Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Bruce W. McClendon FAICP
Director of Planning

CERTIFIED-RECEIPT REQUESTED

April 18, 2007

Mureau Estates, LLC
16461 Sherman Way, Suite 325
Van Nuys, California 91406
Attn: Bill Rheinschild

Gentlemen:

SUBJECT: MODIFICATION TO RECORDED TRACT MAP NO. 46882 PROJECT NO. 88-504-(3)

A public hearing on Modification to Recorded Tract Map No. 46882 was held by a Hearing Officer of Los Angeles County on April 17, 2007.

After considering the evidence presented, the Hearing Officer in her action on April 17, 2007, **APPROVED** the modification in accordance with the Subdivision Map Act and Title 21 (Subdivision Ordinance) of the Los Angeles County Code. A copy of the approved findings is attached.

The action of the modification authorizes the deletion of a road condition requiring either improvements to Mureau Road or adequate payment in lieu of construction. All other conditions of approval of the original grant remain in effect, unchanged.

The decision of the Hearing Officer regarding the map shall become final and effective on the date of the decision, provided no appeal of the action taken has been filed with the Regional Planning Commission within the following time period:

- In accordance with the requirements of the State Map Act, the map may be appealed within ten (10) days following the decision of the Hearing Officer.

The decision of the Hearing Officer regarding the tract map may be appealed to the Regional Planning Commission. **If you wish to appeal the decision of the Hearing Officer to the Commission, you must do so in writing and pay the appropriate fee.** The fee for appeal process is $1,309.00 for the applicant and $655.00 for non-applicant(s). To initiate the appeal, submit your appeal letter and a check made payable to the County of Los Angeles to the Secretary of the Regional Planning Commission, Room 1350, Hall of

Records, 320 West Temple Street, Los Angeles, California 90012. Please be advised that your appeal will be rejected if the check is not submitted with the letter.

If you have any questions regarding this matter, please contact Ms. Tina Fung of the Land Divisions Section of the Department of Regional Planning at (213) 974-6433 between the hours of 7:30 am and 6 pm, Monday through Thursday. Our offices are closed Fridays.

Very truly yours,

DEPARTMENT OF REGIONAL PLANNING
Bruce W. McClendon, FAICP
Director of Planning

Rose Hamilton, AICP
Hearing Officer

TF:tf

Attachments: 1. Findings

c: Casey Yourn, County Counsel
Subdivision Committee
Building and Safety
City of Hidden Hills
City of Calabasas

FINDINGS OF THE HEARING OFFICER
COUNTY OF LOS ANGELES
FOR MODIFICATION TO RECORDED TRACT MAP NO. 46882

1. A Hearing Officer of the County of Los Angeles conducted a noticed public hearing in the matter of Modification to Recorded Tract Map No. 46882 on April 17, 2007.

2. Modification to Recorded Tract Map No. 46882 proposes to delete a road condition requiring either improvements to Mureau Road or adequate payment in lieu of construction. Mureau Road is a major highway, which is recommended to be downgraded to a limited secondary highway as part of the Los Angeles Countywide General Plan ("General Plan") update.

3. The subject site is located off of Mureau Road, adjacent to the City of Hidden Hills, in The Malibu Zoned District.

4. The irregularly-shaped property is approximately 21.44 gross acres in size with level to steeply sloping topography.

5. Mureau Road serves as primary access to the site. Garrett Court, a private and future street, serves as an internal street within the subdivision.

6. The project site is currently zoned RPD-5-0.2U (Residential Planned Development – Five Acres Minimum Required Lot Area – 0.2 Units per Net Acre), which was established by Ordinance No. 2002-0062Z which established Zone Change Case No. 01-088-(3), and became effective on September 19, 2002.

7. Surrounding zoning includes A-2-5 (Heavy Agricultural – Five Acres Minimum Required Lot Area) to the south and to the west, A-1-5 (Light Agricultural – Five Acres Minimum Required Lot Area) to the west and R-1-5 (Single-Family Residence – Five Acres Minimum Required Lot Area) to the east. The subject property is bordered by the City of Hidden Hills on the north and on the east.

8. The subject property consists of 11 existing single-family residential lots. Surrounding uses include single-family residences and vacant properties with an elementary school to the east.

9. The project was consistent with the RPD-20,000-2.25U (Residential Planned Development – 20,000 Square Feet Minimum Required Lot Area – 2.25 Units per Net Acre) and RPD-15,000-2.25U (Residential Planned Development – 15,000 Square Feet Minimum Required Lot Area – 2.25 Units per Net Acre) zoning classification, which were in effect at the time when the vesting tentative map was approved in 1990. Single-family residences are permitted in the RPD zone pursuant to Section 22.20.460 of the Los Angeles County Code ("County Code").

The proposed modification to the recorded map is consistent with the existing 11 single-family dwelling units permitted by the RPD zone.

10. The property is depicted in the Mountain Land 5 ("N5") land use category of the Santa Monica Mountains North Area Plan ("Plan"), a component of the General Plan. The existing 11 single-family dwelling units were consistent with the Malibu-Santa Monica Mountains Interim Area Plan land use designations that were in effect at the time when the vesting tentative map was approved in 1990. The modification to the recorded map is consistent with the existing 11 dwelling units permitted for the residential development.

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 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 April 17, 2007, and the Hearing Officer heard a presentation from staff. There was no testimony from either the applicant or members of the public. County Counsel was present to answer any questions and/or provide technical clarification during the hearing.

14. Prior to the April 17 public hearing, one comment letter was received from the City of Hidden Hills expressing their support to the proposed modification. Several telephone calls, including one from the City of Calabasas were also received requesting general information about the project and expressing support to the proposed modification.

15. After hearing staff presentation, on April 17, 2007 the Hearing Officer closed the public hearing and approved Modification to Recorded Tract Map No. 46882.

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

17. 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. Based on recommendations from the Department of Public Works ("Public Works") in regards to downgrading the portion of Mureau Road east of Crummer Ranch Road from a major highway to a limited secondary highway as part of the General Plan

update, improvements to Mureau Road as conditioned by the original tract map are no longer appropriate or necessary. Mureau Road will continue to exist as currently improved.

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

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

20. The modification 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.

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

22. The proposed map and the design and improvements of the proposed subdivision are consistent with applicable general and specific plans. 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 an emergency alternative route consisting of a bridge connection between Mureau Road west of Crummer Ranch Road and Calabasas Road also reflect Plan policies for managing a safe and efficient highway network while justify that it is no longer appropriate or necessary to improve the portion of Mureau Road within the subject property to a major highway.

23. 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.

24. 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 no improvements are proposed as part of the modification.

25. A Mitigated Negative Declaration was prepared 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 proposed modification qualifies for a Categorical Exemption

under Class 5 in accordance with State and County CEQA guidelines since it will not result in any substantial change to use or occupancy of the land.

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

27. 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 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. 46882. The following road conditions are removed:

1. Provide adequate pavement for 100-foot left turn lane and 60 MPH transitions on Mureau Road at "A" Street.

2. In lieu of constructing the ultimate improvements on Mureau Road (including the intersection with "A" Street and a portion of "A" Street north of Mureau Road), the developer may pay a cash deposit to the satisfaction of the Department of Public Works.