Los Angeles County Department of Regional Planning
320 West Temple Street, Los Angeles, California 90012
Telephone (213) 974-6433

PROJECT No. 87-527-(3)

MODIFICATION TO RECORDED MAP TR 45342

HO MEETING DATE	CONTINUE TO
July 7, 2009	
AGENDA ITEM **#5**	
PUBLIC HEARING DATE July 7, 2009	

APPLICANT	**OWNER**	**REPRESENTATIVE**
Shea Homes	National Park Service	Sikand Engineering

REQUEST

Modification to Recorded Map: To modify a road condition requiring to construct curb, gutter, base, pavement, sidewalks and street lights along Las Virgenes Road, to grant permission to construct with decomposed granite in lieu of concrete sidewalk. Original project approved for 110 single-family lots, two commercial lots, one water tank lot, one pump station lot seven street lots and five open space lots on approximately 494 acres as well as a conditional use permit and an oak tree permit. No change in density or lot design is proposed.

LOCATION/ADDRESS

South of Thousand Oaks Boulevard along Las Virgenes Road, adjoining National Park Service property, in The Malibu Zoned District

ACCESS

Las Virgenes Road

ZONED DISTRICT

The Malibu

COMMUNITY

Santa Monica Mountains North Area (Mont Calabasas)

EXISTING ZONING

A-2-1 (Heavy Agricultural-One Acre Minimum Required Lot Area),C-2-DP (Neighborhood Business-Development Program) and) O-S (Open Space

SIZE	**EXISTING LAND USE**	**SHAPE**	**TOPOGRAPHY**
Approx. 494 acres	Single-Family Residences	Irregular	Level to steeply sloping

SURROUNDING LAND USES & ZONING

North: Open space/O-S (Open Space)	**East:** Single-family residences/City of Calabasas
South: Open space/City of Calabasas	**West:** Open space/O-S

GENERAL PLAN	DESIGNATION	MAXIMUM DENSITY	CONSISTENCY
Santa Monica Mountains North Area Plan	U2 (Residential 2 – Two DU/AC Max), C (Commercial) and OS-DR (Open Space Deed Restricted)	110 DU (existing)	Yes

ENVIRONMENTAL STATUS

Previous determination was an Environmental Impact Report

DESCRIPTION

The modification is to modify a road condition granting permission to construct a decomposed granite trail in lieu of concrete sidewalk along Las Virgenes Road fronting National Park Service property. No change in the density, lot layout or location of streets is proposed.

KEY ISSUES

- The original project was approved by the Los Angeles County Board of Supervisors on January 17, 1995 for the creation of 110 single-family lots, two commercial lots, one water tank lot and six open space lots on 494 acres. The project was originally required to provide improvements on Las Virgenes Road consisting of curb, gutter, base, pavement, sidewalks and street lights. The first phase of the subdivision recorded on June 21, 2000 and the last phase recorded on June 6, 2001.

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

STAFF CONTACT PERSON		
RPC HEARING DATE (S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING
STAFF RECOMMENDATION (PRIOR TO HEARING)		
SPEAKERS* (O) (F)	PETITIONS (O) (F)	LETTERS (O) (F)

**(O) = Opponents (F) = In Favor*

Project No. 87-527-(3)

COMMITTEE RECOMMENDATION (Subject to revision based on public hearing)

☒ APPROVAL ☐ DENIAL

☐ No improvements ____20 Acre Lots ____10 Acre Lots ____2½ Acre Lots ____Sect 191.2

☒ Street improvements - Decomposed Granite Paving ____ Curbs and Gutters ____ Street Lights

____ Street Trees ____ Inverted Shoulder ____ Sidewalks ____ Off Site Paving ____ft.

☐ Water Mains and Hydrants

☐ Drainage Facilities

☐ Sewer ☐ Septic Tanks ☐ Other _____

☐ Park Dedication "In-Lieu Fee"

SPECIAL INDIVIDUAL DEPARTMENT CONCERNS

Engineer

Road

Flood

Forester & Fire Warden

Parks & Rec.

Health

Planning

ISSUES AND ANALYSIS

Application was filed pursuant to Section 21.52.030 of the Los Angeles County Code. The public hearing is limited to only the modification requested, and the Hearing Officer may act only on the proposed modification and not the overall project.

Prepared by: Ramon Cordova

gisNET department of regional planning

MODIFICATION TO RECORDED TRACT MAP 45342

Printed On: Jul 2, 2009

Legend

- Parcel Boundary
- Arterial Street
- Highway
- Freeway

Master Plan of Highways
- Expressway - (e)
- Expressway - (p)
- Ltd. Secondary Highway - (e)
- Ltd. Secondary Highway - (p)
- Parkway - (e)
- Parkway - (p)
- Major Highway - (e)
- Major Highway - (p)
- Secondary Highway - (e)
- Secondary Highway - (p)
- (e)-Existing (p)-Proposed

Railroad or Rapid Transit
- Railroad
- Rapid Transit
- Underground Rapid Transit

Significant Ridgelines
- Castaic CSD Primary
- Castaic CSD Secondary
- SMMNA Significant

- Census Tract (2000)
- Assessor Map Book (AMB) Bdy
- Zoning Index Map Grid
- Zoning Map Grid
- USGS Quad Sheet Grid
- The Thomas Guide Grid
- TB Internal Page Grid
- Very High Fire Hazard Severity Zone
- Community Standards District (CSD)
- CSD Area Specific Boundary
- ESHA (Coast Only)
- Significant Ecological Area (SEA)
- Section Line
- Township and Range
- National Forest
- Equestrian District (EQD)
- Transit Oriented District (TOD)
- Setback District
- Zoned District (ZD)
- Supervisorial District Boundary

Safety Related Stations (From TB)
- Fire Station
- Highway Patrol
- Police Station
- Ranger Station
- Sheriff Station

- Zoning (Boundary)

Zoning
- Zone A-1
- Zone A-2
- Zone B-1
- Zone B-2
- Zone C-1
- Zone C-2
- Zone C-3
- Zone C-H
- Zone C-M
- Zone CPD
- Zone C-R
- Zone D-2
- Zone IT
- Zone M-1
- Zone M-1.5
- Zone M-2
- Zone M-3
- Zone MPD
- Zone MXD
- Zone O-S
- Zone P-R
- Zone R-1
- Zone R-2
- Zone R-3-()U
- Zone R-4-()U
- Zone R-A
- Zone RPD
- Zone R-R
- Zone SP
- Zone SR-D
- Zone W

Landuse Policy (Not in Comm/Area Plan)
- 1 - Low Density Residential (1 to 6 du/ac)
- 2 - Low/Medium Density Residential (6 to 12 du/ac)
- 3 - Medium Density Residential (12 to 22 du/ac)
- 4 - High Density Residential (22 or more du/ac)
- C - Major Commercial
- I - Major Industrial
- O - Open Space
- P - Public and Semi-Public Facilities
- RC - Rural Communities
- R - Non-Urban
- TC - Transportation Corridor

Inland Waterbody
- Perennial
- Intermittent
- Dry

Note: This is a static legend, which includes only a portion of layers. To get full legend, please use "Display Map Legend tab" on the top left side of screen.

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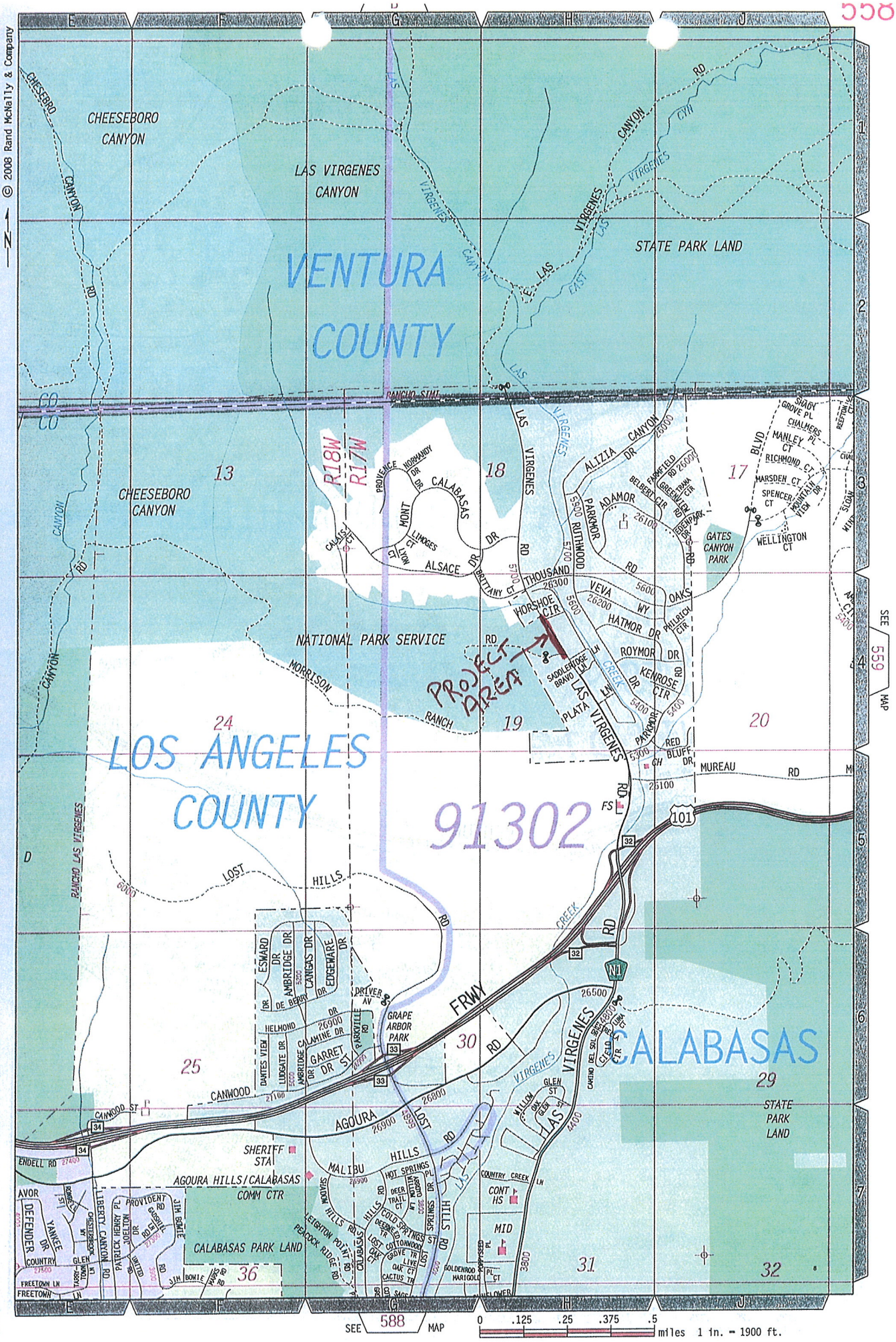
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CHEESEBORO CANYON
LAS VIRGENES CANYON
VENTURA COUNTY
STATE PARK LAND
CHEESEBORO CANYON
NATIONAL PARK SERVICE
PROJECT AREA
LOS ANGELES COUNTY
91302
CALABASAS
STATE PARK LAND
SHERIFF STA
AGOURA HILLS/CALABASAS COMM CTR
CALABASAS PARK LAND
GRAPE ARBOR PARK
GATES CANYON PARK
R18W
R17W
SEE 559 MAP
SEE 588 MAP
0 .125 .25 .375 .5 miles 1 in. = 1900 ft.

PROJECT NO. 87-527-(3)
MODIFICATION TO RECORDED TRACT MAP NO. 45342-(3)

STAFF ANALYSIS
JULY 7, 2009 HEARING OFFICER PUBLIC HEARING

PROJECT OVERVIEW

The applicant, Shea Homes, requests a modification to recorded Tract Map No. 45342-(3) to modify a road condition requiring improvements from concrete sidewalk to decomposed granite to Las Virgenes Road, a 100-foot wide major highway as designated on the Los Angeles County Master Plan of Highways. A modification to a recorded map is permitted under Section 21.52.030 of the Los Angeles County Code ("County Code") (Subdivision Ordinance) and provisions of the State Subdivision Map Act ("Map Act") (Government Code Section 66410-66499.58). A public hearing is required for any proposed change or modification, but must be limited to the proposed modification.

Tract Map No. 45342, also known as Mont Calabasas, is a residential development of 110 single-family lots, one commercial lot, one water tank lot, one pump station lot, seven street lots and five open space lots on approximately 494 acres, located off of Las Virgenes Road, adjacent to the City of Calabasas in The Malibu Zoned District of Los Angeles County. The original project, with the proposal of 110 single-family lots two commercial lots, one water tank lot and six open space lots on approximately 494 acres, was approved by the Board of Supervisors ("Board") on January 17, 1995. An amendment to the approved vesting map was approved on October 5, 1999 to reduce the number of commercial lots from two to one. The project recorded in two phases with the last phase recorded on June 6, 2001.

The applicant's representative in their request, dated April 16, 2008, are requesting to modify a road condition which states, to construct, curb, gutter, base, pavement, sidewalks and street lights along Las Virgenes Road and is requesting to modify the road condition to state, permission is granted to construct a decomposed granite trail in lieu of concrete sidewalk. Los Angeles County Public Works ("Public Works") has recommended that the portion of Las Virgenes Road adjoining National Park Service ("Park Service") property be improved with a decomposed granite trail to avoid potential problems with grading for a full-width sidewalk and could negatively impact Park Service property. Public Works has concluded that the proposed decomposed granite trail is consistent with Park Service's desire to provide a natural appearance for its property adjoining Las Virgenes Road which is proposed to be a trailhead for the public and equestrian community.

The original project determined to have less than significant impacts with project conditions or mitigation, and an Environmental Impact Report was prepared and adopted for the project. Project impacts within there already analyzed under existing and valid environmental document.

The subject property is located within the boundaries of the Santa Monica Mountains North Area Community Standards District ("CSD"), but was approved and recorded prior to the establishment of the Santa Monica Mountains North Area CSD in 2002.

DESCRIPTION OF PROJECT PROPERTY

Location: The project site is located on the west side of Las Virgenes Road approximately 400 feet south of Thousand Oaks Boulevard, adjoining the National Park Service property and adjacent to the City of Calabasas, in The Malibu Zoned District within the Santa Monica Mountains North Area and Third Supervisorial District.

Physical Features: The subject property is approximately 494 acres in size. The property is irregular in shape with level to sloping terrain. The project site is developed with 110 single-family residences, one commercial lot, one water tank lot, one pump station lot, seven street lots and five open space lots with portions of the site preserved as natural open space.

Access: Las Virgenes Road serves as primary access to the site. Brittany Court, Mont Calabasas Drive and Alsace Drive are private and future streets, and serve as internal streets within the gated subdivision. Additional regional access is provided by the Ventura (US-101) Freeway, located approximately 0.75 miles south of the project site.

Services: Domestic water and sewer is provided by the Las Virgenes Municipal Water District.

ENTITLEMENT REQUESTED

Modification to Recorded Map: The applicant requests approval of the modification to recorded Tract Map No. 45342 to modify a road condition from sidewalks along Las Virgenes Road to decomposed granite.

EXISTING ZONING

Subject Property: The subject property is zoned R-1-1 (Single-Family Residential – One Acre Minimum Required Lot Area), C-2-DP (Neighborhood Business-Development Program) and O-S (Open Space)

Surrounding Properties: Surrounding zoning is as follows:
North: Open Space-O-S (Open Space);
East: City of Calabasas;
South: Open Space – O-S and City of Calabasas; and
West: Open Space – O-S.

EXISTING LAND USES

Subject Property: The subject property consists of 110 single-family residences, one commercial lot, one water tank lot, one pump station lot, seven street lots and five open space lots.

Surrounding Properties: Surrounding uses are as follows:
North: Open space;
East: Single-family residences/City of Calabasas;
South: Open space; and
West: Open space.

PREVIOUS CASE/ZONING HISTORY

The existing R-1-1 zoning on the subject property became effective on December 26, 1956, following the adoption of Ordinance Number 7076 creating The Malibu Zone District. The existing C-2-DP zoning on the subject property became effective on January 16, 1995, following the adoption of Ordinance Number 95-0007Z which established Zone Change Case No. 87-527-(3) and was associated with the underlying subdivision.

The original project of 110 single-family lots, two commercial lots, one water tank lot and six open space lots on approximately 494 acres, was approved by the Board of Supervisors ("Board") on

January 17, 1995. Entitlements included Zone Change and Sub-Plan Amendment Case No. 87-527-(3), from A-2-1 and C-2 to C-2-DP; and an amendment to the Land Use Policy Map of the Los Angeles County General Plan, from SEA to R; General Development Policy Map from 10 to 6; Special Management Area Map from SEA to HM; and amendment to The Malibu/Santa Monica Mountains Area Plan Natural Land Historic Resources Map from SEA to HM; and amendment to The Malibu/Santa Monica Mountains Area Plan Development Policy Map as follows: 1 acre from "3" to "13d"; 2 acres from "4" to "13d"; 1.5 acres from "7" to "13d." A CUP for density-controlled development and an Oak Tree Permit Case No. 87-527-(3) to allow the removal or relocation of 135 oak trees.

An amendment to the approved vesting map, with 110 single-family lots, one commercial lot, one water tank lot, one pump station lot, seven street lots and five open space lots, was approved on October 5, 1999.

PROJECT DESCRIPTION

A modification to recorded Tract Map No. 45342 has been filed under Section 21.52.030 of the County Code and provisions of the Map Act. A public hearing is required for the proposed modification, but the hearing and action of the decision-making body must be limited to only the modification and may not address other aspects of the project.

The applicant requests a recorded map modification to modify a road condition requiring improvements to Las Virgenes Road. Specifically, the road condition required the project to construct sidewalks along Las Virgenes Road. The applicant requests to construct decomposed granite in lieu of the concrete sidewalk.

The project does not propose a change in density or lot layout. The proposed modification does not alter the project design shown on the recorded map. No modified map was submitted, and no additional modifications to conditions are recommended by the Los Angeles County Subdivision Committee ("Subdivision Committee").

GENERAL PLAN AND SANTA MONICA MOUNTAINS NORTH AREA PLAN CONSISTENCY

The subject property is depicted within the Urban 2 (Residential 2 - two dwelling units an acre maximum), C (Commercial) and OS-DR (Open Space – Deed Restricted) land use categories of the Santa Monica Mountains North Area Plan ("North Area Plan"), a component of the Los Angeles County General Plan. The project was approved by the Board on January 17, 1995, and recorded in phases on June 21, 2000 and June 6, 2001.

The North Area Plan contains policies that support its goals for orderly development of the Santa Monica Mountains, including balancing highway capacity and the area's rural and scenic quality, and managing a safe and efficient highway network. The modification requested is consistent with the North Area Plan's intent to create common trail between various public agencies, including that portion of the subject property adjoining National Park Service property. Accordingly, Los Angeles County Department of Public Works ("Public Works") has recommended the portion of Las Virgenes Road from Thousand Oaks Boulevard southerly to the project boundary be improved with decomposed granite in lieu of sidewalks.

Applicable North Area Plan Provisions
The following are selected applicable North Area Plan goals and policies:

TRAILS

"Ensure that the routing and improvement of trails facilities is compatible with the resource values of adjacent lands" (Policy IV-48(d), Page IV-31).

"Work to achieve common trails policies between the various agencies maintaining trails within the region" (Policy IV-51, Page IV-32).

MODIFICATION TO A RECORDED MAP

Section 66472.1 of the Map Act and Section 21.52.030 of the County Code allow for modifications to a recorded map. Pursuant to Section 21.52.030.F of the County Code, a public hearing is required for any proposed modifications, but the hearing and action of the decision-making body must be limited to only those modifications and may not address other aspects of the project.

The applicant must substantiate the following facts:

A. That there are changes in circumstances which make any or all of the conditions or the design of such a map no longer appropriate or necessary; and

B. That the proposed modifications do not impose any additional burdens on the present fee owner of the property; and

C. That such modifications would not alter any right, title or intererst in real property; and

D. That the modifications requested result from either physical problems associated with the development of the site or technical difficulties arising which are not under the control of the developer and which make it impossible to comply with certain conditions; and

E. That the modifications requested do not result in an increased number of dwelling units or a greater density than the recorded map; and

F. That the proposed map and the design and improvements of the proposed subdivision are consistent with applicable general and specific plans; and

G. That the site is physically suitable for the type and proposed density of the development; and

H. That the design of the subdivision or the proposed improvements will not cause substantial environmental damage or serious public health problems, or conflict with public assessments.

The applicant's responses are attached.

SANTA MONICA MOUNTAINS NORTH AREA CSD

The subject property is located within the boundaries of the Santa Monica Mountains North Area CSD, which was adopted by the Board in 2002. However, as the project was approved in 1990 and recorded in 2000 and 2001 before creation of the CSD, provisions in the CSD are not applicable to this request.

ENVIRONMENTAL DOCUMENTATION

In accordance with State and County California Environmental Quality Act ("CEQA") guidelines, a Final Environmental Impact Report ("EIR") for this project has been prepared. As stated in the EIR,

the project will result in unavoidable significant effects upon air quality, visual resources, biotic resources and schools. However, the benefits of the approved project outweigh the potential unavoidable adverse impacts and such unavoidable adverse impacts are determined to be acceptable based upon the overriding considerations set forth in the Final EIR. The current modification request is within the impacts analyzed in the Certified EIR.

COUNTY DEPARTMENT AND AGENCY COMMENTS AND RECOMMENDATIONS

The Subdivision Committee consists of the Departments of Regional Planning, Public Works, Fire, Parks and Recreation, and Public Health. Since the proposed modification does not alter the project design, no modified map was submitted. The Subdivision Committee has reviewed the request, and only Public Works recommends modified conditions.

LEGAL NOTIFICATION/COMMUNITY OUTREACH

On June 2, 2009 approximately 304 notices of public hearing were mailed to property owners within a 500-foot radius of the subject property. The public hearing notice was published in La Opinion on June 7, 2009 and Malibu Times on June 4, 2009. Project materials, including draft factual, staff report and findings were received at the Agoura Hills Library on June 6, 2009. One large public hearing notice was posted on the subject property fronting Las Virgenes Road and Park Service property on June 5, 2009. Public hearing materials were also posted on the Department of Regional Planning's website.

CORRESPONDENCE RECEIVED BEFORE PUBLIC HEARING

A telephone call from one constituent was received regarding the request. General questions raised about the project included the scope of the proposed modification. Staff also received a telephone call from a representative with the National Park Service who expressed their support of the change as it was consistent with the National Park Service's desire to provide a natural appearance for its property adjoining Las Virgenes Road which is proposed to be a trailhead for the public and equestrian community.

STAFF EVALUATION

The Map Act and Subdivision Ordinance allow for modifications to recorded maps where physical problems associated with the development of the site or where technical problems occur after recordation. The findings required by Section 21.52.030 of the County Code include finding that the changes in circumstances make any of the project design no longer appropriate or necessary, the modification requested does not increase the number of dwelling units than the recorded map, that the proposed design is consistent with applicable plans, and that the design of the subdivision or proposed improvements will not cause substantial environmental damage or serious public health problems.

The proposed modification does not alter the project design shown on the recorded map.

The National Park Service owns the existing open space that adjoins the portion of Las Virgenes Road that is required to be improved. Upon the adoption of the North Area Plan in 2000, it became no longer appropriate or necessary to improve with concrete sidewalks the portion of Las Virgenes Road within the project boundaries. The North Area Plan recommends ensuring the routing and improvement of trails facilities is compatible with the resource values of adjacent lands and is proposing a trailhead within the project site. Accordingly, Public Works has recommended the portion

of Las Virgenes Road south of Thousand Oaks Boulevard not to be improved with sidewalks but rather decomposed granite would be acceptable. Improvements to Las Virgenes Road as conditioned by Tract Map No. 45342 are therefore no longer necessary due to the Park Service's desire to have a more natural appearance to the frontage of their property along Las Virgenes Road.

The provisions of the Map Act and Subdivision Ordinance are clear that only those modifications proposed for the project are subject to a public hearing and subsequent action by a decision-making body. The project was approved in 1995 and the final phase of recorded in 2001 creating one commercial lot, one street lot and one open space lot. The applicant does not propose nor is required to change the density, lot layout or street design.

The recorded map modification request is consistent with the North Area Plan and General Plan. By keeping the portion of Las Virgenes Road south of Thousand Oaks Boulevard, including the portion within the subject property rural in nature and not be improved with concrete sidewalks. The modification reflects the Plan policies for preserving open space corridors which physically link open space and habitat areas to populated areas as well as to complementary recreational uses. Public Works' recommendation that the portion of Las Virgenes Road adjoining Park Service property be improved with decomposed granite would avoid potential problems with grading for a full-width sidewalk and subsequently could negatively impact National Park Service property. Public Works has concluded that the proposed decomposed granite is consistent with Park Service's desire to have a natural appearance for its property adjoining Las Virgenes Road, which is proposed to be a trailhead for the public and equestrian community.

The original project was approved with a Final Environmental Impact Report ("EIR") for this project has been prepared. As stated in the EIR, the project will result in unavoidable significant effects upon air quality, visual resources, biotic resources and schools. However, the benefits of the approved project outweigh the potential unavoidable adverse impacts and such unavoidable adverse impacts are determined to be acceptable based upon the overriding considerations set forth in the Final EIR.

STAFF RECOMMENDATION

The following recommendation is subject to change based on oral testimony or documentary evidence submitted during the public hearing process.

Staff recommends that the Hearing Officer close the public hearing, and approve Modification to Recorded Tract Map No. 45342.

Attachments:

Applicant's request for modification letter
Factual
GIS-NET MAP
TB MAP
Staff Report
Draft Findings
Draft Conditions
Burden of Proof

ST:REC
6/2/09

FINDINGS OF THE HEARING OFFICER
COUNTY OF LOS ANGELES
FOR MODIFICATION TO RECORDED TRACT MAP NO. 45342

1. A Hearing Officer of the County of Los Angeles, Mr. John Gutwein, conducted a noticed public hearing in the matter of Modification to Recorded Tract Map No. 45342 on July 7, 2009.

2. Modification to Recorded Tract Map No. 45342 proposes to modify a road condition requiring to construct sidewalks along Las Virgenes Road, to grant permission to construct decomposed granite.

3. The original project, with the proposal of 110 single-family lots two commercial lots, one water tank lot and six open space lots on approximately 494 acres, was approved by the Board of Supervisors ("Board") on January 17, 1995. An amendment to the approved vesting map was approved on October 5, 1999 to reduce the number of commercial lots from two to one. The project recorded in two phases with the last phase recorded on June 6, 2001.

4. The subject site is located south of Thousand Oaks Boulevard along Las Virgenes Road, adjoining National Park Service property, in The Malibu Zoned District, and Santa Monica Mountains North Area.

5. The irregularly-shaped property is approximately 494 gross acres in size with level to steeply sloping topography.

6. Access is provided by Las Virgenes Road, a 120 foot wide Major Highway, as depicted on the Los Angeles County Master Plan of Highways.

7. The project site is currently zoned A-2-1 (Heavy Agricultural-One Acre Minimum Required Lot Area),C-2-DP (Neighborhood Business-Development Program) and O-S (Open Space) which was established by Ordinance No. 95-0007Z which established Zone Change Case No. 87-527-(3), and became effective on January 17, 1995.

8. Surrounding zoning includes O-S (Open Space) to the north, south and to the west. The City of Calabasas adjoins the subject property on the east.

9. The subject property consists of 110 existing single-family residential lots, one commercial lot, one water tank lot, one pump station lot, seven street lots and five open space lots. Surrounding uses include single-family residences and open space to the north, south, east and west.

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Findings

10. The property is depicted in the U2 (Residential 2 – Two Dwelling Units per Net Acre Max), C (Commercial) and OS-DR (Open Space Deed Restricted) land use categories of the Santa Monica Mountains North Area Plan ("Plan"), a component of the Los Angeles County General Plan.

11. The proposed modification does not alter the project design shown on the recorded map. No modified map was submitted, and no additional conditions are recommended by Subdivision Committee.

12. The modification to a recorded map was filed pursuant to Section 21.52.030 of the Los Angles County Code ("County Code") which allows modifications where there are physical problems associated with the development of the site, or where technical problems occur after recordation. A public hearing is required for any proposed modifications, but the hearing and action by the decision-making body must be limited to only those modifications and may not address other aspects of the project.

13. The public hearing was opened on July 7, 2009, and the Hearing Officer heard a presentation from staff.

14. After hearing staff's presentation, on July 7, 2009 the Hearing Officer closed the public hearing and approved Modification to Recorded Tract Map No. 45342.

15. The proposed modification is consistent with the goals and policies of the Plan.

16. There are changes in circumstances which make one of the conditions such a map no longer appropriate or necessary. Based on recommendations from the Los Angeles County Department of Public Works ("Public Works"), constructing concrete sidewalks along Las Virgenes Road adjoining the National Park Service property, as originally conditioned by the original tract map, is no longer appropriate as it would be inconsistent with National Park Service's desire to provide a natural appearance for its property adjoining Las Virgenes Road, which is proposed to be a trailhead for the public and equestrian community.

17. The proposed modification does not impose any additional burdens on the present fee owner of the property.

18. The proposed modification would not alter any right, title or interest in the real property.

19. The modification requested results from physical problems associated with the development of the site and technical difficulties arising which are not under the control of the developer and which make it impossible to comply with certain

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conditions. Los Angeles County Public Works ("Public Works") has recommended that the portion of Las Virgenes Road adjoining National Park Service ("Park Service") property be improved with a decomposed granite trail to avoid potential problems with grading for a full-width sidewalk and could negatively impact Park Service property.

20. The modification requested does not result in an increased number of dwelling units or a greater density than the recorded map.

21. The proposed map and the design and improvements of the proposed subdivision are consistent with the Plan. The proposed modification is consistent with the Plan's intent to maintain appropriate rural road standards for the non-urban portions of the Santa Monica Mountains North Area. Public Works' recommendations of decomposed granite along Las Virgenes Road adjoining National Park Service property also reflects the National Park Service's desire to provide a more natural appearance for the frontage of their land which is designated as a trailhead.

22. The site is physically suitable for the type and proposed density of the development. No change in project type or density is proposed as part of the modification.

23. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or serious public health problems, or conflict with public assessments. The design of the subdivision is unchanged and the improvement consisting of decomposed granite is proposed as part of the modification.

24. An Environmental Impact Report was certified for the original project in compliance with the California Environmental Quality Act (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 original project determined to have less than significant impacts with project conditions or mitigation, and an Environmental Impact Report was prepared and adopted for the project. Project impacts within there already analyzed under existing and valid environmental document.

25. The subdivider shall comply with all other conditions of approval of the original grant which remain in effect and unchanged.

26. The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is the Department of Regional Planning ("Regional Planning"), 13th Floor, Hall of

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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, Regional Planning.

THEREFORE, THE HEARING OFFICER approves Modification to Recorded Tract Map No. 45342. The following road condition is modified:

1. Permission is granted to construct decomposed granite in lieu of concrete sidewalk along Las Virgenes Road adjoining National Park Service property to the satisfaction of the Public Works.

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DRP

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION
TRACT NO. 45342 (Amend.)

LETTER AND APPLICATION DATED 07-01-2008

We have no objections to the proposed changes as shown in the subject modification to the recorded map for Tract No. 45342. The following conditions are recommended for inclusion in the conditions of approval:

1. Comply with the attached one-page Road conditions.

2. Comply with all other previously approved conditions for Tract No. 45342 to the satisfaction of Public Works.

Prepared by Conrad M. Green Phone (626) 458-4917 Date 08-18-2008
TR45342La-(07-01-08).doc

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – ROAD
TRACT NO. 45342 (Amend.) AMENDMENT LETTER DATED 04-16-2008

We have no objection to the amendment request. The following revised conditions are recommended for inclusion in the tentative approval:

1. Permission is granted to construct decomposed granite (DG) in lieu of sidewalk on Las Virgenes Road along the property frontage south of Thousand Oaks Boulevard to avoid potential grading complications that could arise from the full-width sidewalk construction and which could potentially impact National Park Services Ownership (lot 116). The DG construction is also in accordance with the National Park Services request to provide a more natural appearance to the frontage of their ownership which is designated to be a trail head for equestrian services. The subdivider shall also construct driveway aprons serving the NPS property. All improvements on Las Virgenes Road shall be constructed to the satisfaction of Public Works.

2. Conform with all previously approved and amended road conditions to the satisfaction of Public Works.

Prepared by Patricia Constanza Phone (626) 458-4921 Date 08-18-2008
Tr45342r_amend3.doc

RP - Ramon

COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

CONDITIONS OF APPROVAL FOR SUBDIVISION - UNINCORPORATED

Subdivision No: TR 45342 Map Date: Amendment Modification

C.U.P. _____ Vicinity: _____

☐ **FIRE DEPARTMENT HOLD** on the tentative map shall remain until verification from the Los Angeles County Fire Dept. Planning Section is received, stating adequacy of service. Contact (323) 881–2404.

☐ Access shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 503 of the Fire Code, which requires all weather access. All weather access may require paving.

☐ Fire Department access shall be extended to within 150 feet distance of any exterior portion of all structures.

☐ Where driveways extend further than 150 feet and are of single access design, turnarounds suitable for fire protection equipment use shall be provided and shown on the final map. Turnarounds shall be designed, constructed and maintained to insure their integrity for Fire Department use. Where topography dictates, turnarounds shall be provided for driveways that extend over 150 feet in length.

☐ The private driveways shall be indicated on the final map as "Private Driveway and Firelane" with the widths clearly depicted. Driveways shall be maintained in accordance with the Fire Code.

☐ Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested and accepted prior to construction.

☐ This property is located within the area described by the Fire Department as "Very High Fire Hazard Severity Zone" (formerly Fire Zone 4). A "Fuel Modification Plan" shall be submitted and approved prior to 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: **THE MODIFICATION HAS NO IMPACTS ON FIRE DEPARTMENT REQUIREMENTS.**

By Inspector: Juan C. Padilla Date August 18, 2008

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

COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

WATER SYSTEM REQUIREMENTS - UNINCORPORATED

Subdivision No: TR 45342 Map Date: Amendment Modification

Revised Report _____

☐ The County Forester and Fire Warden is prohibited from setting requirements for water mains, fire hydrants and fire flows as a condition of approval for this division of land as presently zoned and/or submitted. However, water requirements may be necessary at the time of building permit issuance.

☐ The required fire flow for 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). Verify / Upgrade 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.

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

Comments: **THE MODIFICATION HAS NO IMPACTS ON FIRE DEPARTMENT REQUIREMENTS.**

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

By Inspector Juan C. Padilla Date August 18, 2008

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

COUNTY OF LOS ANGELES
Public Health

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

JONATHAN E. FREEDMAN
Acting Chief Deputy

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August 14, 2008

RFS No.08-0020609

Tract Map No. 45342-01

Vicinity: Malibu

Tentative Tract Map Date: July 10, 2008 (Modification to Amended Map)

The County of Los Angeles Department of Public Health has no objection to **Tentative Tract Map 45342-01**. The following conditions still apply and are in force:

1. Potable water will be supplied by the **Las Virgenes Municipal Water District**, a public water system.

2. Sewage disposal will be provided through the public sewer and wastewater treatment facilities of the **Las Virgenes Municipal Water District** as proposed.

If you have any questions or need additional information, please contact me at (626) 430-5380.

Respectfully,

Becky Valenti, E.H.S. IV
Land Use Program

Memo
Modification to a Recorded Map
TR 45342

April 16, 2008

Department of Regional Planning
Subdivisions Section
13th Floor
320 W. Temple St.
Los Angeles, Ca 90012

Attn: Susie Tae

Re: Modification to a recorded map

SIKAND

Engineering
Planning
Surveying

15230 Burbank Blvd., Suite 100
Van Nuys, CA 91411-3586

Tel: 818/787-8550
Fax: 818/901-7451
E-mail: info@sikand.com

Dear Susie,

Our client Shea Homes is requesting a modification of one of the conditions in the conditions of approval for recorded tract map 45342, the Mont Calabasas subdivision. Currently the language in the road department conditions state "construct curb, gutter, base, pavement, sidewalks and street lights on all streets and Las Virgenes Rd. improvements on Las Virgenes Rd shall be constructed to the satisfaction of this department." We wish to change this language to read "permission is granted to construct decomposed granite in lieu of sidewalk on Las Virgenes Rd from Thousand Oaks Blvd southerly to the tract boundary to avoid potential grading complications that could arise from the full-width sidewalk construction and which could potentially impact National Park Services ownership (lot 116). The decomposed granite construction is also in accordance with the National Park Services request to provide a more natural appearance to the frontage of their ownership (lot 116) which is designated to be a trail head for equestrian services. Improvements on Las Virgenes Rd shall be constructed to the satisfaction of this department."

We have reviewed this request for modification with Andy Narag at Los Angeles County Public Works and found that they have no objection to the change in language. Therefore we wish to have the conditions amended to include this new language. Attached you will find the application and a check, payable to L.A. County, for $5485 needed to process this request.

Sincerely

Matt Benveniste
Sikand Engineering

MODIFICATION TO RECORDED TRACT MAP NO. 45342

BURDEN OF PROOF

1. That there are changes in circumstances which make any or all of the conditions or the design of such a map no longer appropriate or necessary; and

The propose revision from concrete to decomposed granite will actually enhance the property by adding an additional 'rural' component to the site and has the support of the County's Parks & Rec. Dept

2. That the proposed modifications do not impose any additional burdens on the present fee owner of the property; and

The proposed modification will have no adverse impact to the existing property owners or the adjacent residences.

3. That such modifications would not alter any right, title or interest in the real property; and

There will be no alteration of any right, title or interest in the real property with the approval of this modification.

4. That the modifications requested result from either physical problems associated with the development of the site or technical difficulties arising which are not under the control of the developer and which make it impossible to comply with certain conditions;

The proposed modification will alleviate a physical hardship by providing a safer mode of access by equestrian traffic using this trail.

5. That the modifications requested do not result in an increased number of dwelling units or a greater density than the recorded map;

The proposed project will not increase the total number of dwelling units in the site. The current project is fully built out with no additional units left to build.

6. That the proposed map and the design and improvements of the proposed subdivision are consistent with applicable general and specific plans; and

The proposed modification is consistent with the current conditions of approval. The modification is for a trail that has already been approved.

7. That the site is physically suitable for the type and proposed density of the development; and

The site consists of a previously approved and recorded subdivision that subsequently have been built.

8. That the design of the subdivision or the proposed improvements will not cause substantial environmental damage or serious public health problems, or conflict with public easements.

The proposed change will minimize any negative impacts t o the existing trail by replacing the concrete with decomposed granite. This modification has been advocated by the County's Parks and Rec. Dept.