808~~ Revision

Attn: Ellen Fitzgerald

In regards to the above-mentioned tract, the Los Angeles County Fire Department has no additional requirements for the amendment. Although all previous conditions apply.

Respectfully,



Janna Masi
FPEA II
LACoFD



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

pu

WATER SYSTEM REQUIREMENTS - UNINCORPORATED

Subdivision No. 52805 Tentative Map Date October 18, 2001

Revised Report yes

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 public fire hydrants at this location is ___ gallons per minute at 20 psi for a duration of ___ hours, over and above maximum daily domestic demand. ___ Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.

The required fire flow for private on-site hydrants is ___ gallons per minute at 20 psi. Each private on-site hydrant must be capable of flowing ___ gallons per minute at 20 psi with two hydrants flowing simultaneously, one of which must be the furthest from the public water source.

Fire hydrant requirements are as follows:

Install ___ public fire hydrant(s). Upgrade / Verify existing ___ public fire hydrant(s).

Install ___ private on-site fire hydrant(s).

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.

Upgrade not necessary, if existing hydrant(s) meet(s) fire flow requirements. Submit original water availability form to our office.

Comments: Due to the proposed lot size of 5 acres and greater, water tanks and fire sprinkler are an acceptable alternative to public water requirements. Fire sprinkler plans shall be submitted to Fire Prevention Engineering along with architectural drawings for review and approval, prior to the issuance of building permits.

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 Janna Masi Date November 26, 2001



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

CONDITIONS OF APPROVAL FOR SUBDIVISION - UNINCORPORATED

Subdivision: 52805

Map Date October 18, 2001

U.P. _____

Vicinity Malibu 323

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 902 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 300 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 final 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: Provide a gate detail design for review and approval to our office prior to final map clearance.
All grades of 10% or more shall be paved prior to construction of any dwellings.

Inspector: Janna Masi

Date November 26, 2001



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



PARK OBLIGATION REPORT

Tentative Map #	52805	DRP Map Date: 11/06/2001	SMC Date: 11/26/2001	Report Date: 11/21/2001
Park Planning Area #	33B	AGOURA / CALABASAS		Map Type: REV. (REV RECD)

Total Units = Proposed Units + Exempt Units

Sections 21.24.340, 21.24.350, 21.28.130, and 21.28.140, the County of Los Angeles Code, Title 21, Subdivision Ordinance provides 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 made by the Department of Parks and Recreation.

Park land obligation in acres or in-lieu fees:

ACRES:	0.04
IN-LIEU FEES:	\$9,120

Conditions of the map approval:

The park obligation for this development will be met by:

The payment of \$9,120 in-lieu fees.

Trails:

No trails.

Contact Patrocenia T. Sobrepeña, Acting Park Planner, Department of Parks and Recreation, 433 South Vermont Avenue, Los Angeles, California, 90020 at (213) 738-2972 for further information or an appointment to make an in-lieu fee payment.

For information on Hiking and Equestrian Trail requirements contact Tom Dittmar, Design Section Head at (213) 738-2974.

By: *James Barbet*
James Barbet, Advanced Planning Section Head



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



PARK OBLIGATION WORKSHEET

Tentative Map # **52805** DRP Map Date: **11/06/2001** SMC Date: **11/26/2001** Report Date: **11/21/2001**
 Park Planning Area # **33B** **AGOURA / CALABASAS** Map Type: **REV. (REV RECD)**

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

(P)eople x (0.003) Goal x (D)welling = (X) acres obligation

(X) acres obligation x AFMV/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 1990 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.

Goal = The subdivision ordinance allows for the goal of 3.0 acres of park land for each 1,000 people generated by the development. This goal is calculated as "0.0030" in the formula.

D = Total approved number of Dwelling Units.

X = Local park space obligation expressed in terms of acres.

AFMV/Acre = Average Fair Marked Value per Acre by Park Planning Area.

Total Units = Proposed Units + Exempt Units

	People*	Goal 3.0 Acres / 1000 People	Number of Units	Acre Obligation
Detached S.F. Units	2.74	0.0030	5	0.04
M.F. < 5 Units	2.10	0.0030	0	0.00
M.F. >= 5 Units	1.83	0.0030	0	0.00
Mobile Units	1.85	0.0030	0	0.00
Exempt Units			0	
Total Acre Obligation =				0.04

Park Planning Area = 33B AGOURA / CALABASAS

Goal	Acre Obligation	AFMV/Acre	In-Lieu Base Fee
@(0.0030)	0.04	\$228,000	\$9,120

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

Acre Obligation	Public Land Crd	Priv. Land Crd	Net Obligation	AFMV/Acre	In-Lieu Fee Due
0.04	0.00	0.00	0.04	\$228,000	\$9,120



COUNTY OF LOS ANGELES
DEPARTMENT OF HEALTH SERVICES
Public Health

FRED LEAF
Acting Director of Health Services

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

Environmental Health
ARTURO AGUIRRE, Director



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Gloria Molina
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Michael D. Antonovich
Fifth District

Bureau of Environmental Protection
Mountain & Rural/Water & Sewerage and subdivision Program
2525 Corporate Place, Suite 150
Monterey Park California 91754
TEL (323) 881-4147 • FAX (323) 269-4327

TRACT NO. 52805

TENTATIVE MAP DATE: November 6, 2001

VICINITY Malibu

The Los Angeles County Department of Health Services approval for Tentative Tract Number 52805 is conditioned to the following:

1. Sanitary sewers be installed and used as the method of sewage disposal.
2. The owner's statement indicates that domestic water will be supplied by Las Virgenes Municipal Water Company.
3. Applicant to obtain a commitment letter from the water purveyor which guarantees water connection and service.
4. In the event a water well is located in the tract that has not been properly destroyed the subdivider shall obtain a permit and approval from the Los Angeles County Department of Health Services (Department) for the destruction. See attached guidance documents for procedure. In the event the well is to be maintained for future use, the Department shall be notified in writing for approval of its use. All wells shall be protected from flooding or contamination or such protection which the Health Officer determines to be adequate.

BY: _____

DATE: 11/15/2001



COUNTY OF LOS ANGELES • DEPARTMENT OF HEALTH SERVICES
ENVIRONMENTAL HEALTH
MOUNTAIN & RURAL / WATER, SEWERAGE & SUBDIVISION CONTROL PROGRAMS
2525 Corporate Place, Room 150, Monterey Park, CA 91754-7631
(323) 881-4147/4158
FAX (323) 269-4327



January 1, 2001

To: Well Drilling Industry

From: Richard Wagener, Chief 
Mountain & Rural / Water & Sewage Program

Subject: Requirements for Well Construction / Decommissioning

This Department has been meeting with representatives of the well drilling industry, local water masters, the State Department of Water Resources, and the State Department of Toxic Substances Control to reach agreement on the acceptable methods for constructing and decommissioning wells. The following requirements have come out of these meetings. At the appropriate time subsequent agreements will be published.

Requirements:

1. The annular seal for all wells shall extend at least 50 feet below ground surface. Site specific conditions may require a deeper seal.
Reference: ANSI/AWWA A100-97, 4.7.8.2.
2. Well casing shall be equipped with centralizers to ensure that the 2" minimum radial thickness of the annular seal is maintained for the sanitary seal. Centralizers shall be placed at intervals no greater than 45 feet. This would allow for a centralizer to be placed at 6 feet below grade and another at 51 feet, just below the bottom of the annular seal so as to not interfere with the placement of the tremie tube.
Reference: California Well Standards, 74-90.
3. The concrete slab or base at ground surface around the casing shall adequately slope so as to drain water away from the well casing. The minimum slope shall be 1/4" per foot. The slope may be in all directions away from the casing or in one direction but must extend from the casing to the edge of the slab.
Reference: California Well Standards, 74-90, Los Angeles County Code, Title 11.
4. The reinforcing mesh or rebar shall be elevated off the ground when the slab is poured.
5. When the motor is mounted on the pedestal, the center of the pedestal shall be level to allow proper alignment of the motor. The joint between the discharge head and the pedestal shall be sealed. The portion of the slab not covered by the discharge head shall be sloped 1/4" per foot out to the edge.
6. PVC casing that extends above the slab shall be protected against UV damage by painting or providing a metal collar.

Well Requirements

January 1, 2001

Page two

7. The water-cement ratio by weight for sealing material shall be 0.50.
Reference: Portland Cement Association Engineering Bulletin, Design and Control of Concrete Mixtures, Thirteenth Edition.
 8. The best method for either constructing or decommissioning a well is dependent upon site specific conditions. Therefore, the work plan to accomplish either of these tasks should identify the existing site specific conditions and then develop a procedure to successfully deal with the identified conditions.
-
9. The placement of all material into a borehole or annular space shall be from the bottom up and through a tremie pipe that prevents freefall, bridging, dilution, or separation of the sand or aggregate from the sealing material.
-
10. The minimum procedure for decommissioning a well in an area with a single aquifer is:
 - a. A video-log of the well is required when:
 1. The construction details are unknown
 2. The sounding data does not match the well log
 3. The well is unused or inoperative
 4. The well has been modified
 5. The well is non-residential
 6. If other details show that more information is needed to design a decommissioning protocol.
 - b. Assemble all known information about the well.
 - c. Using the known data, develop a work plan to restore, as far as feasible, the controlling geological conditions that existed before the well was constructed. Work plans shall consist of: well log, video log, lithology, water level, vulnerability to contamination, details of original construction, specifications of materials to be used, cement formulations, placement of material, perforator and pressure sealing method, calculations as to volume of grout required to seal the casing and voids.
 - d. Complete the well permit application form. File a service request and pay the required fee.
 - e. Review the work plan with the local Environmental Health inspector and reach an agreement as to the scope of the work.
 - f. Remove obstructions and contaminants.
 - g. Fill the casing up to 150 feet below grade with at least a two-sack fine sand mix. Used drilling muds or drill cuttings are not acceptable. Perforate the casing from 150 feet up to the bottom of the annular seal, if any. Pressure grout (20-40 psi) with neat cement from 150 feet up 4 feet below grade. Pressure shall be maintained for a length of time sufficient for the cementing mixture to set. Cut the casing at 4 feet and mushroom a cap over the casing. Cover with fill material up to grade. If the developer needs to cut the casing deeper than 4 feet, OSHA requirements shall be considered.

Well Requirements

January 1, 2001

Page three

- h. The placement of all materials shall prevent free fall, dilution, and/or separation of aggregates from cementing materials by pumping through a tremie tube.
 - i. As a rule of thumb, divide the diameter of the casing by 2 to get the minimum number of perforations required per round per foot.
 - j. Verify that the volume of material placed in the well at least equals the volume of the hole.
 - k. Arrange for an appointment with the local environmental health inspector to witness the placement of the annular seal.
 - l. Submit a copy of the well completion report to this office.
-

18. Where there are multiple water bearing zones, the casing is to be perforated only within the areas of the aquitards and pressure grouted using packers. The casing perforations to seal the aquitard shall not extend into the aquifer. If the zone to be sealed is greater than 200 feet, the placement of sealing material shall be accomplished in lifts no greater than 200 feet.

19. When wells having a PVC casing are to be decommissioned, the casing is to be drilled out 150 feet below grade and filled with approved sealing materials pumped through a tremie tube.

18. Dry holes or exploratory borings are to be destroyed by the placement of approved fill up to a maximum of 50 feet below ground surface. The upper 50 feet is to be sealed using neat cement pumped from the bottom up through a tremie tube. Approved fill material is defined as any inert material equal or finer than native material such as cement, sand-cement grout, concrete, clay, silt or sand. Used drilling muds and drill cuttings are not acceptable.

**MITIGATION MONITORING PROGRAM
PROJECT 98187/TRACT 52805**

Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>In the event that cultural resources are encountered during any phase of construction, all development will cease in these areas until the cultural resources are properly assessed and subsequent recommendations are determined by a qualified archaeologist. Local archaeological agencies as well as a qualified archaeologist must be notified immediately if subsurface cultural materials and/or resources are discovered in order to insure their proper evaluation of significance and/or preservation. If the project limits are expanded beyond its present boundaries, then additional archaeological</p>	<p>Construction monitoring for buried cultural resources</p>	<p>During construction</p>	<p>Applicant and construction contractor</p>	<p>Regional Planning</p>

Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>Forestry Division of the County Fire Department prior to any new construction within a Very Fire Hazard Severity Zone or Fire Zone 4.</p>	Confirmation that fencing is implemented	Prior to construction activities	Applicant and construction contractor	Public Works
<p>Temporary fencing shall be placed at the border of construction areas to prevent impacts to open space areas. Construction and grading equipment shall be restricted to designated construction areas.</p>	Submittal and approval of landscape plans	Prior to issuance of grading permit	Applicant	Regional Planning
<p>Landscaping outside the irrigated-zone of the fuel modification surrounding all structures shall consist of drought tolerant, locally indigenous, native species. The use of native plants will encourage the continued use of the area by local wildlife.</p>				

Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
<p>Areas outside of the development envelope shall be preserved as natural open space through the use of CC&Rs or other means of preserving open space. Future alterations in the natural open space shall be prohibited. Ornamental landscaping shall be prohibited in open space areas.</p>	<p>Submittal and approval of CC&Rs</p>	<p>Prior to issuance of grading permit</p>	<p>Applicant</p>	<p>Regional Planning</p>
<p>Areas altered during cut and fill operations shall be revegetated with locally indigenous, native plants immediately following completion of grading activity. Revegetated slopes shall be maintained as necessary until full cover is established; a monitoring plan shall be developed and submitted to DRP for review and approval prior to issuance of any grading permits.</p>	<p>Submittal and approval of revegetation and monitoring plans</p>	<p>Prior to issuance of grading permit</p>	<p>Applicant</p>	<p>Regional Planning</p>

Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
Vegetation clearance for fuel modification shall be minimized to the degree possible, that is to that needed to meet requirements of the Los Angeles County Fire Department for fire protection.	Submittal and approval of fuel modification and landscape plans	Prior to issuance of grading permit	Applicant	Fire Department and Regional Planning
Security lighting shall be low intensity, shielded, at low height, directed downward and away from natural areas. Use of motion detectors shall be maximized for outdoor lighting.	Submittal and approval of lighting plan	Prior to issuance of building permit	Applicant	<i>Regional Planning</i> Public Works
The applicant shall incorporate the design features as specified in the landscape plan dated May 13, 1999.	Submittal and approval of final conceptual landscape plan	Prior to issuance of grading permit	Applicant	Regional Planning and Fire Department

Attachment N

Public Comments

March 2, 2018

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

107 acre Subdivision on Kanan Road

Dear Regional Planning:

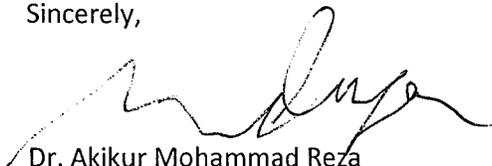
I have been speaking to the developer regarding the subdivision and I am quite perplexed on why this project could possibly be declined for approval. This has been approved once and from my understanding it is still valid. Why wouldn't the County want close to a 100 acres of protected land? All we are giving up 7 acres, mathematically, this sounds like a win - win.

This project will be more like the existing homes than that Malibu Estates project and would eliminate an area for young people to loiter around.

I am writing to offer my support for such a project.

I hope you seriously consider approving this project since the residents would appreciate a developed piece rather than a vacant piece of land, especially, when close to a 100 acres will remain protected.

Sincerely,



Dr. Akikur Mohammad Reza
3875 Kanan Road
Agoura Hills, CA 91301

March 4, 2018

Los Angeles County Regional Planning

Re: Revised TTM 52805-01 Application;
APN: 2063-004-022, Agoura, California

Dear Los Angeles County Regional Planning:

As you are aware, Land Developers & Associates ("LDA") submitted a Development Application with the County of Los Angeles for the purpose of gaining approval to develop a 5 lot – 20AC per lot subdivision on Kanan Road.

We understand that this endeavor is not necessarily a simple one and that it faces a number of hurdles before approvals can be obtained. It is our belief that our most significant obstacles will relate to the earth movement within the property. The project is within the Santa Monica North Area Plan and we understand the limitations this creates with this development. Although these two issues are facts that we must contend with, it is our belief that neither should prevent the development. Rather, it our considered belief that the development of this project and amount of open space that is being declared will more than compensate for the disturbance that is occurring.

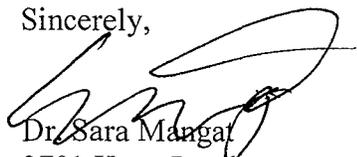
Specifically, although the location is within the North Area Plan, this particular portion would benefit from having additional development that coincides with the existing development in the area. This development will further deter the area being used as a “party spot for youngsters” and eliminates the current use of dirt bikes in such close proximity to Kanas Road. This has been a dangerous activity for many years now.

The development that is being proposed will be sheltered from Kanan with a slope and indigenous plants that will thrive in the area. The developer only proposing to disturb a small portion of the 107AC and the homes will be tucked so they will not be seen from the Kanan.

As you may recall, the project has been approved and the current entitlements are still valid. All this proposal is requesting is about 20,000 cubic yards of additional earth movement, thus creating a larger flat pad. The alternative would be to export dirt, causing additional congestion, and further deterioration to the existing roadway

We hope that you too see the merit in the development and work for the residents within this corridor.

Sincerely,



Dr. Sara Mangal
3701 Kana Road
Agoura Hills, CA 91301

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

107 acre Subdivision

Dear Planning:

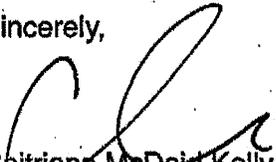
Mr. Singh and I have been discussing the revised project he is proposing. It is my understanding that the project is approved and he just wants to make revisions to the approved project. As you are aware, there is a large hole near his property, this has been dangerous for many years, and the proposed project would fill in the hole and create more open space for our community. I am a hiker, and would personally appreciate more area to roam the surrounding area. Based on what Mr. Singh has told me, we will be receiving more than 100 acres of protected land.

This project will help to eliminate loitering in this area. Currently, it is a great place for teenagers to hang out and loiter not to mention the trash left behind.

Please accept this letter as my support for the project.

Planning should really consider this project since the people that live near it would like it to be built out.

Sincerely,



Caitriona McDavid Kelly
3649 Kanan Rd
Agoura Hills, CA 91301

February 26, 2018

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

RE: 5 lot Single Family Development TTM 52805-01

Dear Regional Planning Department:

I understand that the property owners of the parcel to the West of my residence are seeking approval of a revised tentative map. I have spoken with the Developer and he shared the original approved tentative map with the one being proposed and the only real variance is the amount of dirt being moved. Since this project has been approved once, there should be no reason we cannot approve it again and with the letter I am formally stating my support for the project.

This development is more in line with what we have out in our neighborhood and would further keep the community intact. Once this project is developed it will eliminate any further development in the future and since we do not know how the climate will change this development moving forward would be an asset.

We are a small community within a larger County and unlike the Malibu Estates, this project will further enhance the community.

I look forward to receiving a notice that this project has been approved.

Sincerely,


Roxanne Mistry
3649 Kanan Road
Agoura Hills, CA 91301

Attachment O

**Technical Report, Dated March
15th, 2018**

3/15/2018

From:

Manjunath Venkat
Consulting Biologist
Oak Park, California

To:

Mr. Daniel Singh
Principal
Land Developers Associate Corp (LDAC)
5950 Canoga Avenue, Suite 500
Woodland Hills, CA 91367

Subject: Technical Report- General Biological Resources Assessment: Storm Water Detention Pit, Astoria Estates, Los Angeles County.

Background

LDAC plans to re-design and improve the storm water detention basin located on the “Astoria Estates” site located adjacent to the Kanan Road, in Agoura Hills, Los Angeles County. The site is currently a vacant lot. The objective of re-designing the storm water detention pit is in improving the conveyance of storm water flows off the developed site. This technical report summarizes a general biological resources evaluation of the detention pit and immediate surroundings. A survey and biological assessment was not conducted beyond the specific area of the detention pit. The objective of the reconnaissance-level survey was to generally identify the biological resources present in and around the detention pond and to evaluate if the proposed re-design and engineering of the detention pit would have adverse impacts on sensitive biological communities occurring within the survey area.

Results

The general survey of the detention pit and immediately adjacent areas was conducted on March 3, 2018. The environmental conditions were optimal for the survey, with sunny skies and temperature in mid-70 degrees (F).

The storm water detention pit measures approximately 600 feet by 200 feet and is estimated to be about 2.75 acres. It is approximately 30 feet in depth from the top of bank (standing at the sidewalk adjacent to Kanan Road which is located to the east of the pit, to the bottom of the detention pond. To the north, east and west of the slopes surrounding the detention pond support native California Coastal Sage/Chamise chaparral vegetation (Photo1). Along the eastern portion of the detention pit in the bottom, is a culvert which likely conveys flows underneath Kanan Road , southeast (Photo 1).

At the time of the survey, the bottom of the pit is was slightly wet, following recent rains. The hill slopes surrounding the detention pit support native coastal sage/Chaparral vegetation communities. (Photo1)

The native vegetation generally cover the upper and middle portions of the ‘banks’ of the detention pit but do not extend into it. The native vegetation communities on the upper and middle slopes are primarily composed of a mixture of Purple Sage (*Salvia leucophylla*), Black Sage (*Salvia mellifera*), Deerweed (*Acmispon glaber*), California Sagebrush (*Artemisia californica*), Giant Wild Rye (*Leymus condensatus*), Laurel Sumac (*Malosma laurina*). The intact native communities are restricted to the upper and middle portions of the slopes and lower areas closer to the detention pit are fragmented and disturbed. For the most part, the pit bottom is un-vegetated. Non-native invasive plants and grasses of Mediterranean origin form the primary vegetation cover along the slopes and bottom of the detention pit. Non-native species include: Hoary mustard (*Hirshfeldia incana*), Tocalote (*Centaurea melitensis*), Ripgut grass (*Bromus diandrus*), Wild Oats (*Avena fatua*). Along the western boundary of the pit, a dirt road extends north-south which provides access to the pit (Photos 2 and 3). Stands of non-native hoary mustard line both sides of the dirt track. The eastern bank is generally covered by non-native grasses. (Photos 3 and 4). Trash and debris collection was observed to the south end of the pit. At the southern end of the detention pit is a native Mexican elderberry (*Sambucus nigra ssp. Caerulea*) and a Pine tree (*Pinus* sp.) on the upper bank adjacent to Kanan Road, as can be seen in Photo 3. No “sensitive” or protected plants or wildlife species were observed during the site assessment. The bottom of the pit does not support wetland vegetation and from surficial inspection of the soils at the bottom of the pit, no wetland indicative (hydric soils) appear to be present (Photo 5). The retention time of water in the pit is not sufficient to support wetland conditions.

Discussion:

At the time of the survey, detailed engineering plans were not available; however, the general plans to fill the pit to improve the drainage and place the culvert higher to aid in better conveyance of storm flows is not anticipated result in severe impacts to native habitats. Native habitat within the proposed work area is marginal and limited in cover and density. In fact, a storm water detention system to improve flows and an improved design would likely have net environmental benefits; by conveying less impaired storm water flows downstream and reduce collection of trash & debris that now occurs at the bottom of the detention pit. The proposed area for re-engineering and re-design of the pit and culvert placement is largely disturbed and has limited potential to support sensitive plants and wildlife species. The proposed actions may result in some loss of native coastal sage communities but the Applicant proposes to enhance this area, which will provide net ecological benefits and compensate for the minor loss of disturbed native vegetation. There are no plans to remove the Mexican elderberry and the pine tree present in the southern portion but if project actions do result in the removal of these trees, the Applicant will replace the trees and will coordinate with the County on such replacement. The following Mitigation Measures are recommended:

Mitigation Measure 1: If construction occurs between February and September, the Applicant will retain a biological monitor to conduct a Pre-construction survey of the proposed work area, to ensure that there are no nesting birds and or wildlife species present in the proposed action area.

Mitigation Measure 2: If native or County protected trees are to be removed, the Applicant will replace such trees by planting trees in adjacent area, on the site. The details of the replacement planting will be coordinated with the County.

Mitigation Measure 3: As part of the enhancement of the area, it is recommended that the Applicant consider the creation of a freshwater marsh wetland habitat, in association with the newly designed storm water detention system. The marsh habitat would serve the dual purpose of biological treatment of storm water flows and serve as a habitat for wildlife. Upper reaches of this habitat can be enhanced by removal of invasive plant species and seeding of native plants similar to the species growing on the adjacent hill slopes.

Limitation and Assumptions

The biological assessment conducted, as summarized in this report was specifically to generally evaluate potential impacts to biological communities from the proposed re-design of the storm-water detention system. It does not include evaluation or discussion of permits or approvals that may be needed. It is assumed that the Applicant will coordinate with the County on obtaining necessary approvals. Detail plans of the proposed re-engineering of the detention pit were not available.



Photo 1- Astoria Estates, Detention Pit. View looking north. Bottom of the pit is seen in the center of the photo. Existing culvert is seen at the bottom right.



Photo 2- Astoria Estates, Detention Pit. View looking north. View shows access road to the detention pit. Invasive plants specie consisting of hoary mustard and wild oats line the road.



Photo 3- Astoria Estates, Detention Pit. View looking southwest. Debris and trash can be seen at the bottom of the detention pit. Native Mexican Elderberry tree is seen at the left of the view.



Photo 4 – Astoria Estates Detention Pit. View of the eastern slope of the Detention Pit, adjacent to Kanan Road.



Photo 5- Astoria Estates Detention Pit. View looking northeast at the bottom of the pit and the culvert.



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Amy J. Bodek, AICP
Director

August 7, 2018

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

FROM: Martin Gies, AICP, Senior Regional Planner *MG*
Land Divisions Section

**SUBJECT: Project No. 98187-(3)
Revised Vesting Tentative Tract Map No. 52805-1
Conditional Use Permit No. RPPL2016003948
RPC Meeting: August 8, 2018
Agenda Item: 7**

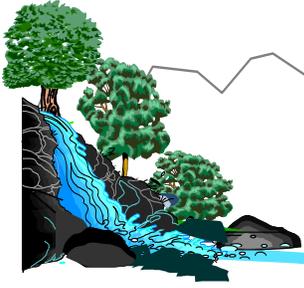
The above mentioned item is a request for a revised tentative tract map to create five single-family residence lots and one open-space lot on 107.8 acres with 160,000 cubic yards of grading, and a conditional use permit for on-site grading exceeding 100,000 cubic yards and for grading within the Santa Monica Mountains North Area Community Standards District exceeding 5,000 cubic yards.

Please find enclosed three letters of opposition from the Las Virgenes Homeowners Federation, the Topanga Association for a Scenic Community, and the Calabasas Highlands Homeowner Association, as well as two emails of opposition from community residents, which were received subsequent to the hearing package submittal to the Regional Planning Commission.

If you need further information, please contact Martin Gies at (213) 974-6433 or mgies@planning.lacounty.gov. Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

SDJ:MAG

Enclosures: Letter from the Las Virgenes Homeowners Federation
Letter from the Topanga Association for a Scenic Community
Letter from the Calabasas Highlands Homeowner Association
Email from Sherry Ferber
Email from Mollie Helfand



Las Virgenes Homeowners Federation, Inc.

Post Office Box 353, Agoura Hills, California 91301

August 7, 2018

Los Angeles County Regional Planning Commission
320 W Temple St.
Los Angeles, CA 90012
Via email to Martin Gies - mgies@planning.lacounty.gov

Honorable Commissioners:

OPPOSED - Agenda Item # 7

**Project No. 98187-(3) – Revised Vesting Tentative Tract Map No. 52805-1
Conditional Use Permit No. RPPL2016003948**

The Las Virgenes Homeowners Federation, Inc., of the Santa Monica Mountains, and our more than 12,000 stakeholders - property owners and homeowners - are **OPPOSED** to this Project No. 98187-(3) (Project).

We concur with Regional Planning’s recommendation and respectively ask that you **DENY** the Project application in that it is seriously **INCONSISTENT** with the policies of the Santa Monica Mountains North Area Land Use Plan. The requested modifications dramatically alter the natural terrain from what was originally approved and even the environmental impacts on the required “open space lots” are far greater now. It is in essence a “new Project”.

Further, not only are these revisions bad, but, the applicant’s intent is to circumvent an expiration date. The map will expire November 20th, 2018, and this clearly is just an attempt to get it extended.

This wild, beautiful, and rugged Project site on Kanan and Cornell is located in a particularly important location – on one of the principle, if not the principal, “Gateway to the Santa Monica Mountains”. If anything there should be strict adherence to the policies of the North Area Plan (NAP) – because the negative impacts alone to the public’s scenic and biological resources are un-mitigatable.

Instead, this Project will be an **eyesore** from every conceivable vantage point – it is sited in a Hillside Management Area (HMA) mostly comprised of slopes

exceeding a 25% grade and is close to Lady Face Mountain, a very prominent landform. The proposed graded slopes for the Project would result in manufactured slopes 60 feet high!

The Project has not been designed to minimize impacts as required in the NAP in any regard, and it certainly does not seek to minimize grading.

As pointed out in the staff report, “The Project has not been sufficiently designed with reduced building pad areas or other comparable design that reduces grading to preserve the natural features of the Project site and surrounding area. The Project has not shown that the additional fill grading is a superior option compared to a reduction of building pad size, export of cut material or other project redesigning that protects natural landforms and minimizes grading.”

The applicant is proposing additional grading of 40K cubic yards (160k total – 80k cut and 80k fill). The additional 20k is going to fill in a depression on the site at the southwest corner. This is an area proposed to be open space via a conservation easement. The applicant’s request [and thus justification] states that among other things, their civil engineer neglected to update the grading quantities during the original hearing and approval process. That is simply not a sustainable justification or a believable one for that matter. And it took 15 years to claim?

The driving force and overriding policy of the NAP has always been, “**let the land dictate the use,**” not the other way around.

All NAP policies emphasize and require that projects must be designed to fit the landscape, not that landscapes must be redesigned - graded, modified, eradicated, etc., to fit the projects. And yet, this is exactly what this new Project application is attempting to do. The applicant proposes the creation of manmade slopes and flat areas, and walls for visual buffering. The walls do not adapt to the natural hillside topography and instead alter the topography to try and screen it from Kanan and all other vantage points -- including parkland that is now in the process of purchase.

The applicant’s request further cites a market demand for larger pad sizes as if that is an adequate rationale for the proposed design!

And worse, these larger pads then require larger fuel modification radii which eradicate more critical habitat. Located in a very high fire severity zone, a 200 foot clearance from structures is standard procedure. The larger a building site, the larger fuel modification requirements extend into natural hillside – instead of designing smaller building pad areas with a smaller fuel modification radii.

*In the NAP, fire hazardous areas with significant biological resources [like this site], place a higher priority on avoiding development than on designing

mitigation measures that require fuel breaks and fuel mods to protect new development.

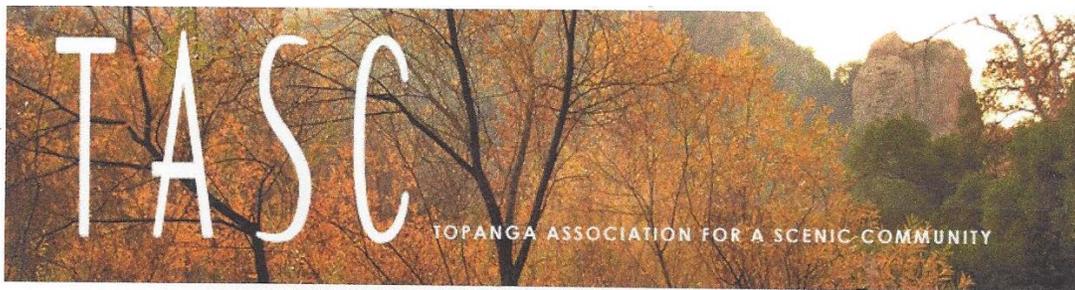
This Project is a train wreck. It wrecks the *most* negative impacts on scenic, biological, and wildland natural resources -- not the least. It has not been redesigned with smaller building pads areas or other similar design to reduce grading quantities either. It would disturb another 125,000 square feet – 2.75 acres – in addition to 3 acres of disturbance required to construct the building pad areas and a private driveway and fire lane.

Everything that NAP is, this Project isn't. It doesn't fit.

Please deny this application and send the revision back to the drawing board.

Sincerely,

Kim Lamorie
President
LVHF



**TOPANGA ASSOCIATION FOR A SCENIC COMMUNITY
PO BOX 352 TOPANGA CA. 90290**

August 7, 2018

Los Angeles County Regional Planning Commission
320 W Temple St.
Los Angeles, CA 90012
Via email to Martin Gies - mgies@planning.lacounty.gov

Honorable Commissioners:

OPPOSED - Agenda Item # 7
Project No. 98187-(3) – Revised Vesting Tentative Tract Map No. 52805-1
Conditional Use Permit No. RPPL2016003948

The Topanga Association for a Scenic Community with a homeowner membership of over 300 are opposed to the above project.

We stand with other organizations in noting the seriously inconsistencies with the policies of the Santa Monica Mountains North Area Plan which govern land use in part of the Santa Monica Mountains.

The Los Angeles County Dept of Regional Planning is correct in its recommendation for denial of the project. As pointed out in the staff report, “The Project has not been sufficiently designed with reduced building pad areas or other comparable design that reduces grading to preserve the natural features of the Project site and surrounding area. The Project has not shown that the additional fill grading is a superior option compared to a reduction of building pad size, export of cut material or other project redesigning that protects natural landforms and minimizes grading.”

The applicant is proposing additional grading of 40K cubic yards (160k total

—

80k cut and 80k fill). The additional 20k is going to fill in a depression on the site at the southwest corner. This is an area proposed to be open space via a conservation easement. The applicant's request [and thus justification] states that among other things, their civil engineer neglected to update the grading quantities during the original hearing and approval process. That is simply not a sustainable justification or a believable one for that matter. And it took 15 years to claim?

The driving force and overriding policy of the NAP has always been, "let the land dictate the use," not the other way around.

The applicant's request further cites a market demand for larger pad sizes as if that is an adequate rationale for the proposed design!

And worse, these larger pads then require larger fuel modification radii which eradicate more critical habitat. Located in a very high fire severity zone, a 200 foot clearance from structures is standard procedure. The larger a building site, the larger fuel modification requirements extend into natural hillside – instead of designing smaller building pad areas with a smaller fuel modification radii.

As said by others everything that NAP is, this Project isn't. It doesn't fit. Please deny this application and send the revision back to the drawing board.

Thank you

Roger Pugliese
Topanga Association for a Scenic Community

August 7, 2018

Los Angeles County Regional Planning Commission
320 W Temple St.
Los Angeles, CA 90012
Via email to Martin Gies - mgies@planning.lacounty.gov

OPPOSED - Agenda Item # 7
Project No. 98187-(3) – Revised Vesting Tentative Tract Map No. 52805-1
Conditional Use Permit No. RPPL2016003948

Dear Commissioners:

I am President of the Calabasas Highlands Homeowner Association. I am writing to ask you to oppose Project No. 98187-(3).

We agree with Regional Planning’s recommendation for denial since the Project application is inconsistent with Santa Monica Mountains North Area Land Use Plan. The requested modifications dramatically alter the natural terrain from what was originally approved and even the environmental impacts on the required “open space lots” are far greater now. It is in essence a new project.

This beautiful site is one of the gateways to the Santa Monica Mountains and so should be in close compliance with the North Area Plan. The Project has not been designed to minimize impacts as required in the NAP, and it certainly does not seek to minimize grading. All NAP policies emphasize and require that projects must be designed to fit the landscape, not that landscapes must be redesigned - graded, modified, eradicated, etc., to fit the projects. And yet, this is exactly what this new Project application is attempting to do.

Please deny this application.

Sincerely,

Nancy Rothenberg

Nancy Rothenberg
President, Calabasas Highlands HOA

From: [Sherry Ferber](#)
To: [Martin Gies](#)
Date: Tuesday, August 07, 2018 4:41:37 PM

As a resident of the Santa Monica Mountains, I feel the responsibility to be a guardian for what is best for the integrity and well being of the region. Therefore, I must express my strong opposition to Agenda Item #7, Project No. 98187-(3)-Revised Vesting Tentative Tract Map No. 52805-1 Conditional Use Permit No. RPPL2016003948. I am strongly opposed to this project and ask that you deny this application. The request for additional grading and larger pads, additional manmade forms, and a larger area of vegetation clearing will create unmitigatable damage on our scenic areas, biological resources, and habitat. This project is a clear violation of the NAP. Thank you for the opportunity to express my opposition. I hope serious consideration will be given to all of us expressing our concern and that you will deny the project revision.

Sincerely Yours,
Sherry Ferber

From: [mallinger](#)
To: [Martin Gies](#)
Subject: Fwd: Re: Agenda #7 Opposed
Date: Tuesday, August 07, 2018 4:37:03 PM

Sent from my Verizon, Samsung Galaxy smartphone

Aug. 7, 2018

OPPOSED - Agenda Item # 7
Project No. 98187-(3) – Revised Vesting Tentative Tract Map No.
52805-1
Conditional Use Permit No. RPPL2016003948

Honorable Commissioners:

I am strongly OPPOSED to the above referenced proposed Project revision and ask that you **DENY** the application.

The Project is not consistent with the policies of the Santa Monica Mountains North Area Land Use Plan.

It attempts to alter dramatically the natural terrain which is in conflict with the NAP and impacts the required open space lots.

The applicant is asking for additional grading of 40K cubic yards (160k total - 80k cut and 80k fill), for manufactured slopes 60 feet high on our hillsides, and to create larger pads, man-made forms such as broad slopes, flat areas, retaining walls, and a wall for visual buffering. A much larger area of vegetation clearance would therefore be required too for fire safety around the building pad areas. These alterations would wreak un-mitigatable impacts on our scenic resources - destroy the landscape and unnecessarily destroy more habitat and biological resources. The Project does not conform to the NAP. The NAP is not required to conform to a Project.

Thank you for this opportunity to voice my opposition and ask for your consideration in DENYING the Project revision.

Thank you,

Mollie Helfand
Cornell Road
Home Owners representative



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Amy J. Bodek, AICP
Director

August 8, 2018

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

FROM: *MB* Martin Gies, AICP, Senior Regional Planner
Land Divisions Section

SUBJECT: **Project No. 98187-(3)**
Revised Vesting Tentative Tract Map No. 52805-1
Conditional Use Permit No. RPPL2016003948
RPC Meeting: August 8, 2018
Agenda Item: 7

The above mentioned item is a request for a revised tentative tract map to create five single-family residence lots and one open-space lot on 107.8 acres with 160,000 cubic yards of grading, and a conditional use permit for on-site grading exceeding 100,000 cubic yards and for grading within the Santa Monica Mountains North Area Community Standards District exceeding 5,000 cubic yards.

Please find enclosed a letter of opposition from Save Open Space-Santa Monica Mountains and thirteen (13) emails of opposition from members of the public, which were received subsequent to the hearing package submittal to the Regional Planning Commission.

If you need further information, please contact Martin Gies at (213) 974-6433 or mgies@planning.lacounty.gov. Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

SDJ:MAG

Enclosures: Letter of opposition from Save Open Space-Santa Monica Mountains
Emails of opposition from thirteen (13) members of the public



Project Number: 98187-(3)

August 8, 2018

Dear Planning Commissioners:

Please deny this project which is inconsistent with many policies of the Santa Monica Mountains North Area Plan. As this protected location is in the Santa Monica Mountains Zone it requires CEQA review under State Public Resources Code: 33001

Per finding #31 LAND USE COMPATABILITY: The Commission finds that the Project is not consistent with the Santa Monica Mountains North Area Land Use Plan. The proposed Project is not consistent with the policies related to hillside management, water quality, scenic resources, fire hazards, development and open space, and pattern and character of development and zoning standards. These Inconsistencies are thoroughly discussed in the staff report and are in the record.

Full up to date CEQA review is required under state law as it is in the Santa Monica Mountains Zone. (Public Resources Code: 33001). Evaluation including by State Fish and Game on the wildlife, wildlife habitat, and presence of any of the endangered plants is required. As it encompasses some 200 acres, also cultural review will be needed. Traffic evaluation on beach weekends also needs to be evaluated. Emergency evacuation times needs to be fully analyzed as this property is in a High Severity Fire Zone. As flooding occurs in this area after one of the several fires which occur here, evaluation of the water run-off must be looked at.

Please put this letter into the official record for this project.

Sincerely,

A handwritten signature in blue ink that reads "Mary Wiesbrock". The signature is written in a cursive, flowing style.

Mary Wiesbrock, Chair

Martin Gies

From: Illece Buckley Weber <illeceb@ yahoo.com>
Sent: Tuesday, August 07, 2018 8:57 PM
To: Martin Gies
Subject: OPPOSED - Agenda Item # 7 Project No. 98187-(3)

Honorable Commissioners:

As as a resident of the City of Agoura Hills, I am strongly OPPOSED to the above referenced proposed Project revision and ask that you **DENY** the application.

The Project is not consistent with the policies of the Santa Monica Mountains North Area Land Use Plan because it attempts to alter dramatically the natural terrain which is in conflict with the NAP and impacts the required open space lots.

The applicant is asking for additional grading of 40K cubic yards (160k total - 80k cut and 80k fill), for manufactured slopes 60 feet high on our hillsides, and to create larger pads, man-made forms such as broad slopes, flat areas, retaining walls, and a wall for visual buffering. A much larger area of vegetation clearance would therefore be required too for fire safety around the building pad areas. These alterations would wreak unmitigatable impacts on our scenic resources - destroy the landscape and unnecessarily destroy more habitat and biological resources.

Thank you for this opportunity to voice my opposition and ask for your consideration in DENYING the Project revision.

Sincerely,

Illece Buckley Weber
Agoura Hills

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Martin Gies

From: Susan Ellis <srellis8@gmail.com>
Sent: Tuesday, August 07, 2018 5:22 PM
To: Martin Gies
Subject: OPPOSED - Agenda Item # 7

OPPOSED - Agenda Item # 7

**Project No. 98187-(3) – Revised Vesting Tentative Tract Map No. 52805-1
Conditional Use Permit No. RPPL2016003948**

Honorable Commissioners:

I am strongly OPPOSED to the above referenced proposed Project revision and ask that you **DENY** the application.

The Project is not consistent with the policies of the Santa Monica Mountains North Area Land Use Plan.

It attempts to alter dramatically the natural terrain which is in conflict with the NAP and impacts the required open space lots.

The applicant is asking for additional grading of 40K cubic yards (160k total - 80k cut and 80k fill), for manufactured slopes 60 feet high on our hillsides, and to create larger pads, man-made forms such as broad slopes, flat areas, retaining walls, and a wall for visual buffering. A much larger area of vegetation clearance would therefore be required too for fire safety around the building pad areas. These alterations would wreak unmitigatable impacts on our scenic resources - destroy the landscape and unnecessarily destroy more habitat and biological resources. The Project does not conform to the NAP. The NAP is not required to conform to a Project.

Thank you for this opportunity to voice my opposition and ask for your consideration in DENYING the Project revision.

Sincerely,
Susan Ellis
Calabasas, CA

Martin Gies

From: dayle dalton <dayledalton@icloud.com>
Sent: Wednesday, August 08, 2018 6:55 AM
To: Martin Gies
Subject: OPPOSED- AGENDA ITEM #7 Project No 98187-(3)

Aug. 7, 2018

OPPOSED - Agenda Item # 7
Project No. 98187-(3) – Revised Vesting Tentative Tract Map No. 52805-1
Conditional Use Permit No. RPPL2016003948

Honorable Commissioners:

I/we are strongly **OPPOSED** to the above referenced proposed Project revision and ask that you **DENY** the application.

The Project is not consistent with the policies of the Santa Monica Mountains North Area Land Use Plan.

It attempts to alter dramatically the natural terrain which is in conflict with the NAP and impacts the required open space lots.

The applicant is asking for additional grading of 40K cubic yards (160k total - 80k cut and 80k fill), for manufactured slopes 60 feet high on our hillsides, and to create larger pads, man-made forms such as broad slopes, flat areas, retaining walls, and a wall for visual buffering. A much larger area of vegetation clearance would therefore be required too for fire safety around the building pad areas. These alterations would wreak un-mitigatable impacts on our scenic resources - destroy the landscape and unnecessarily destroy more habitat and biological resources. The Project does not conform to the NAP. The NAP is not required to conform to a Project.

Thank you for this opportunity to voice my opposition and ask for your consideration in **DENYING** the Project revision.

Sincerely,
Dayle Dalton
Paiute Dr
Agoura Hills, CA

Sent from my iPhone

Martin Gies

From: William Kaplan <williamkaplan@gmail.com>
Sent: Wednesday, August 08, 2018 6:33 AM
To: Martin Gies
Subject: Planning

Honorable Commissioners:

I/we are strongly **OPPOSED** to the above referenced proposed Project revision and ask that you **DENY** the application.

The Project is not consistent with the policies of the Santa Monica Mountains North Area Land Use Plan.

It attempts to alter dramatically the natural terrain which is in conflict with the NAP and impacts the required open space lots.

The applicant is asking for additional grading of 40K cubic yards (160k total - 80k cut and 80k fill), for manufactured slopes 60 feet high on our hillsides, and to create larger pads, man-made forms such as broad slopes, flat areas, retaining walls, and a wall for visual buffering. A much larger area of vegetation clearance would therefore be required too for fire safety around the building pad areas. These alterations would wreak un-mitigatable impacts on our scenic resources - destroy the landscape and unnecessarily destroy more habitat and biological resources. The Project does not conform to the NAP. The NAP is not required to conform to a Project.

Thank you for this opportunity to voice my opposition and ask for your consideration in **DENYING** the Project revision.

Sincerely,
William B Kaplan

Sent from my iPhone

Martin Gies

From: Steve Littlejohn <ljc@gte.net>
Sent: Wednesday, August 08, 2018 5:45 AM
To: Martin Gies
Subject: Please oppose Agenda Item #7

OPPOSED - Agenda Item # 7

**Project No. 98187-(3) – Revised Vesting Tentative Tract Map No. 52805-1
Conditional Use Permit No. RPPL2016003948**

Honorable Commissioners:

WE are strongly OPPOSED to the above referenced proposed Project revision and ask that you **DENY** the application.

The Project is not consistent with the policies of the Santa Monica Mountains North Area Land Use Plan.

It attempts to alter dramatically the natural terrain which is in conflict with the NAP and impacts the required open space lots.

The applicant is asking for additional grading of 40K cubic yards (160k total - 80k cut and 80k fill), for manufactured slopes 60 feet high on our hillsides, and to create larger pads, man-made forms such as broad slopes, flat areas, retaining walls, and a wall for visual buffering. A much larger area of vegetation clearance would therefore be required too for fire safety around the building pad areas. These alterations would wreak unmitigatable impacts on our scenic resources - destroy the landscape and unnecessarily destroy more habitat and biological resources. The Project does not conform to the NAP. The NAP is not required to conform to a Project.

Thank you for this opportunity to voice my opposition and ask for your consideration in DENYING the Project revision.

Sincerely,

Steve Littlejohn
3950 Kanan Rd.
Agoura Hills, CA 91301

Martin Gies

From: Melissa Marks <melibmarks@gmail.com>
Sent: Wednesday, August 08, 2018 12:47 AM
To: Martin Gies
Subject: Project No. 98187-(3) – Revised Vesting Tentative Tract Map No. 52805-1

OPPOSED - Agenda Item # 7
Project No. 98187-(3) – Revised Vesting Tentative Tract Map No. 52805-1
Conditional Use Permit No. RPPL2016003948

Honorable Commissioners:

I/we are strongly OPPOSED to the above referenced proposed Project revision and ask that you **DENY** the application.

The Project is not consistent with the policies of the Santa Monica Mountains North Area Land Use Plan.

It attempts to alter dramatically the natural terrain which is in conflict with the NAP and impacts the required open space lots.

The applicant is asking for additional grading of 40K cubic yards (160k total - 80k cut and 80k fill), for manufactured slopes 60 feet high on our hillsides, and to create larger pads, man-made forms such as broad slopes, flat areas, retaining walls, and a wall for visual buffering. A much larger area of vegetation clearance would therefore be required too for fire safety around the building pad areas. These alterations would wreak un-mitigatable impacts on our scenic resources - destroy the landscape and unnecessarily destroy more habitat and biological resources. The Project does not conform to the NAP. The NAP is not required to conform to a Project.

Thank you for this opportunity to voice my opposition and ask for your consideration in DENYING the Project revision.

Sincerely,

Melissa Marks

"Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it's the only thing that ever has." Margaret Mead

Martin Gies

From: jslimocosky@charter.net
Sent: Tuesday, August 07, 2018 9:19 PM
To: Martin Gies
Subject: Project#98187-(3)

Honorable Commissioners:

I are strongly OPPOSED to the above referenced proposed Project revision and ask that you **DENY** the application.

The Project is not consistent with the policies of the Santa Monica Mountains North Area Land Use Plan.

The Project attempts to alter dramatically the natural terrain which is in conflict with the NAP and impacts the required open space lots. Will developers ever accept and adhere to NAP policy (and all good development) that "the land dictates the use" and never vice versa?

The applicant is asking for additional grading of 40K cubic yards (160k total - 80k cut and 80k fill), for manufactured slopes 60 feet high on our hillsides, and to create larger pads, man-made forms such as broad slopes, flat areas, retaining walls, and a wall for visual buffering. A much larger area of vegetation clearance would therefore be required too for fire safety around the building pad areas. These alterations would wreak un-mitigatable impacts on our scenic resources - destroy the landscape and unnecessarily destroy more habitat and biological resources. The Project does not conform to the NAP.

As vice president of the Monte Nido Valley Community Association (but speaking for myself in this correspondence) I ask your DENIAL of the Project revision.

Sincerely,

*Joan Slimocosky
25632 Buckhorn Dr.
Calabasas, CA 91302*

Martin Gies

From: Judith R Stein <judiestein@me.com>
Sent: Tuesday, August 07, 2018 11:28 PM
To: Martin Gies
Subject: proposed Kanan & Cornell Project

OPPOSED - Agenda Item # 7
Project No. 98187-(3) – Revised Vesting Tentative Tract Map No. 52805-1
Conditional Use Permit No. RPPL2016003948

Honorable Commissioners:

I'm strongly OPPOSED to the above referenced proposed Project revision and ask that you **DENY** the application.

The Project is not consistent with the policies of the Santa Monica Mountains North Area Land Use Plan.

It attempts to alter dramatically the natural terrain which is in conflict with the NAP and impacts the required open space lots.

The applicant is asking for additional grading of 40K cubic yards (160k total - 80k cut and 80k fill), for manufactured slopes 60 feet high on our hillsides, and to create larger pads, man-made forms such as broad slopes, flat areas, retaining walls, and a wall for visual buffering. A much larger area of vegetation clearance would therefore be required too for fire safety around the building pad areas. These alterations would wreak un-mitigatable impacts on our scenic resources - destroy the landscape and unnecessarily destroy more habitat and biological resources. The Project does not conform to the NAP. The NAP is not required to conform to a Project.

The threat of fire and the inability for residents and park visitors to evacuate because of traffic grid lock would make the project imminently dangerous which could create the potential for law suits against the city due to unsafe fire conditions.

Thank you for this opportunity to voice my opposition and concern in asking you to DENY the Project revision.

Sincerely,

Judie Stein Friedman

Martin Gies

From: Mike Simmons <mikes@astronomerswithoutborders.org>
Sent: Tuesday, August 07, 2018 11:15 PM
To: Martin Gies
Subject: Agenda item #7

OPPOSED - Agenda Item # 7
Project No. 98187-(3) – Revised Vesting Tentative Tract Map No. 52805-1
Conditional Use Permit No. RPPL2016003948

Honorable Commissioners:

I/we are strongly OPPOSED to the above referenced proposed Project revision and ask that you **DENY** the application.

The Project is not consistent with the policies of the Santa Monica Mountains North Area Land Use Plan.

It attempts to alter dramatically the natural terrain which is in conflict with the NAP and impacts the required open space lots.

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Thank you for this opportunity to voice my opposition and ask for your consideration in DENYING the Project revision.

Sincerely,

Mike Simmons

--

Mike Simmons
President
Astronomers Without Borders

Martin Gies

From: Isabel Drean <isabeldrean@gmail.com>
Sent: Wednesday, August 08, 2018 12:09 AM
To: Martin Gies
Subject: OPPOSED - Agenda Item # 7

Aug. 7, 2018

OPPOSED - Agenda Item # 7
Project No. 98187-(3) – Revised Vesting Tentative Tract Map No. 52805-1
Conditional Use Permit No. RPPL2016003948

Honorable Commissioners:

I/we are strongly OPPOSED to the above referenced proposed Project revision and ask that you **DENY** the application.

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It attempts to alter dramatically the natural terrain which is in conflict with the NAP and impacts the required open space lots.

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Thank you for this opportunity to voice my opposition and ask for your consideration in DENYING the Project revision.

Sincerely,

Isabel Dréan

Martin Gies

From: Rae Greulich <rae.greulich@gmail.com>
Sent: Tuesday, August 07, 2018 10:49 PM
To: Martin Gies
Subject: OPPOSED - Agenda Item # 7

OPPOSED - Agenda Item # 7
Project No. 98187-(3) – Revised Vesting Tentative Tract Map No. 52805-1
Conditional Use Permit No. RPPL2016003948

Honorable Commissioners:

I am strongly OPPOSED to the above referenced proposed Project revision and ask that you **DENY** the application.

The Project is not consistent with the policies of the Santa Monica Mountains North Area Land Use Plan.

It attempts to alter dramatically the natural terrain which is in conflict with the NAP and impacts the required open space lots.

The applicant is asking for additional grading of 40K cubic yards (160k total - 80k cut and 80k fill), for manufactured slopes 60 feet high on our hillsides, and to create larger pads, man-made forms such as broad slopes, flat areas, retaining walls, and a wall for visual buffering. A much larger area of vegetation clearance would therefore be required too for fire safety around the building pad areas. These alterations would wreak un-mitigatable impacts on our scenic resources - destroy the landscape and unnecessarily destroy more habitat and biological resources. The Project does not conform to the NAP. The NAP is not required to conform to a Project.

Thank you for this opportunity to voice my opposition and ask for your consideration in DENYING the Project revision.

Sincerely,

Rae Greulich

"Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it's the only thing that ever has." Margaret Mead

Martin Gies

From: Rhonda Zucker <rhondaz53@gmail.com>
Sent: Wednesday, August 08, 2018 7:33 AM
To: Martin Gies
Subject: Overdevelopment

OPPOSED - Agenda Item # 7

**Project No. 98187-(3) – Revised Vesting Tentative Tract Map No. 52805-1
Conditional Use Permit No. RPPL2016003948**

Honorable Commissioners:

I am strongly **OPPOSED** to the above referenced proposed Project revision and ask that you **DENY** the application.

The Project is not consistent with the policies of the Santa Monica Mountains North Area Land Use Plan.

It attempts to alter dramatically the natural terrain which is in conflict with the NAP and impacts the required open space lots.

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Thank you for this opportunity to voice my opposition and ask for your consideration in **DENYING** the Project revision.

Sincerely,
Rhonda Zucker

Sent from my iPhone

Martin Gies

From: shannon ggem <shannonggem@gmail.com>
Sent: Wednesday, August 08, 2018 7:40 AM
To: Martin Gies
Subject: I Oppose project # 98187- (3) Agenda Item # 7

OPPOSED - Agenda Item # 7

**Project No. 98187-(3) – Revised Vesting Tentative Tract Map No. 52805-1
Conditional Use Permit No. RPPL2016003948**

August 8, 2018

As a resident of the Malibou Lake area I oppose **Project No. 98187-(3) – Revised Vesting Tentative Tract Map No. 52805-1 Conditional Use Permit No. RPPL2016003948, as this project** is inconsistent with Scenic resources, Hillside management, North Area, and Water quality objectives. It is not too much to ask that development comply with the North Area Plan. Just looking at the vicinity map shows how imperative it is that this project comply. It is situated in a very ecologically important area. To specify grading to the extent proposed, it appears as if no effort was made to avoid cutting off parts of mountains and marring the landscape and it's natural contours forever. Water quality impacts are simply not acceptable, as the watershed is fragile and cannot absorb further abuses.

Shannon Ggem
Los Angeles County Resident