

June 25, 2025

Donald Reith  
1743 10<sup>th</sup> Rd.  
Linn, KS 66953

PROJECT NO. PRJ2020-002005-(3)  
MINOR COASTAL DEVELOPMENT PERMIT NO. RPPL2020006315  
25755 PIUMA ROAD, MONTE NIDO (APN 4456-012-031)

Dear Applicant:

Hearing Officer Steven Jareb, by his action of **June 24, 2025**, has approved the above-referenced project. Enclosed are the Hearing Officer's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to LA County Planning (see enclosed Affidavit of Acceptance Instructions).

**Appeals:**

The applicant or any other interested persons may appeal the Hearing Officer's decision. The appeal period for this project will end at 5:00 p.m. on **July 8, 2025**. Appeals must be submitted to [appeal@planning.lacounty.gov](mailto:appeal@planning.lacounty.gov) before the end of the appeal period.

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

In addition, any applicable California Environmental Quality Act fees for the Department of Fish and Wildlife shall be paid, and a Notice of Determination, if applicable must be filed with the County Clerk according to the instructions with the enclosed Affidavit of Acceptance. A Notice of Exemption, if applicable, may also be filed according to the instructions in the enclosed Affidavit of Acceptance.

Mr. Donald Reith  
June 25, 2025  
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For questions or for additional information, please contact Tyler Montgomery of the Coastal Development Services Section at (213) 974-0051, or TMontgomery@planning.lacounty.gov.

Sincerely,

AMY J. BODEK, AICP  
Director of Regional Planning



Robert Glaser, Supervising Regional Planner  
Coastal Development Services Section

RG:TM

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

c: PW (Building and Safety)  
Zoning Enforcement  
Coastal Commission (Ventura Office)

**LOS ANGELES COUNTY  
DEPARTMENT OF REGIONAL PLANNING  
FINDINGS OF THE HEARING OFFICER  
AND ORDER  
PROJECT NO. PRJ2020-002005-(3)  
MINOR COASTAL DEVELOPMENT PERMIT NO. RPPL2020006315**

**RECITALS**

1. **HEARING DATE(S).** The Los Angeles County ("County") Hearing Officer conducted a duly noticed public hearing on June 24, 2025 in the matter of Project No. PRJ2020-002005-(3), Minor Coastal Development Permit No. RPPL2020006315 ("Minor CDP").
2. **HEARING PROCEEDINGS.** A duly noticed public hearing before the Hearing Officer was advertised for June 17, 2025. This hearing date was subsequently canceled due to security issues and automatically rescheduled for the next public hearing date: June 24, 2025. At this hearing date, LA County Planning staff ("Staff") gave a presentation recommending approval of the Minor CDP. The applicant was sworn in and spoke in favor of approval. The Hearing Officer subsequently closed the public hearing and approved the Minor CDP.
3. **ENTITLEMENT(S) REQUESTED.** The applicant, Don Reith ("Permittee"), requests the Minor CDP to authorize the construction of a 2,740-square-foot, 18-foot-tall single-family residence with a detached 400-square-foot garage and 322-square-foot carport ("Project") on a 0.72-acre property located at 25755 Piuma Road (Assessor's Parcel Number 4456-012-031) in the unincorporated community of the Santa Monica Mountains Coastal Zone ("Project Site") within the Monte Nido Rural Village. A total of 1,900 cubic yards of earth (1,500 cubic yards cut, 400 cubic yards fill, 900 cubic yards export) would be graded. A portion of the Project would be located within the H1 Habitat Buffer Zone and the H1 Quiet Zone habitat categories.
4. **ENTITLEMENT(S) REQUIRED.** The Minor CDP is a request to construct a single-family residence, accessory structures, and an onsite wastewater treatment system ("OWTS") with associated grading in the R-C-1 (Rural Coastal—1 Acre Minimum Required Lot Area) Zone pursuant to Los Angeles County Code ("County Code") Section 22.44.810.
5. **LAND USE DESIGNATION.** The Project Site is located within the Rural Village (RV) land use category of the Santa Monica Mountains Local Coastal Program Land Use Policy Map.
6. **ZONING.** The Project Site is located in the Santa Monica Mountains Planning Area and is zoned R-C-1. Pursuant to County Code Section 22.44.1750, a single-family residence is a principal permitted use within the R-C Zone. However, County Code Section 22.44.1620 requires a Minor CDP for any development that proposes between 50 and 5,000 cubic yards of grading, such as the Project.

## 7. PROJECT AND SITE PLAN DESCRIPTION.

### A. Existing Site Conditions

The Project Site is 0.72 gross acres in size and consists of one legal lot, which is irregular in shape. It consists of a graded pad on its central and eastern portions, with drainage structures and steep downward slopes at its the southern and western edges. The graded pad and drainage structures were legally developed on the Project Site as part of Tract Map No. 45168 in 1990. An existing six-foot-tall wrought-iron fence, which is associated with the single-family residence to the east, currently encroaches approximately 11 feet onto the eastern portion of the Project Site. Numerous coast live oaks and other native plants are located on the southern and western periphery of the Project Site, although only one oak tree—on the southwestern corner— is large enough to be protected under the Santa Monica Mountains Local Implementation Program (“LIP”). Most of the other oak trees and native plants were planted or sprouted on the Project Site after its initial grading. The Cold Creek-Dark Canyon watershed and its riparian zone, which is designated as H1 Habitat within the Santa Monica Mountains Local Coastal Program Land Use Plan (“LUP”), is located across Piuma Road, a 60-foot-wide public road, to the south. While the entirety of the site is mapped as H3 Habitat, a majority is within 200 feet of this H1 Habitat, which places it within the H1 Habitat Buffer Zone (0-100 feet away) or the H1 Quiet Zone (100-200 feet away).

### B. Site Access

The Project Site would be accessed by Piuma Road, a 60-foot-wide public road and designated scenic route immediately to the south. Cold Canyon Road, a 60-foot-wide limited secondary highway, is located immediately to the west of the Project Site.

### C. Site Plan

The Permittee proposes the construction of a 2,740-square-foot single-family residence, a 400-square-foot detached garage, and a 322-square-foot carport on the central portion of the 0.72-acre Project Site. The one-story residence would have a maximum height of 18 feet above grade, and a total of 1,900 cubic yards of earth (1,500 cubic yards cut, 400 cubic yards fill, and 900 cubic yards export) would be graded. The Project would also include landscaping, a new OWTS, retaining walls, a site for a future swimming pool, and other appurtenant facilities on a total building site of approximately 7,840 square feet. The Cold Creek-Dark Canyon riparian zone, which is designated as H1 Habitat within the LUP, is located across Piuma Road to the south. While the entirety of the Project Site is mapped as H3 Habitat, the majority is within 200 feet of this H1 Habitat, which places it within the H1 Habitat Buffer or the H1 Quiet Zone. The proposed residence’s location is on the relatively level central portion of the Project Site within the H1 Quiet Zone. The proposed residence would be accessed by a 100-foot-long, 20-foot-wide paved driveway to Piuma Road to the south. Grading, fuel modification, landscaping, a portion of the driveway, and OWTS seepage pits would be located within the H1 Habitat Buffer.

8. **CEQA DETERMINATION.** The Project qualifies for a Categorical Exemption (Class 3 - New Construction or Conversion of Small Structures and Class 4 - Minor Alterations to Land) under the California Environmental Quality Act (CEQA) and the County environmental guidelines.

Pursuant to Section 15303 of the State CEQA Guidelines, the Class 3 Categorical Exemption includes a single-family residence, accessory structures, and associated infrastructure. The Project qualifies for a Class 3 Categorical Exemption because the Project includes a proposal to construct a new single-family residence, a garage, associated infrastructure, an access driveway, and retaining walls.

Pursuant to Section 15304(i) of the State CEQA Guidelines, the Class 4 Categorical Exemption includes alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry and agricultural purposes. Pursuant to the County Environmental Document Reporting Procedures and Guidelines, the Class 4 Categorical Exemption includes grading on land of less than 10 percent slope which is associated with one single-family residence and accessory uses. The Project qualifies for a Class 4 Categorical Exemption because the Project includes 1,900 cubic yards of grading, new landscaping, driveway construction, and fuel management activities associated with the construction of a new single-family residence.

Section 15300.2 of the State CEQA Guidelines discusses how projects located within particularly sensitive environments may have a significant impact on the environment and are therefore not eligible for certain CEQA exemptions, including the Class 3 and Class 4 Categorical Exemptions mentioned above. Exceptions to the exemptions include project impacts to an environmental resource of hazardous or critical concern where officially designated, precisely mapped, and adopted pursuant to law by federal, state, or local agencies. Exceptions to the exemptions also apply where a project may result in damage to scenic resources or where a project includes activities that will have a significant effect on the environment due to unusual circumstances. Additionally, an exception to the exemption applies where a project may result in damage to scenic resources. However, the proposed Project is not subject to an exception to the CEQA exemptions as the biological inventory and environmental assessment of the area of project disturbance do not indicate the presence of sensitive biological resources that would be impacted by implementation and operation of the Project, as described in detail below.

The applicant completed a biological assessment that was reviewed by the Staff Biologist and the ERB. The Staff Biologist conducted a site visit and confirmed that the property was appropriately mapped and agreed with the contents of the biological assessment. The biological assessment determined that the Project Site does not contain any environmental resources of hazardous or critical concern; does not contain any plants or animals listed as federal, state, or locally sensitive designation; and is not considered a particularly sensitive environment. The Project is located within an H3 Habitat, which according to the LIP, includes native vegetation communities that have been significantly disturbed or removed as part of lawfully established

development and fuel modification areas around existing development. The area subject to the Project's fuel modification is H3 Habitat and the proposed building site area is within H3 Habitat only. The Project, with a maximum height of 18 feet above grade, is not expected to impact scenic resources such as the designated scenic highway. It is also not likely to have a cumulative or significant effect on the environment, as it consists of one single-family residence in an area with existing development, and no hazardous waste sites or historic resources would be affected. Therefore, the Project is categorically exempt from CEQA.

9. **PUBLIC COMMENTS.** Los Angeles County Department of Regional Planning ("LA County Planning") Staff ("Staff") received several letters from the public opposing the Project. Issues raised include the Project Site being a particularly sensitive location for the community, as it is a corner parcel visible from many directions, and the fact that there is an ongoing lawsuit between the Applicant and the Monte Nido Homeowners Association. This lawsuit pertains to an alleged past agreement to prohibit development of a single-family residence on the Project Site. However, Staff has determined that this is a separate civil issue and no existing conditions of approval prevent the Project Site from being developed with a single-family residence.

**10. AGENCY RECOMMENDATIONS.**

- A. County Fire Department ("Fire Department"): Recommended clearance to public hearing with no conditions on November 10, 2020. This clearance was issued through the County's electronic permit tracking system, EPIC-LA.
- B. County Department of Parks & Recreation: Recommended clearance to public hearing with no conditions on November 17, 2020. This clearance was issued through the County's electronic permit tracking system, EPIC-LA. No letter was provided.
- C. County Department of Public Health: Recommended clearance to public hearing with no conditions in a letter dated November 15, 2021.
- D. County Department of Public Works ("Public Works"): Recommended clearance to public hearing with conditions in a letter dated March 20, 2021. The Public Works conditions regarding on-site drainage and low-impact development features have been included within the Project's conditions of approval.
- E. County Environmental Review Board ("ERB"): Recommended clearance to public hearing with conditions at a meeting held on March 21, 2022. The ERB conditions have been included within the Project's conditions of approval.

11. **LEGAL NOTIFICATION.** The Hearing Officer finds that pursuant to County Code Section 22.44.990 of the County Code, the community was properly notified of the public hearing by mail, newspaper (*Malibu Times*), and property posting. Additionally, the Project was properly noticed and case materials were available on LA County Planning's website. On May 8, 2025, a total of 46 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a

1,000-foot radius from the Project Site, as well as 23 notices to those on the courtesy mailing list for The Malibu Zoned District and additional interested parties.

### **GENERAL PLAN CONSISTENCY FINDINGS**

12. **LAND USE POLICY.** The Hearing Officer finds that the Project is consistent with the goals and policies of the LUP because the Rural Village land use designation is intended for single-family residential uses on small lots. A single-family residence is permitted under this designation.
13. **GOALS AND POLICIES.** The Hearing Officer finds that the Project is consistent with the following policies of the LUP:

*Conservation & Open Space Element  
Policy CO-108:*

*Site and design new development to minimize the amount of grading and the alteration of natural landforms.*

*Policy CO-109:*

*Site and design new development to protect natural features and minimize removal of natural vegetation.*

The Project would utilize a portion of the Project Site that was previously graded as part of a Tract Map No. 45168 in 1990. This will avoid the need to remove native vegetation and grade large amounts of earth. Its location would be the maximum feasible distance from the existing riparian corridor, which would also result in a more harmonious design with surrounding landforms by preserving these areas in a more natural state.

*Conservation & Open Space Element  
Policy CO-110:*

*The height of structures shall be limited to minimize impacts to scenic resources.*

*Policy CO-131:*

*Site and design new development to minimize adverse impacts on scenic resources to the maximum extent feasible. If there is no feasible building site location on the proposed project site where development would not be visible, then the development shall be sited and designed to minimize impacts on scenic areas through measures that may include, but not be limited to, siting development in the least visible portion of the site, breaking up the mass of new structures, designing structures to blend into the natural hillside setting, restricting the building maximum size, reducing maximum height, clustering development, minimizing grading, incorporating landscape and building material screening elements, and where appropriate, berming.*

*Land Use Element  
Policy LU-33:*

*Require that new development be compatible with the rural character of the area and the surrounding natural environment.*

*Policy LU-38:*

*Limit structure heights to ensure protection of scenic resources and compatibility with surrounding settings.*

The Project Site is visible from Piuma Road, a designated scenic route, and is therefore located in a Scenic Resource Area (“SRA”). The maximum height within an SRA in the Santa Monica Mountains Coastal Zone is 18 feet above grade, which is the maximum height of the proposed residence. The 18-foot-tall design is appropriate for the Project Site, as it minimizes the viewshed disturbance and is shorter than most other residences in the immediate vicinity. The majority of the other residences in the immediate vicinity are two stories. The Project would also comply with the LIP limitations on building site area and gross structural area (“GSA”).

**ZONING CODE CONSISTENCY FINDINGS**

14. **PERMITTED USE IN ZONE.** The Hearing Officer finds that the Project is consistent with the R-C-1 zoning classification as a single-family residence is a principal permitted use in such zone with an Administrative CDP pursuant to County Code Section 22.44.1750. County Code Section 22.44.1620 requires a Minor CDP for projects proposing between 50 and 5,000 cubic yards of grading. Since the Project proposes 1,900 cubic yards of grading, a Minor CDP is required instead of an Administrative CDP.
15. **REQUIRED YARDS.** The Hearing Officer finds that the Project is consistent with the standards identified in County Code Section 22.44.1750, as the Project would meet all required setback standards.
16. **HEIGHT.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.44.2040. The maximum height for a single-family residence within an SRA in the Santa Monica Mountains Coastal Zone is 18 feet above grade, which is the maximum height of the proposed single-family residence.
17. **COLORS/MATERIALS.** The Hearing Officer finds that the Project would utilize construction materials that are appropriate for the surrounding area. Roofing materials are not glossy or reflective, and siding materials, including wood, stucco, and concrete, would utilize earth tones and no bright or white colors pursuant to County Code Section 22.44.1320.
18. **BIOLOGICAL RESOURCES.** The Hearing Officer finds that the Project is consistent with the biological resources requirements of County Code Section 22.44.1800. et. seq. The Permittee’s biological assessment was reviewed by the Staff Biologist and the ERB, who found the Project, with modifications, to be consistent with local biological resources. These modifications included retaining a biological monitor, a best management practices plan, screening the Project Site and staking the grading limits, preparing surveys and restoration plans for nesting birds, bats, and native trees, and runoff control measures. At its meeting on March 21, 2022, the ERB found that the Project, as modified, would not have an impact on biological resources. All of the



ERB's recommended modifications have been included within the Project's conditions of approval.

19. **GRADING REQUIREMENTS.** The Hearing Officer finds that the Project is consistent with the applicable grading requirements identified in County Code Section 22.44.1260. The Project is proposing 51,900 cubic yards of grading (1,500 cubic yards cut, 400 cubic yards fill, and 900 cubic yards export). The Project is consistent with the applicable grading requirements because grading, including recompaction of the underlying unstable pad, would occur mostly within a level, previously graded area, and the Project is appropriately conditioned to prohibit grading during the rainy season, defined as October 15 of any year through April 15 of the subsequent year.
20. **EXTERIOR LIGHTING.** The Hearing Officer finds that the Project is consistent with the applicable exterior lighting requirements identified in County Code Section 22.44.1270. The Project is proposing minimal outdoor lighting that would be appropriately shielded per LIP standards. The Project is appropriately conditioned so that all exterior lighting remains consistent with County Code Section 22.44.1270.
21. **PARKING.** The Hearing Officer finds that the Project is consistent with the standard identified for development in a Rural Village (County Code Section 22.44.2140), as two covered and two uncovered parking spaces are required. The Project would provide two covered parking spaces in a detached garage and two additional covered parking spaces in a carport.
22. **FENCES AND WALLS.** The Hearing Officer finds that the Project is consistent with the standards identified in County Code Section 22.44.1310. Fences in the Santa Monica Mountains Coastal Zone must be wildlife-permeable unless they are within Fuel Modification Zone "A," which typically extends 20 feet from habitable structures. The only fencing proposed for the Project Site would be within this zone. Retaining walls do not exceed six feet above finished grade, which is the maximum allowed within an SRA in the Santa Monica Mountains Coastal Zone per County Code Section 22.44.2040 A.11.c.
23. **GROSS STRUCTURAL AREA.** The Hearing Officer finds that the Project is consistent with the standards identified in County Code Section 22.44.2140. Because the Project Site is located within a Rural Village, there is a maximum GSA that is calculated based on building site and average slope. The maximum allowed GSA for the residence is 2,740 square feet. The Project GSA of 2,740 square feet—which excludes the 400-square-foot garage and open carport—is the maximum allowed under this standard.
24. **HABITAT CATEGORIES.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.44.1920. The Project Site is designated as H3 Habitat by the LUP. While all development would occur within H3 Habitat, the majority would be located within the H1 Quiet Zone and the H1 Habitat Buffer Zone. The Project would result in no direct development or new fuel modification within the H1 Habitat, as the entire Project Site is within the existing fuel modification zones of adjacent residences. As a result, the County's Resource Conservation

Program does not require the calculation of a habitat impact fee (County Code Section 22.44.1950).

While the Project would be entirely within H3 Habitat, the residence is proposed within the H1 Quiet Zone and some ancillary development, such as grading, landscaping, an OWTS, and a portion of the driveway, are proposed within the H1 Habitat Buffer. Per the requirements of the LIP, residential development may only be permitted within an H1 Quiet Zone or H1 Habitat Buffer when all of the following apply:

- a. The Project Site is on a lawfully created parcel;
- b. The development is the minimum necessary to provide the landowner a reasonable economic use of the property, and in no case shall it exceed the maximum standards provided in County Code Sections 22.44.1910 and 22.44.1920;
- c. There is no other feasible alternative building site location that can avoid the H1 Habitat Buffer or H1 Quiet Zone;
- d. The maximum feasible buffer width is provided between the development and the H1 Habitat area;
- e. The development is sited and designed to prevent impacts that would significantly degrade H1 Habitat, and;
- f. All feasible mitigation measures have been provided to minimize adverse environmental effects.

The proposed access driveway would be located within the H1 Habitat Buffer and the H1 Quiet Zone. This location was mandated by the existing site topography and road conditions. Any driveway accessing the Project Site from Cold Canyon Road to the west, instead of a driveway accessing the Project Site from Piuma Road to the south would have a steeper grade than what would be allowed by the Fire Department and would also result in an inadequate line-of-sight that would not be approved by Public Works.

Approximately two-thirds of the proposed residence would be located within the H1 Quiet Zone. However, the proposed location is the most appropriate site for development. The 2,740-square-foot residence is an appropriate size for the lot and the neighboring area. While, in theory, it could be relocated so that a greater portion would be outside of the H1 Quiet Zone, this would result in a longer driveway, which would necessitate construction of a Fire Department turnaround. A longer driveway and a Fire Department turnaround would increase the amount of impervious surface on the Project Site. In addition, because of the Project Site's shape, the residence would have to be placed further to the west to avoid encroaching into the required 15-foot rear-yard setback. Placing the residence further to the west would result in significantly more grading, as a larger volume of fill would be needed to level the continuously decreasing elevation on this portion of the Project Site. Although these changes would relocate a greater portion of the residence outside the H1 Quiet Zone, they would result in a relatively insignificant benefit to H1 Habitat, as two other residences and a busy public road are located closer to the H1 Habitat area than the Project.

The seepage pit must be located within the H1 Quiet Zone to the south of the residence because this was the only location that allows for percolation and also avoids encroaching within 50 feet of native trees or 150 feet of the stream, which is prohibited in the LIP pursuant to County Code Section 22.44.1340. Required mitigation measures would also minimize environmental effects to H1 Habitat. These measures include retaining a biological monitor, a best management practices plan, screening of the Project Site and staking of grading limits, preparing surveys and restoration plans for nesting birds and native trees, and runoff control measures.

25. **OWTS STANDARDS.** The Hearing Officer finds that the Project is consistent with the standards identified in County Code Section 22.44.1340, which prohibits OWTS leach fields or seepage pits within 50 feet of the dripline of any oak or other native tree. Leach fields and seepage pits must also be 100 feet and 150 feet, respectively, from any stream. The Project's proposed seepage pit would meet these standards, as it is located on southern portion of the Project Site, more than 50 feet from all oaks and 150 feet from the stream to the south.

26. **SIGNIFICANT RIDGELINE.** The Hearing Officer finds that the Project is consistent with the standards identified in County Code Section 22.44.2040. The Project Site is not located within 50 feet (vertical or horizontal) of a designated Significant Ridgeline.

#### **COASTAL DEVELOPMENT PERMIT FINDINGS**

27. **The Hearing Officer finds that the proposed development is in conformity with the certified local coastal program.** As proposed, the Project would comply with all applicable development standards for residences in the Santa Monica Mountains Local Coastal Program, which includes the LUP and LIP, including those standards related to permitted uses, OWTS, building site area, habitat categories, and height restrictions.

28. **The Hearing Officer finds that any development located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone, is in conformity with the public access and public recreation policies of Chapter 3 of Division 20 of the Public Resources Code.** The Project Site is not located between the ocean and the nearest public road, so coastal access requirements are not applicable.

#### **ENVIRONMENTAL FINDINGS**

29. The Hearing Officer finds that the Project is exempt from CEQA pursuant to State CEQA Guidelines sections 15303 (Class 3, New Construction or Conversion of Small Structures Categorical Exemption) and 15304 (Class 4, Minor Alterations to Land Categorical Exemption). The Class 3 Categorical Exemption specifically pertains to a single-family residence and its appurtenant structures, while the Class 4 Categorical Exemption specifically refers to grading, and vegetation removal proposed as part of the Project.

**ADMINISTRATIVE FINDINGS**

**30. LOCATION OF DOCUMENTS.** 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 at LA County 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 Coastal Development Services Section, LA County Planning.

**BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:**

- A. The proposed development is in conformity with the certified local coastal program.
- B. Any development located between the nearest public road and the sea or shoreline of any body of water located within the coastal zone, is in conformity with the public access and public recreation policies of Chapter 3 of Division 20 of the Public Resources Code.

**THEREFORE, THE HEARING OFFICER:**

- 1. Finds that the Project is exempt from CEQA pursuant to State CEQA Guidelines sections 15303 (Class 3, Construction or Conversion of Small Structures) and 15304 (Class 4, Minor Alterations to Land) Categorical Exemptions; and
- 2. Approves **MINOR COASTAL DEVELOPMENT PERMIT NO. RPPL2020006315**, subject to the attached conditions.

**ACTION DATE: June 24, 2025**

RG:TM  
06/25/25

c: Zoning Enforcement, Building and Safety

**LOS ANGELES COUNTY  
DEPARTMENT OF REGIONAL PLANNING**

**CONDITIONS OF APPROVAL  
PROJECT NO. PRJ2020-002005-(3)  
MINOR COASTAL DEVELOPMENT PERMIT NO. RPPL2020006315**

**PROJECT DESCRIPTION**

The project is a Minor Coastal Development Permit ("CDP") to construct a new 2,740-square-foot single-family residence located on a 0.72-acre property in the Santa Monica Mountains Coastal Zone subject to the following conditions of approval:

**GENERAL CONDITIONS**

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("LA County Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 9. Notwithstanding the foregoing, this Condition No. 2 and Conditions No. 4, 5, and 8 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to County Code Section 22.44.1090.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing make an initial deposit with LA County Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in LA County Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. No provision of any easement of any other encumbrance on the property shall exempt the permittee and/or property owner from compliance with these conditions and applicable regulations. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$456.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate LA County Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **one inspection after three years have elapsed**. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse LA County Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$456.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

10. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to County Code Sections 22.44.1130 and/or 22.44.1140.
11. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the County Fire Department ("Fire Department").
12. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works ("Public Works") to the satisfaction of said department.
13. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
14. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, **one (1) digital copy of a modified Exhibit "A" shall be submitted to LA County Planning by August 25, 2025.**
15. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **one (1) digital copy of** the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.

#### **PROJECT SITE-SPECIFIC CONDITIONS**

16. The Gross Structural Area ("GSA"), as defined in County Code Section 22.44.2140, shall be limited to an area no greater than 2,740 square feet. Any increase in GSA shall require an open space easement dedication or an open space deed restriction and transfer in fee title to a public entity, per the requirements of the above County Code Section, or by an alternative mechanism allowed by the Local Implementation Program in place at the time.
17. Prior to issuance of a building permit, the permittee shall submit a grading/drainage plan to Public Works' Building and Safety Division (Calabasas/Malibu District Office), for review and approval. The grading plans shall show the construction of all drainage devices and details; paved driveways; elevation and drainage of all pads, retaining walls, water-quality devices, and Low Impact Development features; and all existing

easements. All proposed structures shall comply with the County Building, Residential, and Green Building Standards codes to the satisfaction of Public Works.

18. The exterior colors of all structures shall be earth-toned and shall not include bright or white tones. No glossy or reflective materials are permitted for exterior construction, other than glass, which shall be the least reflective variety available.
19. Prior to approval of the Exhibit "A," a Permanent Runoff Control/Drainage Plan shall be prepared by the permittee and approved by LA County Planning. The plan shall depict proposed site design and source control best management practices to minimize post-construction runoff and infiltrate, at a minimum, the first 0.75 inches of stormwater. The plan shall also show all proposed drainage improvements, such as locations of infiltration basins, measures to convey runoff from impervious surfaces into permeable areas of the property (e.g. rain gardens or bioswales) in a non-erosive manner, measures to maximize the ability of native substrates to retain and infiltrate runoff, and placement of cisterns or rain barrels for stormwater capture.
20. During fuel modification, the permittee shall retain as many non-sprouting species as possible. Such species usually have a single trunk, which shall not be cut off in pruning, as this results in the death of the plant. The permittee shall utilize multiple-trunked, resprouting species for removal over non-sprouters. The remaining multi-trunked shrubs shall be pruned in a staggered, clumped pattern on an alternating schedule, allowing two to three years between prunings for any one clump. Re-sprouting species can be pruned to near ground level. Locally indigenous plants thinned for fuel modification shall be chipped up and used as native plant mulch. Disking and indiscriminate clearing is prohibited in any fuel modification zone. During the removal of fuel ladders from trees, lower branches shall be pruned up to one-third of tree height for trees less than 18 feet tall, or up to six feet maximum for trees 18 feet and taller.
21. Exterior lighting shall comply with the provisions of County Code Section 22.44.1270 in order to avoid light trespass.
22. Prior to the issuance of a grading permit, a qualified biologist shall be retained by the applicant as the lead biological monitor subject to the approval of the Director. That person shall ensure that impacts to all biological resources are minimized or avoided and shall conduct (or supervise) pre-grading field surveys for species that may be avoided, affected, or eliminated as a result of grading or any other site preparation activities. The lead biological monitor shall ensure that all surveys are conducted by qualified personnel (e.g., avian biologists for bird surveys, herpetologists for reptile surveys, etc.) and that they possess all necessary permits and memoranda of understanding with the appropriate agencies for the handling of potentially-occurring special-status species. The lead biological monitor shall also ensure that daily monitoring reports (e.g., survey results, protective actions, results of protective actions, adaptive measures, etc.) are prepared, and shall make these monitoring reports available to LA County Planning and the California Department of Fish and Wildlife ("CDFW") at their request.



23. The permittee shall delineate the proposed grading limits of the building site or the extents of the proposed development area, whichever is greater, the driveway, and the extents of the fuel modification zones before any of the measures outlined below are implemented. The contractor shall not remove any native vegetation during staking and shall set the stakes so that they are clearly visible. The locations of the stakes within the fuel modification zones shall be recorded using GPS and provided to the biological monitor.
24. Initial staging, grubbing, grading, and construction shall be scheduled to occur outside the nesting season of birds as defined by the CDFW, if feasible. Regardless of timing, breeding bird surveys shall be conducted before any activities are scheduled to occur and before installation of any protective fencing (see below), as follows:
  - a. If initial grubbing, grading, and construction activities are scheduled to occur outside CDFW's defined nesting season (generally February 1 - August 31), a qualified biologist with experience in conducting breeding bird surveys in the Santa Monica Mountains shall conduct a survey within seven days prior to, and again within three days prior to, the date that activities are scheduled to begin. The biologist shall focus efforts within the grading area, development area, the fuel modification zones, the driveway area, and areas within 50 feet of them. The biologist shall also survey 300 feet beyond these areas, as access allows.
  - b. If avoidance of the avian breeding season is not feasible, a qualified biologist with experience in conducting breeding bird surveys in the Santa Monica Mountains shall conduct weekly bird surveys beginning 30 days prior to the initiation of project activities, to detect protected native birds occurring in suitable nesting habitat that is to be disturbed and (as access to adjacent areas allows) any other such habitat within 500 feet of the disturbance area. The surveys shall continue on a weekly basis with the last survey being conducted no more than three days prior to the initiation of project activities. If a protected native bird is found in suitable nesting habitat, all project activities within 300 feet of on- and off-site suitable nesting habitat, or within 500 feet of suitable raptor nesting habitat, may be delayed until August 31. Alternatively, the qualified biologist may continue the surveys in order to locate any active nests. If the biologist determines that there are active nests within or adjacent these areas, they should establish appropriate buffer zones, as defined in "c" below.
  - c. If an active nest is found, regardless of time of year, project activities within 300 feet of the nest, or within 500 feet of raptor nests, or as determined by a qualified biological monitor, shall be postponed until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting. Flagging, stakes, or construction fencing shall be used to demarcate the inside boundary of the buffer of 300 feet (or 500 feet) between the project activities and the nest. Project personnel, including all contractors working on site, shall be instructed on the sensitivity of the area.
  - d. The qualified biologist shall provide the Director with a brief report summarizing the results of the surveys, as well as a description and assessment of

implemented protective measures described above to document compliance with applicable state and federal laws pertaining to the protection of native birds.

- e. If the qualified biologist determines that a narrower buffer between the project activities and observed active nests is warranted, they shall submit a written explanation as to why (e.g., species-specific information; ambient conditions and birds' habituation to them; and the terrain, vegetation, and birds' lines of sight between the project activities and the nest and foraging areas) to LA County Planning and CDFW. Based on the submitted information, the Director (in consultation with CDFW) will determine whether to allow a narrower buffer. In circumstances when activities are scheduled to occur between an original buffer and a reduced buffer, a qualified biologist shall monitor the nest before, during, and after the activities, to determine if it is being affected.
    - i. The only activities that shall be allowed between the original buffer and the reduced buffer are those that generate noise levels less than 60 dBA as measured at the resource. The biologist shall record noise levels every hour and must have the authority to stop any activities that exceed 60 dBA if they determine that it is affecting, or has the potential to affect, the outcome of a nest.
    - ii. The biologist shall send weekly monitoring reports to LA County Planning and, upon request, to CDFW, documenting the status of monitored nests, and shall notify LA County Planning immediately if project activities damage active avian nests.
25. Temporary wildlife fencing shall be utilized to reduce the potential for wildlife being harmed by, or moving into, the work site. The project proponent's contractor shall delineate the grading/approved development area and shall fence the area in its entirety with green screen before beginning removal of any vegetation, as follows:
- a. To install the screen, laborers will remove a five-foot strip of vegetation at the limits of the grading limits/development area using hand-held tools to allow wildlife, including special status species, a chance to escape and reduce the potential of them being crushed by heavy machinery.
  - b. The green screen shall be partially buried, or fitted with silt fence that is partially buried, in a manner that reduces the potential for wildlife moving back in.
  - c. Laborers installing the fence shall remain within the cut areas and any paths leading to it.
  - d. A biologist shall monitor fence installation so that they can capture and relocate wildlife as necessary, and to ensure that no protected trees or special status plants are impacted during installation.
  - e. The biologist shall hold a CDFW Scientific Collectors Permit authorizing handling of invertebrates, reptiles, amphibians, and mammals.

- f. A gated entrance shall allow ingress and egress. The gates shall remain open until after the project biologist conducts a pre-construction survey and shall be closed only after vegetation is cleared from within the fenced area (see below).
26. A pre-construction biological resources survey shall be conducted within the area that is screened and within areas adjacent to the driveway on the day after screening.
- a. The permittee shall plan to remove vegetation from within the screened area no more than one day after completion of the pre-construction biological resources survey.
  - b. Laborers shall use handheld tools to remove the vegetation. Using handheld tools will allow wildlife, including special-status species, a chance to escape and reduce the potential of them being crushed by heavy machinery.
  - c. A biologist shall monitor vegetation removal to capture and relocate wildlife as necessary. The biologist shall hold a CDFW Scientific Collectors Permit authorizing handling of invertebrates, reptiles, amphibians, and mammals.
27. Initial grubbing and grading shall occur three to seven days after vegetation has been cleared from the proposed development area/grading limits. The delay between vegetation clearance and the grubbing and grading activities allows wildlife, including special-status species, a chance to escape and reduces the potential of them being crushed by heavy machinery. A biologist shall monitor grubbing and grading to capture and relocate wildlife as necessary. The biologist shall hold a CDFW Scientific Collectors Permit authorizing handling of invertebrates, reptiles, amphibians, and mammals.
28. Fuel modification shall occur on the Project Site after or concurrently with the construction phase of the proposed project, as directed by the Fire Department.
- a. A qualified biologist shall implement the Nesting Bird Survey & Protection Plan before fuel modification occurs.
  - b. A qualified biologist shall be present during initial fuel modification activities and shall stake the limits of fuel modification and flag any areas or plants to be excluded from fuel modifications. The stakes shall remain in place until after fuel modification activities have been completed.
  - c. A qualified biologist shall be present during initial fuel modification activities to ensure that no protected trees or special-status species are damaged by the fuel modification activities.
29. Any future development on the subject property or improvements to the approved development shall require a CDP amendment or new CDP. Prior to final approval, the permittee shall provide evidence of the recordation of a deed restriction against the property, free of prior liens, including tax liens and encumbrances which the Director determines may affect the interest being conveyed. The Director shall approve the text of the deed restriction reflecting this future improvement restriction. The deed

restriction shall apply to the entirety of the Project Site, and shall insure that any future structures, future improvements, or change of use to the permitted structures authorized by the CDP, including but not limited to, any grading, clearing or other disturbance of vegetation, shall require the approval of an amendment to the CDP or the approval of an additional CDP, and that the exemptions otherwise provided in subsections A.1 or A.2 of County Code Section 22.44.820 shall not apply. The permittee shall provide evidence that the deed restriction appears on a preliminary report issued by a licensed title insurance company for the Project Site.

30. Per County Code Section 22.44.1260 F, grading shall be prohibited during the rainy season, defined as October 15 of any year through April 15 of the subsequent year.