

May 8, 2025

Isaac Zachary
3961 Bon Homme Rd.
Calabasas, CA 91302

PROJECT NO. 2019-000010-(3)
MINOR COASTAL DEVELOPMENT PERMIT NOS. RPPL2019000016, RPPL2019000017, RPPL2019000018,
AND RPPL2019000019; ENVIRONMENTAL ASSESSMENT NO. RPPL2023001199
24937 MULHOLLAND HIGHWAY (APN 4455-019-044, 4455-019-045, 4455-019-046, 4455-019-047)

Dear Applicant:

Hearing Officer Mark Herwick, by his action of **May 6, 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 **May 20, 2025**. Appeals must be submitted to 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. Isaac Zachary
May 8, 2025
Page 2

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

Rob Glaser

Robert Glaser, Supervising Regional Planner
Coastal Development Services Section

RG:TM

Enclosures: Findings (four sets), Conditions of Approval (four sets), Affidavit of Acceptance (Permittee's Completion) (four sets), Mitigation Monitoring and Reporting Program, Notice of Determination

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. 2019-000010-(3)
MINOR COASTAL DEVELOPMENT PERMIT NO. RPPL2019000016
ENVIRONMENTAL ASSESSMENT NO. RPPL2023001199**

RECITALS

1. **HEARING DATE(S).** The Los Angeles County ("County") Hearing Officer conducted a duly noticed public hearing on May 6, 2025 in the matter of Project No. 2019-000010-(3), consisting of Minor Coastal Development Permit No. RPPL2019000016 ("Minor CDP") and Environmental Assessment No. RPPL2023001199. Environmental Assessment No. RPPL2023001199 is also related to Minor CDP Nos. RPPL2019000017, RPPL2019000018, and RPPL2019000019.
2. **HEARING PROCEEDINGS.** A duly noticed public hearing was scheduled before the Hearing Officer on May 28, 2024. The item was subsequently continued, without the public hearing being opened, to June 25, 2024, August 20, 2024, September 17, 2024, October 15, 2024, January 21, 2025, March 18, 2025, and May 6, 2025. On May 6, 2025, the public hearing was opened, and Department of Regional Planning Staff gave a presentation recommending approval. Public testimony was given both for and against the project. The Hearing Officer subsequently closed the public hearing and approved the project.
3. **ENTITLEMENT(S) REQUESTED.** The permittee, Isaac Zachary ("Permittee"), requests a Minor CDP to construct a new 4,114-square-foot single-family residence, a 451-square-foot attached garage, a swimming pool, and an onsite wastewater treatment system (OWTS) with 4,338 cubic yards of grading ("Project") on a 1.0-acre property—also referred to as "Lot 1"—located at 24937 Mulholland Highway, unincorporated Calabasas, in the Santa Monica Mountains Coastal Zone ("Project Site"). Development would encroach into the protected zones of three on-site oak trees. As part of the Project, on-site habitat will be remapped as recommended by the Environmental Review Board ("ERB"), resulting in approximately 0.5 acres of H3 Habitat and 0.5 acres of H2 Habitat.
4. **ENTITLEMENT(S) REQUIRED.** The Minor CDP is a request to construct a new single-family residence and improvements, including a new OWTS, in the R-C-20 (Rural Coastal—20 Acre Minimum Required Lot Area) Zone pursuant to County Code Section 22.44.810. Per the requirements of the Santa Monica Mountains Local Implementation Program ("LIP"), a Minor CDP is required for any project that results in grading of between 50 and 5,000 cubic yards of earth (County Code Section 22.44.1260). A Minor CDP is also required for any project that removes or encroaches into the protected zone of an oak tree (County Code Section 22.44.950). Thus, a Minor CDP is required because the Project proposes 4,338 cubic yards of grading (2,169

cubic yards cut and 2,169 cubic yards fill) and encroaches into the protected zones of three oak trees.

5. **PREVIOUS ENTITLEMENT(S).** The existing parcel and paved driveway were authorized by Parcel Map 10857 and CDP P-80-6480 in 1981.
6. **LAND USE DESIGNATION.** The Project Site is located within the Rural Land 20 (1 dwelling unit per 20 acres) land use designation of the Santa Monica Mountains Local Coastal Program Land Use Policy Map, which is a component of the Santa Monica Mountains Local Coastal Program Land Use Plan ("LUP").
7. **ZONING.** The Project Site is located in the Malibu Zoned District and is currently zoned R-C-20. Pursuant to County Code Section 22.44.1750, a single-family residence and its accessory structures are the principal permitted use within the R-C Zone.
8. **PROJECT AND SITE PLAN DESCRIPTION.**

A. Existing Site Conditions

The 1.0-acre Project Site consists of terrain sloping gently upward from south to north. An existing 20-foot-wide paved driveway is located on its eastern boundary, accessing Mulholland Highway approximately 165 feet to the south. After site-specific surveys by the Permittee's biologist and the County Department of Regional Planning ("LA County Planning") Staff Biologist ("Staff Biologist"), the ERB recommended that the on-site habitat be remapped, which would result in approximately 0.5 acres of H3 Habitat, consisting of native and non-native grasses on the eastern portion of the Project Site, and 0.5 acres of H2 Habitat, consisting of chaparral. The eastern portion of the Project Site is subject to annual brush clearance and mowing activities due to the presence of existing single-family residences to the east. A small area of oak woodland is located on the eastern portion of the Project Site, within H3 Habitat.

B. Site Access

The Project Site is accessed by a 20-foot-wide, 165-foot-long shared paved driveway to Mulholland Highway, a 100-foot-wide public parkway (35-foot-wide paved width) and designated scenic highway to the south.

C. Site Plan

The Permittee proposes construction of a new 4,114-square-foot single-family residence with a 451-square-foot attached garage. The residence would be located on the eastern portion of a 1.0-acre Project Site in the Santa Monica Mountains Coastal Zone and would have a maximum height of 18 feet above grade. A new OWTS would be located to the southwest of the residence. An existing 20-foot-wide, 165-foot-long paved driveway provides access to the Project Site along its eastern boundary. Landscaping and hardscaping are proposed, including a swimming pool to the south of the residence, as well as the removal of an existing chain-link fence from the western boundary of the Project Site. The Project would

result in a total building site of 9,983 square feet and 4,338 cubic yards of grading (2,169 cubic yards cut and 2,169 cubic yards fill, balanced on site) due to the need for removal and recompaction of the underlying soil. The Project would result in encroachments into the protected zones of three oak trees on the eastern portion of the Project Site. In accordance with the ERB's recommended remapping, the proposed development and all fuel modification areas are completely located within H3 and H2 Habitats.

9. **PUBLIC COMMENTS.** Staff has received four letters of opposition to the Project. The letters cite multiple reasons for their opposition, including increased fire risk, harm to biological resources, visual impacts, incompatible architecture, inadequate plans for mitigation tree planting, the potential for higher local insurance rates or cancelled policies, and that four dwelling units on the Project Site is an inappropriate density.

10. **AGENCY RECOMMENDATIONS.**

- A. The Department of Parks and Recreation, in a letter dated July 11, 2019, recommended that the Project proceed to a public hearing without conditions.
- B. The Department of Public Health, in a letter dated July 29, 2019, recommended that the Project proceed to a public hearing with specific conditions regarding provision of water purveyor will-serve letters and non-conventional OWTS covenants. These have been included as conditions of approval.
- C. The County Fire Department, in a letter dated July 31, 2019, recommended that the Project proceed to a public hearing with a specific condition requiring approval of all plans by the Fire Department Engineering Unit. This has been included as a condition of approval.
- D. The Department of Public Works, in a letter dated July 31, 2019, recommended that the Project proceed to a public hearing with specific conditions regarding on-site grading and drainage, low-impact development features, and the provision of permits or letters of non-jurisdiction letters from all applicable State and Federal agencies. These have been included as conditions of approval.

11. **LEGAL NOTIFICATION.** The Hearing Officer finds that pursuant to County Code Section 22.44.990, the community was properly notified of the public hearing by mail, newspaper (*Malibu Times*), and property posting. Additionally, the Project was noticed, and case materials were made available on LA County Planning's website. On April 18, 2024, a total of 57 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 21 to those on the courtesy mailing list for the Santa Monica Mountains Planning Area and to any additional interested parties. In addition, story poles indicating the elevation of all parts of the structure were erected on the Project Site on April 22, 2024, pursuant to the LIP requirements (County Code Section 22.44.1440).

12. CEQA DETERMINATION.

Prior to the Hearing Officer's public hearing on the Project, an Initial Study was prepared for the 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 for the County. Based on the Initial Study, LA County Planning Staff determined that a Mitigated Negative Declaration ("MND") was the appropriate environmental document for the Project. The mitigation measures necessary to ensure the Project will not have a significant effect on the environment are contained in the Mitigation Monitoring and Reporting Program ("MMRP") prepared for the Project and three other projects on three adjoining parcels.

GENERAL PLAN CONSISTENCY FINDINGS

13. LAND USE POLICY. The Hearing Officer finds that the Project is consistent with the goals and policies of the LUP because the Rural Land 20 (1 dwelling unit per 20 acres) land use designation is intended for appropriately sized single-family residential uses on large lots. A single-family residence is permitted under this designation.

14. GOALS AND POLICIES. The Hearing Officer finds that the Project would be consistent with the following policies of the LUP:

*Conservation and 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 much of the existing cleared portion of the Project Site immediately adjacent to the paved access driveway. This will lessen the need to disturb natural vegetation and landforms on the western portion of the Project Site with direct development. No H1 Habitat, H1 Habitat Buffer, or H1 Habitat Quiet Zone would be impacted as part of the Project.

*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 Mulholland Highway and thus is located in a Scenic Resource Area ("SRA"). The maximum height for a single-family residence within an SRA in the Coastal Zone is 18 feet above grade, which is the maximum height of the proposed single-family residence. The 18-foot-tall design is appropriate for the Project Site, as it minimizes the viewshed disturbance and is similar to several homes to the south, east, and west. The Project would also comply with the LIP limitations on building site area, as the 9,983-square-foot building site area is less than the maximum of 10,000 square feet.

ZONING CODE CONSISTENCY FINDINGS

15. **PERMITTED USE IN ZONE.** The Hearing Officer finds that the Project is consistent with the R-C-20 zoning classification, as a single-family residence is the principal permitted use in such zone with a 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. A Minor CDP is also required for any project that removes or encroaches into the protected zone of an oak tree (County Code Section 22.44.950). Thus, a Minor CDP is required because the Project proposes 4,338 cubic yards of grading (2,169 cubic yards cut and 2,169 cubic yards fill) and encroaches into the protected zones of three oak trees.
16. **REQUIRED YARDS.** The Hearing Officer finds that the Project is consistent with the standards identified in County Code Sections 22.44.1375 and 22.44.1750, as the Project would meet all required setback standards, including the 20-foot front-yard setback, 15-foot rear-yard setback, and five-foot side-yard setback for all structures.
17. **HEIGHT.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.44.1250. The maximum height for a single-family residence within an SRA in the Coastal Zone is 18 feet above grade, which is the maximum height of the proposed single-family residence.
18. **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.
19. **PARKING.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.44.1410. Because the Project Site is greater than one acre in size and is not within a Rural Village, no covered parking spaces are required, although an attached garage would be constructed as part of the Project.

- 20. VEGETATION REMOVAL.** The Hearing Officer finds that the Project is consistent with the vegetation removal method requirements identified in County Code Section 22.44.1240. The requested Minor CDP is conditioned to prohibit the use of discing or other methods of clearance to bare earth within fuel modification areas, consistent with these requirements. The site plan associated with the Project depicts vegetation removal occurring only in areas where the single-family residence and garage will be located and within the associated fuel modification and brush clearance zones. Mapped H1 Habitats would not be subject to fuel modification. The Project is also designed to ensure that the building site area, as much as possible, is located on the previously cleared portion of the Project Site within H3 Habitat, per the recommended ERB remapping (see Exhibit G – Informational Maps attached to the Report to the Hearing Officer dated June 13, 2024).
- 21. OAK TREE IMPACTS.** The Hearing Officer finds that the Project is consistent with the oak tree and oak woodland preservation requirements of County Code Sections 22.44.950, 22.44.1920, et seq. The Project would encroach into the protected zones of three oak trees on the eastern portion of the Project Site. Both encroachments would extend into less than 10 percent of the protected zones, which means no mitigation is required by the LIP. However, all on-site oak trees will be monitored for a period of 10 years, and any trees that die as a result of the Project must be mitigated at a 10:1 ratio. The Project also proposes development within approximately 2,888 square feet of oak woodland. Although the oak woodland is within H3 Habitat, it will be mitigated on site at a 2:1 ratio, per the Permittee's habitat restoration plan.
- 22. BIOLOGICAL RESOURCES.** The Hearing Officer finds that the Project is consistent with the biological resource 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 include a best management practices plan, runoff control measures, retaining a biological monitor, screening the site and staking grading limits, preparing surveys and restoration plans for nesting birds, bats, and native trees, and the planting of mitigation oak trees through field surveying. At its meeting on February 28, 2022, the ERB found that the Project, as modified, would be consistent with local biological resources. The ERB's recommended modifications have been included in the Project's conditions of approval.
- 23. 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 4,338 cubic yards of grading, consisting of 2,169 cubic yards cut and 2,169 cubic yards fill, balanced on site. The Project is consistent with the applicable grading requirements because grading, including removal and recompaction of the underlying unstable pad, would occur mostly within a level, previously cleared area, and the Project is appropriately conditioned to restrict grading from starting during the defined rainy season.
- 24. 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.

25. **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. Minimal fencing and retaining walls are proposed for the Project Site, and an existing perimeter chain-link fence would be removed to facilitate wildlife movement.

26. **BUILDING SITE AREA.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.44.1910.I, which refers to the maximum allowable building site area. The total building site area of 9,983 square feet is within the maximum building site area of 10,000 square feet.

27. **HABITAT CATEGORIES.** The Hearing Officer finds that the Project is consistent with the standards identified in County Code Section 22.44.1920. The habitat remapping recommended by the ERB would result in 0.5 acres of H3 Habitat and 0.5 acres of H2 Habitat on the Project Site. The building site area, as well as the areas of brush clearance, are designated as H3 and H2 Habitat. Development within H2 Habitat is permitted when it is the most appropriate location and no feasible site within H3 Habitat is available. While approximately half of the residence would be located in H3 Habitat, some fuel modification, grading, and the OWTS would be located within H2 Habitat. The proximity of existing H3 Habitat to protected oak trees, underlying unstable soil, and required fuel modification makes this encroachment unavoidable.

The Project would result in 0.07 acres of direct development and 0.41 acres of fuel modification within the H2 Habitat (0.35 acres irrigated and 0.06 acres non-irrigated). These impacts must be mitigated through a habitat impact in-lieu fee or a separate on-site or off-site mitigation plan (County Code Section 22.44.1950). Therefore, a condition of Project approval requires the impact to be mitigated through an in-lieu fee or, alternatively, by proposing a mitigation plan to be approved by the Director of LA County Planning at a later date, but before grading and construction can occur.

28. **GRANT TERM.** The Hearing Officer finds that it is not necessary to require a grant term given the nature of the residential use and the surrounding area.

COASTAL DEVELOPMENT PERMIT FINDINGS

29. **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 subject to the Santa Monica Mountains Local Coastal Program, which includes the LUP and LIP, including those standards related to permitted uses, building site area, habitat categories, height restrictions, and scenic resources.

30. **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 do not apply.

ENVIRONMENTAL FINDINGS

31. After consideration of the MND and MMRP, together with the comments received during the public review process, the Hearing Officer finds on the basis of the whole record before them that there is no substantial evidence that the Project as conditioned will have a significant effect on the environment, and further finds that the MND and MMRP reflects the independent judgment and analysis of the Hearing Officer.

ADMINISTRATIVE FINDINGS

32. **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 Hearing Officer finds that the proposed development is in conformity with the certified local coastal program.
- B. 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.

THEREFORE, THE HEARING OFFICER:

- 1. Certifies that the MND for the Project was completed in compliance with CEQA and the State and County CEQA Guidelines related thereto; certifies that they independently reviewed and considered the MND and that the MND reflects the independent judgment and analysis of the Hearing Officer as to the environmental consequences of the Project; certifies that they considered the MMRP, finding that it is adequately designed to ensure compliance with the mitigation measures during Project implementation; determined that on the basis of the whole record before the Hearing Officer that there is no substantial evidence that the Project will have a significant effect on the environment; adopts the MND and finds that the MMRP is adequately designed to ensure compliance with the mitigation measures during Project implementation; and

2. Approves **MINOR COASTAL DEVELOPMENT PERMIT NO. RPPL2019000016**
subject to the attached conditions.

ACTION DATE: May 6, 2025

MG:RG:TM

5/7/25

c: Zoning Enforcement, Building and Safety

**LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING**

**CONDITIONS OF APPROVAL
PROJECT NO. 2019-000010-(3)
MINOR COASTAL DEVELOPMENT PERMIT NO. RPPL2019000016
ENVIRONMENTAL ASSESSMENT NO. RPPL2023001199**

PROJECT DESCRIPTION

The project is a Minor Coastal Development Permit ("Minor CDP") to construct a new single-family residence on a 1.0-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 Conditions No. 9, 10, and 13. 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 Section 22.44.1090 of the County Code.
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 or 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 may be unannounced. Inspections may be conducted utilizing any available technologies, including, but not limited to, unmanned aircraft systems ("UAS"). Use of the UAS requires the approval of the Permittee pursuant to LA

County Planning's UAS Policy, which may be updated from time to time, and which shall be provided to the Permittee upon request.

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. Within five (5) working days from the day after the appeal period ends **[May 20, 2025]**, the permittee shall remit processing fees at the County Registrar-Recorder/County Clerk Office, payable to the County of Los Angeles, in connection with the filing and posting of a Notice of Determination ("NOD") for this project and its entitlements in compliance with section 21152 of the Public Resources Code. Unless a Certificate of Exemption is issued by the California Department of Fish and Wildlife pursuant to section 711.4 of the California Fish and Game Code, the permittee shall pay the fees in effect at the time of the filing of the NOD, as provided for in section 711.4 of the Fish and Game Code, currently **\$2,991.75** (\$2,916.75 for a Negative Declaration or Mitigated Negative Declaration plus \$75.00 processing fee). No land use project subject to this requirement is final, vested or operative until the fee is paid.
11. The permittee shall comply with all mitigation measures identified in the Mitigation Monitoring and Reporting Program ("MMRP") associated with Environmental Assessment No. RPPL2023001199, which are incorporated by this reference as if set forth fully herein. Environmental Assessment No. RPPL2023001199 is also related to Minor CDPs No. RPPL2019000017, RPPL2019000018, and RPPL2019000019.
12. Within thirty (30) days of the date of final approval of the grant by the County, the permittee shall record a covenant and agreement, which attaches the MMRP and agrees to comply with the mitigation measures imposed by the Mitigated Negative Declaration for this Project, in the office of the Recorder. Prior to recordation of the covenant, the permittee shall submit a draft copy of the covenant and agreement to LA County Planning for review and approval. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit annual mitigation monitoring reports to LA County Planning for approval or as required. The reports shall describe the status of the permittee's compliance with the required mitigation measures.
13. The permittee shall deposit an initial sum of **\$6,000.00** with LA County Planning within thirty (30) days of the date of final approval of this grant in order to defray the cost of reviewing and verifying the information contained in the reports required by the MMRP. The permittee shall replenish the mitigation monitoring account if necessary, until all mitigation measures have been implemented and completed.

14. 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 Sections 22.44.1130 and/or 22.44.1140 of the County Code.
15. 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").
16. 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.
17. 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").
18. 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 **July 7, 2025**.
19. 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

20. The building site area, as defined in the County Code Section 22.44.630, shall be limited to 9,983 square feet.
21. Prior to the issuance of building permits, the permittee shall obtain a "Post Coastal Approval of Onsite Wastewater Treatment System" from the County Department of Public Health ("Public Health") Environmental Health Division and a will-serve letter from the local water purveyor with all conditions met, to the satisfaction of Public Health.
22. Prior to the issuance of building permits, the permittee shall obtain approval of all plans by the Fire Department Engineering Unit, to the satisfaction of the Fire Department.

23. The permittee shall comply with all conditions set forth in the attached Public Works letter dated July 31, 2019, to the satisfaction of Public Works.
24. 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.
25. Per the requirements of County Code Section 22.44.1920 J, prior to issuance of the grading or building permit for the project, the permittee shall dedicate a permanent Irrevocable Open Space Conservation Easement over all H2 Habitat areas outside of the Fire Department required irrigated fuel modification area (Zones A and B), as well as all areas of the Project Site with grades of more than 50 percent, and a north-south wildlife movement corridor with a minimum width of 45 feet adjacent to the western property boundary. This easement shall be held by the County on behalf of the People of the State of California. No development, as defined in County Code Section 22.44.630, grazing, or agricultural activities shall be allowed in the Irrevocable Open Space Easement, except for the following:
 - a. Fuel modification required by the Fire Department undertaken in accordance with the final approved fuel modification plan for the permitted development and/or brush clearance required by the Fire Department for existing development on adjoining properties;
 - b. Drainage and polluted runoff control activities required and approved by Public Works and LA County Planning for permitted development;
 - c. If approved by the County as an amendment to the CDP or a new CDP:
 - i. Planting of native vegetation and other restoration activities;
 - ii. Construction and maintenance of public hiking trails;
 - iii. Construction and maintenance of roads, trails, and utilities consistent with easements in existence prior to approval of the permit; and
 - iv. Confined animal facilities only where consistent with County Code Section 22.44.1940.

Regardless of the above permitted uses, all fencing, lighting elements, non-native landscaping, and manmade materials shall be prohibited from the designated wildlife corridor. The permittee shall provide evidence of the recordation of a valid dedication to the County, and acceptance by the County, or a valid dedication to another public entity acceptable to the Director, and acceptance by said public entity, of a permanent, Irrevocable Open Space Conservation Easement in favor of the People of the State of California over the Irrevocable Open Space Conservation Easement Area for the purpose of habitat protection. The text of the dedication shall be approved by the Director prior to recordation. The recorded easement document shall include a formal

legal description of the entire property and a metes and bounds legal description and graphic depiction, prepared by a licensed surveyor, of the Irrevocable Open Space Conservation Easement Area. The easement document shall be recorded free of prior liens, including tax liens, and encumbrances. The recorded easement document shall reflect that no development shall occur within the Irrevocable Open Space Conservation Easement, except as otherwise set forth in the CDP conditions, consistent with the exceptions detailed in this condition. Recordation of the easement on the Project Site shall be permanent.

26. Prior to approval of the Exhibit "A," the permittee shall provide a grading plan and drainage report, including proposed site design and source control best management practices to minimize post-construction runoff and infiltrate, at minimum, the first 0.75 inches of stormwater. This plan shall show all proposed drainage improvements, such as locations of infiltration basins, measures to convey runoff from impervious surfaces to permeable areas of the site (i.e. 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 and/or rain barrels for stormwater capture.
27. 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 pruning 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.
28. The permittee shall include provisions for permanent irrigation in Fuel Modification Zones A and B and for temporary irrigation in Fuel Modification Zone C for establishment of new native plants in Zone C and outside of fuel modification zones.
29. Glass shall be of the least reflective variety or have frit patterns that will promote energy conservation and prevent bird strikes, per the provisions of County Code Section 22.44.1320.
30. Exterior lighting shall comply with the provisions of County Code Section 22.44.1270 in order to avoid light trespass.
31. Prior to the issuance of a grading permit, a qualified biologist shall be retained by the permittee as the lead biological monitor subject to the approval of the Director. That person shall ensure that the approved habitat restoration plan is followed and 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.

32. The biological monitor shall ensure compliance with the habitat restoration plan prepared by Courtney McCammon of CJ Biomonitoring dated October 8, 2020, with amendments dated August 7, 2023 ("Habitat Restoration Plan"). The Habitat Restoration Plan requires the planting of 10 mitigation coast live oak trees, two contingency coast live oak trees, and the designation of 28,876 square feet for removal of non-native plants and the planting of up to 75 scrub oak seedlings. Restoration shall occur on the subject property, as well as three adjacent properties (Assessor's Parcel Numbers 4455-019-045; 4455-019-046; and 4455-019-047) in order to mitigate direct development within the protected zones of two coast live oaks and 14,438 square feet of oak woodland across all four properties. All encroached trees, on-site oak trees, and mitigation trees shall be monitored for 10 years following the completion of construction, with annual reports provided to the LA County Planning Zoning Enforcement Section. The Habitat Restoration Plan shall be completed to the satisfaction of the LA County Planning Staff Biologist. At the discretion of the Director, similar proportional on-site restoration may be approved solely on the subject property to the satisfaction of the LA County Planning Staff Biologist.
33. Circles of a 15-foot radius around all on-site oak trees shall be weeded of all non-natives twice a year (including non-native grasses and other non-native herbaceous plants). Native plants in the 15-foot radius circle shall be allowed to grow. Weeding shall be in fall prior to the rainy season and in spring, prior to weed seed set. Weeding shall include plant roots. All weed parts shall be sent to a landfill in closed containers.
34. The biological monitor shall ensure maintenance of a four-foot-high fencing to protect trees during construction. For work in native tree protected zones, the arborist may take down fencing, supervise work, and reinstall fencing after work completion.
35. All grading and construction work within a tree protection zone ("TPZ") shall be supervised by the biological monitor in conjunction with foremen. All work within TPZs shall be done with hand tools as supervised by the arborist-of-record.
36. If any encroached tree dies or has deteriorating health during the monitoring, a total of 10 mitigation trees of that species shall be planted on the Project Site or in a satisfactory off-site location, as determined by the Director. Mitigation trees shall be monitored for a total of 10 years after planting. Reports on new mitigation trees shall be added to the annual reports.

37. If any mitigation tree dies or deteriorates during monitoring, it shall be replaced by one mitigation tree of the same species and monitored to the end of the original monitoring period. Replacement trees shall be of the stock of the Santa Monica Mountains of Los Angeles and Ventura counties.
38. All current storage and any planned storage of accessory uses and movable items (e.g., Recreational Vehicle, picnic table, or garden equipment) shall not encroach into TPZs. No structures shall impact TPZs except as authorized by a specific permit. TPZs shall have no storage, no dumping, or irrigation, except for irrigation during exceptional drought.
39. TPZs of existing native trees shall be allowed to accumulate six-inch-thick layers of dropped native tree leaves. Initial treatment of TPZs shall be a four-inch layer of native tree leaf mulch/chopped native plant mulch in the TPZs, which shall not touch the tree trunk.
40. 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.
41. 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 to these areas, they shall 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.
 - f. 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 shall 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.
 - g. 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.
42. Temporary wildlife fencing shall be utilized to reduce the potential for wildlife being harmed by or moving into the work site. The permittee's contractor shall delineate the grading limits/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/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 biological monitor conducts a pre-construction survey and shall be closed only after vegetation is cleared from within the fenced area (see below).
43. 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.
44. 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.

45. 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 and in accordance with the following:
 - a. A qualified biologist shall implement the Nesting Bird Survey and 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 modification. 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.
46. 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.
47. 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.
48. The Project shall provide mitigation through the County's Resource Conservation Program ("RCP"), if such program is valid and in effect, or shall otherwise provide mitigation through payment of a habitat impact in-lieu fee and/or restoration as mitigation pursuant to County Code Section 22.44.1950. If the RCP is valid and in effect at the time of implementation of this condition, the RCP may be utilized as mitigation instead of restoration. Pursuant to County Code Section 22.44.1950 A.3.f.i, the Habitat Impact Fee shall be calculated at the current updated in-lieu fee amount in effect at the time of, and shall be paid prior to, issuance of a grading or building permit. If mitigation as restoration is required, the permittee shall submit a restoration and/or enhancement plan consistent with the LIP for review and acceptance by the Director prior to issuance of grading or building permits. The habitat restoration or enhancement shall be completed prior to construction of the Project and in any case, the vegetation and irrigation installation for the restoration and/or enhancement shall be completed prior to issuance of a grading or building permit.

PROJECT NO. 2019-000010-(3)
MINOR COASTAL DEVELOPMENT PERMIT NO.
RPPL2019000016
ENVIRONMENTAL ASSESSMENT NO. RPPL2023001199

CONDITIONS OF APPROVAL
PAGE 12 OF 12

Attachments:

Exhibit 1 Public Works letter dated July 31, 2019

Exhibit 2 Habitat Restoration Plan dated October 8, 2020



MARK PESTRELLA, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE:

July 31, 2019

TO: Rob Glaser
Coastal Permits Section
Department of Regional Planning

Attention Tyler Montgomery

FROM: Art Vander Vis
Land Development Division
Department of Public Works

A handwritten signature in black ink, appearing to read "Art Vander Vis", is written over the "FROM:" line.

RPPL2019000016 (CDP)
ASSESSOR'S MAP BOOK 4455, PAGE 019, PARCEL 044
UNINCORPORATED COUNTY COMMUNITY OF CALABASAS

Thank you for the opportunity to review the zoning permit application and plan associated with the subject project. The proposed project includes the construction of a single family residence.

- ☒ Public Works recommends that the conditions shown below be applied to the project if ultimately approved by the advisory agency.
- ☐ Public Works has comments on the submitted documents and therefore a Public Hearing shall NOT be scheduled until the following comments have been addressed:

1. Building and Safety

- 1.1. Submit a grading/drainage plan to Public Works, Building and Safety Division, Calabasas Office for review and approval. The grading plans must show and

call out the construction of at least all drainage devices and details, paved driveways, and elevation and drainage of all pads, retaining walls, the water quality devices, and Low Impact Development (LID) features, and all existing easements.

- 1.2. Comply with LID standards in accordance with the LID Standards Manual, which can be found at <http://dpw.lacounty.gov/ldd/lib/fp/Hydrology/Low%20Impact%20Development%20Standards%20Manual.pdf>.
- 1.3. Provide a maintenance agreement/covenant for privately maintained drainage devices.
- 1.4. Obtain soil/geology approval of the grading plan by Public Works, Geotechnical and Materials Engineering Division.
- 1.5. Obtain Fire Department approval of the grading plan.
- 1.6. Provide permits and/or letters of non-jurisdiction from all applicable State and Federal agencies. These agencies may include but may not be limited to the State of California Regional Water Quality Control Board, State of California Department of Fish and Wildlife, State of California Department of Conservation, Division of Oil, Gas, and Geothermal Resources, and the Army Corps of Engineers.

For questions regarding the building and safety conditions, please contact Rachelle Taccone of Public Works, Building and Safety Division at (818) 880-4150 or rtaccone@pw.lacounty.gov.

If you have any other questions or require additional information, please contact Toan Duong of Public Works, Land Development Division at (626) 458-4945 or tduong@pw.lacounty.gov.

AM:

\\pw01\pwpublic\ldpub\SUBPCHECK\Plan Checking Files\CUP\RPPL2019000016 - APN 4455-019-044\DPW_Cleared_2019-07-31_RPPL2019000016.docx

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
PROJECT NO. 2019-000010-(3) / PERMIT NO. RPPL2019000016, RPPL2019000017, RPPL2019000018, RPPL2019000019

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
4.1	Biological Resources	BIOLOGICAL MONITOR --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 DRP. The monitor 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 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 the approved habitat restoration plan is implemented as required, and shall make monitoring reports available to DRP and CDFW at their request	Retain qualified biological monitor and maintain daily monitoring reports	Prior to issuance of grading permit and during construction & fuel modification	Applicant	DRP
4.2	Biological Resources	HABITAT RESTORATION PLAN --The applicant shall implement the habitat restoration plan approved by DRP as part of the stamped Exhibit "A." This restoration plan shall accomplish the planting of 12 mitigation coast live oak trees, the planting of up to 75 scrub oak seedlings, and the removal of non-native plant species across the Project Site. In addition, removal of all chain-link fencing on the Project Site shall be accomplished with hand tools, and existing fence posts shall be cut off at ground level. Restoration will entail physical removal of non-natives and the sowing/planting of species locally native to the site. Plant species within fuel modification Zone "C" shall require minimal mowing to achieve Fire Department approval. The restoration plan shall include provisions for delaying fuel modification and/or mowing activities until most seeds of native plants have matured, or the last day permitted by the Los Angeles County Fire Department--whichever comes first. All on-site oak trees shall be monitored for a period of 10 years following the completion of construction, with annual reports to be provided to DRP Zoning Enforcement. The arborist-of-record shall provide and maintain a four-foot-high fencing to protect trees during construction. For work in native tree protected zones, the arborist may take down fencing, supervise work, and reinstall fencing after work completion. All grading and construction work within a tree protection zone ("TPZ") shall be supervised by the arborist-of-record in conjunction with foremen. All work within TPZs shall be done with hand tools as supervised by the arborist-of-record. If any encroached tree dies or has deteriorating health during the monitoring, a total of 10 mitigation trees of that species shall be planted on the Project Site or in a satisfactory off-site location, as determined by the Director of the Department of Regional Planning. Reports on new mitigation trees shall be added to the annual reports. If any mitigation tree dies or deteriorates during monitoring, it shall be replaced by one mitigation tree of the same species and monitored to the end of the original monitoring period. Replacement trees shall be of the stock of the Santa Monica Mountains of Los Angeles and Ventura counties.	Submittal, approval, and implementation of Habitat Restoration Plan	Prior to issuance of grading permit and during construction & fuel modification	Applicant	DRP
4.3	Biological Resources	STAKING OF GRADING LIMITS --The Applicant's contractor 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 project biological monitor.	Implementation of staking			
4.4	Biological Resources	NESTING BIRD SURVEY --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: If initial grubbing, grading, and construction activities are scheduled to occur outside the CDFW 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 7 days prior to, and again within 3 days, of 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. 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 thirty 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 3 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 (within 500 feet for 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 below. If an active nest is found, regardless of time of year, project activities within 300 feet of the nest (within 500 feet for raptor nests) or as determined by a qualified biological monitor, must be postponed until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting. Flagging, stakes, or construction fencing shall be used to demarcate 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. The qualified biologist shall provide the Director of Regional Planning 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. If the qualified biologist determines that a narrower buffer between the project activities and observed active nests is warranted, he or she 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 Regional Planning and CDFW. Based on the submitted information, the Director of Regional Planning (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. 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. The biologist shall send weekly monitoring reports to the Director of Regional Planning and, upon request, to CDFW, documenting the status of monitored nests, and shall notify Regional Planning immediately if project activities damage active avian nests.	Implementation of nesting bird survey(s)	Prior to issuance of grading permit and during construction & fuel modification	Applicant and subsequent owner(s)	DRP

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
PROJECT NO. 2019-000010-(3) / PERMIT NO. RPPL2019000016, RPPL2019000017, RPPL2019000018, RPPL2019000019

4.5	Biological Resources	TEMPORARY WILDLIFE FENCING -- 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 limits/approved development area and shall fence the area in its entirety with green screen before beginning removal of any vegetation. 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. 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. Laborers installing the fence shall remain within the cut areas and any paths leading to it. 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. The biological monitor must hold a CDFW Scientific Collectors Permit authorizing handling of invertebrates, reptiles, amphibians, and mammals. 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).	Implementation of temporary wildlife fencing	Prior to issuance of grading permit and during construction & fuel modification	Applicant and subsequent owner(s)	DRP
4.6	Biological Resources	PRE-CONSTRUCTION BIOLOGICAL RESOURCE SURVEY & SITE CLEARANCE —A pre-construction biological resources survey shall be conducted within the area that is screened and within areas adjacent the driveway the day after screening. The project proponent's contractor shall plan to remove vegetation from within the screened area no more than one day after completion of the Pre-Construction Biological Resources Survey. Laborers shall use hand held tools to remove the vegetation. Using hand-held tools will allow wildlife, including special-status species, a chance to escape and reduce the potential of them being crushed by heavy machinery. A biologist shall monitor vegetation removal so that they can capture and relocate wildlife as necessary. The biological monitor must hold a CDFW Scientific Collectors Permit authorizing handling of invertebrates, reptiles, amphibians, and mammals.	Preparation of a pre-construction biological resource survey and implementation of special vegetation removal methods	Prior to issuance of grading permit and during construction & fuel modification	Applicant and subsequent owner(s)	DRP
4.7	Biological Resources	INITIAL GRUBBING & GRADING —Initial grubbing and grading shall occur 3 to 7 days after vegetation has been cleared from the proposed development area/grading limits. The delay between vegetation clearance and the grubbing and grading activities will allow wildlife, including special-status species, a chance to escape and reduce the potential of them being crushed by heavy machinery. The biological monitor shall monitor initial grading and grubbing so that they can capture and relocate wildlife as necessary. The biological monitor must hold a CDFW Scientific Collectors Permit authorizing handling of invertebrates, reptiles, amphibians, and mammals	Implementation of special grubbing & grading methods	Prior to issuance of grading permit and during grubbing and grading	Applicant and subsequent owner(s)	DRP
4.8	Biological Resources	INITIAL FUEL MODIFICATION —The site shall only be fuel-modified after the construction phase of the proposed project has been completed or as otherwise directed by the Fire Department. A qualified biologist shall implement the Nesting Bird Survey & Protection Plan before fuel modification occurs. 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. The biological monitor 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.	Implementation of special fuel modification methods	Prior to certificate of occupancy and during fuel modification	Applicant and subsequent owner(s)	DRP
5.1	Cultural Resources, Tribal Cultural Resources	NATIVE AMERICAN MONITORS —The Project Applicant shall retain professional Native American monitors procured by the Fernandefio Tataviam Band of Mission Indians (FTBMI) to observe all ground-disturbing activities including, but not limited to, clearing, grading, excavating, digging, trenching, plowing, drilling, tunneling, quarrying, leveling, driving posts, auguring, blasting, stripping topsoil or any similar activity to occur within the proposed project area. One Native American Monitor shall be assigned by the FTBMI to each machine or work crew engaged in ground disturbing activity that is active more than 100 feet from any other earthwork machine or work crew. In the event that tribal cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall assess the find. The archaeologist and Tribal monitor will have the authority to request ground disturbing activities cease within the area of a discovery. Work on the other portions of the project outside of the buffered area may continue during this assessment period.	Hiring and retention of Native American monitors during ground disturbance activities	Prior to issuance of grading permit and during grading activities	Applicant and subsequent owner(s)	DRP
5.2	Cultural Resources, Tribal Cultural Resources	DISPOSITION OF TRIBAL RESOURCES —The Project Applicant shall, in good faith, consult with the FTBMI on the disposition and treatment of any Tribal Cultural Resource encountered during all ground disturbing activities.	Consultation with FTBMI regarding treatment of tribal cultural resources	Upon discovery of tribal cultural resources	Applicant and subsequent owner(s)	DRP
5.3	Cultural Resources, Tribal Cultural Resources	ARCHEOLOGICAL DOCUMENTS —Any and all archeological documents created as a part of the project (isolate records, site records, survey reports, testing reports and monitoring reports, etc.) shall be provided to the FTBMI.	Provision of archeological documents to FTBMI	Upon completion of archeological documents	Applicant and subsequent owner(s)	DRP
5.4	Cultural Resources, Tribal Cultural Resources	TREATMENT OF HUMAN REMAINS —If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to California Health and Safety Code §7050.5 and that code shall be enforced for the duration of the project. Inadvertent discoveries of human remains and/or funerary object(s) are subject to this code, and the subsequent disposition of those discoveries shall be decided by the Most Likely Descendant (MLD), as determined by the Native American Heritage Commission (NAHC), should those findings be determined as Native American in origin.	Compliance with Health and Safety Code §7050.5	Upon discovery of human remains or funerary objects	Applicant and subsequent owner(s)	DRP
19	Mitigation Compliance	MITIGATION COMPLIANCE --As a means of ensuring compliance of above mitigation measures, the applicant and subsequent owner(s) are responsible for submitting compliance report to the Department of Regional Planning for review, and for replenishing the mitigation monitoring account if necessary until such as all mitigation measures have been implemented and completed.	Submittal and approval of compliance report and replenishing mitigation monitoring account	Yearly and as required until all measures are completed.	Applicant and subsequent owner(s)	DRP

**LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING
FINDINGS OF THE HEARING OFFICER
AND ORDER
PROJECT NO. 2019-000010-(3)
MINOR COASTAL DEVELOPMENT PERMIT NO. RPPL2019000017
ENVIRONMENTAL ASSESSMENT NO. RPPL2023001199**

RECITALS

1. **HEARING DATE(S).** The Los Angeles County ("County") Hearing Officer conducted a duly noticed public hearing on May 6, 2025, in the matter of Project No. 2019-000010-(3), consisting of Minor Coastal Development Permit No. RPPL2019000017 ("Minor CDP") and Environmental Assessment No. RPPL2023001199. Environmental Assessment No. RPPL2023001199 is also related to Minor CDP Nos. RPPL2019000016, RPPL2019000018, and RPPL2019000019.
2. **HEARING PROCEEDINGS.** A duly noticed public hearing was scheduled before the Hearing Officer on May 28, 2024. The item was subsequently continued, without the public hearing being opened, to June 25, 2024, August 20, 2024, September 17, 2024, October 15, 2024, January 21, 2025, March 18, 2025, and May 6, 2025. On May 6, 2025, the public hearing was opened, and Department of Regional Planning Staff gave a presentation recommending approval. Public testimony was given both for and against the project. The Hearing Officer subsequently closed the public hearing and approved the project.
3. **ENTITLEMENT(S) REQUESTED.** The permittee, Isaac Zachary ("Permittee"), requests a Minor CDP to construct a new 4,138-square-foot single-family residence, a 427-square-foot attached garage, a swimming pool, and an onsite wastewater treatment system (OWTS) with 3,776 cubic yards of grading ("Project") on a 1.2-acre flag lot—also referred to as "Lot 2"—located at 24937 Mulholland Highway, unincorporated Calabasas, in the Santa Monica Mountains Coastal Zone ("Project Site"). Development would encroach into the protected zones of one on-site oak tree and two off-site oak trees. As part of the Project, on-site habitat will be remapped as recommended by the Environmental Review Board ("ERB"), resulting in approximately 0.3 acres of H3 Habitat and 0.9 acres of H2 Habitat.
4. **ENTITLEMENT(S) REQUIRED.** The Minor CDP is a request to construct a new single-family residence and improvements, including a new OWTS, in the R-C-20 (Rural Coastal—20 Acre Minimum Required Lot Area) Zone pursuant to County Code Section 22.44.810. Per the requirements of the Santa Monica Mountains Local Implementation Program ("LIP"), a Minor CDP is required for any project that results in grading of between 50 and 5,000 cubic yards of earth (County Code Section 22.44.1260). A Minor CDP is also required for any project that removes or encroaches into the protected zone of an oak tree (County Code Section 22.44.950). Thus, a Minor CDP is required because the Project proposes 3,776 cubic yards of grading (1,888

cubic yards cut and 1,888 cubic yards fill) and encroaches into the protected zones of three oak trees.

5. **PREVIOUS ENTITLEMENT(S).** The existing parcel and paved driveway were authorized by Parcel Map 10857 and CDP P-80-6480 in 1981.
6. **LAND USE DESIGNATION.** The Project Site is located within the Rural Land 20 (1 dwelling unit per 20 acres) land use designation of the Santa Monica Mountains Local Coastal Program Land Use Policy Map, which is a component of the Santa Monica Mountains Local Coastal Program Land Use Plan ("LUP").
7. **ZONING.** The Project Site is located in the Malibu Zoned District and is currently zoned R-C-20. Pursuant to County Code Section 22.44.1750, a single-family residence and its accessory structures are the principal permitted use within the R-C Zone.
8. **PROJECT AND SITE PLAN DESCRIPTION.**

A. Existing Site Conditions

The 1.2-acre Project Site consists of a flag lot with terrain sloping gently upward from south to north. An existing 20-foot-wide paved driveway is located adjacent to its northeastern boundary, accessing Mulholland Highway approximately 380 feet to the south via the flag "stem." After site-specific surveys by the Permittee's biologist and the County Department of Regional Planning ("LA County Planning") Staff Biologist ("Staff Biologist"), the ERB recommended that the on-site habitat be remapped, which would result in approximately 0.3 acres of H3 Habitat, consisting of native and non-native grasses on the eastern portion of the Project Site, and 0.9 acres of H2 Habitat, consisting of chaparral. The eastern portion of the Project Site is subject to annual brush clearance and mowing activities due to the presence of single-family residences to the east, as well as within the shoulders of the existing driveway. A small area of oak woodland is located on the northern and eastern portions of the Project Site, within H3 Habitat.

B. Site Access

The Project Site is accessed by a 20-foot-wide, 380-foot-long shared paved driveway to Mulholland Highway, a 100-foot-wide public parkway (35-foot-wide paved width) and designated scenic highway to the south.

C. Site Plan

The Permittee proposes construction of a new 4,138-square-foot single-family residence with a 427-square-foot attached garage. The residence would be located on the eastern portion of a 1.2-acre Project Site in the Santa Monica Mountains Coastal Zone and would have a maximum height of 18 feet above grade. A new OWTS would be located to the southeast of the residence. An existing 20-foot-wide, 380-foot-long paved driveway provides access to the Project Site along its eastern boundary. Landscaping and hardscaping are proposed, including a swimming pool to the south of the residence, as well as the removal of an existing

chain-link fence from the western boundary of the Project Site. The Project would result in a total building site of 9,540 square feet and 3,776 cubic yards of grading (1,888 cubic yards cut and 1,888 cubic yards fill, balanced on site) due to the need for removal and recompaction of the underlying soil. The Project would result in encroachments into the protected zones of three oak trees, which are two on-site trees on the eastern portion of the Project Site and one off-site tree just east of the Project Site. In accordance with the ERB's recommended remapping, the proposed development and all fuel modification areas are completely located within H3 and H2 Habitats.

9. **PUBLIC COMMENTS.** LA County Planning Staff has received four letters of opposition to the Project. The letters site multiple reasons for their opposition, including increased fire risk, harm to biological resources, visual impacts, incompatible architecture, inadequate plans for mitigation tree planting, the potential for higher local insurance rates or cancelled policies, and that four dwelling units on the Project Site is an inappropriate density.

10. **AGENCY RECOMMENDATIONS.**

- A. The Department of Parks and Recreation, in a letter dated July 11, 2019, recommended that the Project proceed to a public hearing without conditions.
- B. The Department of Public Health, in a letter dated July 29, 2019, recommended that the Project proceed to a public hearing with specific conditions regarding provision of water purveyor will-serve letters and non-conventional OWTS covenants. These have been included as conditions of approval.
- C. The County Fire Department, in a letter dated July 31, 2019, recommended that the Project proceed to a public hearing with a specific condition requiring approval of all plans by the Fire Department Engineering Unit. This has been included as a condition of approval.
- D. The Department of Public Works, in a letter dated July 31, 2019, recommended that the Project proceed to a public hearing with specific conditions regarding on-site grading and drainage, low-impact development features, and the provision of permits or letters of non-jurisdiction letters from all applicable State and Federal agencies. These have been included as conditions of approval.

11. **LEGAL NOTIFICATION.** The Hearing Officer finds that pursuant to County Code Section 22.44.990, the community was properly notified of the public hearing by mail, newspaper (*Malibu Times*), and property posting. Additionally, the Project was noticed, and case materials were made available on LA County Planning's website. On April 18, 2024, a total of 57 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 21 to those on the courtesy mailing list for the Santa Monica Mountains Planning Area and to any additional interested parties. In addition, story poles indicating the elevation of all parts of the structure were erected on the Project

Site on April 22, 2024, pursuant to the LIP requirements (County Code Section 22.44.1440.

12. CEQA DETERMINATION.

Prior to the Hearing Officer's public hearing on the Project, an Initial Study was prepared for the 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 for the County. Based on the Initial Study, LA County Planning Staff determined that a Mitigated Negative Declaration ("MND") was the appropriate environmental document for the Project. The mitigation measures necessary to ensure the Project will not have a significant effect on the environment are contained in the Mitigation Monitoring and Reporting Program ("MMRP") prepared for the Project and three other projects on three adjoining parcels.

GENERAL PLAN CONSISTENCY FINDINGS

13. LAND USE POLICY. The Hearing Officer finds that the Project is consistent with the goals and policies of the LUP because the Rural Land 20 (1 dwelling unit per 20 acres) land use designation is intended for appropriately sized single-family residential uses on large lots. A single-family residence is permitted under this designation.

14. GOALS AND POLICIES. The Hearing Officer finds that the Project would be consistent with the following policies of the LUP:

Conservation and 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 much of the existing cleared portion of the Project Site immediately adjacent to the paved access driveway. This will lessen the need to disturb natural vegetation and landforms on the western portion of the Project Site with direct development. No H1 Habitat, H1 Habitat Buffer, or H1 Habitat Quiet Zone would be impacted as part of the Project.

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 Mulholland Highway and thus is located in a Scenic Resource Area ("SRA"). The maximum height for a single-family residence within an SRA in the Coastal Zone is 18 feet above grade, which is the maximum height of the proposed single-family residence. The 18-foot-tall design is appropriate for the Project Site, as it minimizes the viewshed disturbance and is similar to several homes to the south, east, and west. The Project would also comply with the LIP limitations on building site area, as the 9,540-square-foot building site area is less than the maximum of 10,000 square feet.

ZONING CODE CONSISTENCY FINDINGS

15. **PERMITTED USE IN ZONE.** The Hearing Officer finds that the Project is consistent with the R-C-20 zoning classification, as a single-family residence is the principal permitted use in such zone with a 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. A Minor CDP is also required for any project that removes or encroaches into the protected zone of an oak tree (County Code Section 22.44.950). Thus, a Minor CDP is required because the Project proposes 3,776 cubic yards of grading (1,888 cubic yards cut and 1,888 cubic yards fill) and encroaches into the protected zones of three oak trees.
16. **REQUIRED YARDS.** The Hearing Officer finds that the Project is consistent with the standards identified in County Code Sections 22.44.1375 and 22.44.1750, as the Project would meet all required setback standards, including the 20-foot front-yard setback, 15-foot rear-yard setback, and five-foot side-yard setback for all structures.
17. **HEIGHT.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.44.1250. The maximum height for a single-family residence within an SRA in the Coastal Zone is 18 feet above grade, which is the maximum height of the proposed single-family residence.
18. **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.
19. **PARKING.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.44.1410. Because the Project Site is greater than one acre in size and is not within a Rural Village, no covered parking spaces are required, although an attached garage would be constructed as part of the Project.

- 20. VEGETATION REMOVAL.** The Hearing Officer finds that the Project is consistent with the vegetation removal method requirements identified in County Code Section 22.44.1240. The requested Minor CDP is conditioned to prohibit the use of discing or other methods of clearance to bare earth within fuel modification areas, consistent with these requirements. The site plan associated with the Project depicts vegetation removal occurring only in areas where the single-family residence and garage will be located and within the associated fuel modification and brush clearance zones. Mapped H1 Habitats would not be subject to fuel modification. The Project is also designed to ensure that the building site area, as much as possible, is located on the previously cleared portion of the Project Site within H3 Habitat, per the recommended ERB remapping (see Exhibit G – Informational Maps attached to the Report to the Hearing Officer dated June 13, 2024).
- 21. OAK TREE IMPACTS.** The Hearing Officer finds that the Project is consistent with the oak tree and oak woodland preservation requirements of County Code Sections 22.44.950, 22.44.1920, et seq. The Project would encroach into the protected zones of two oak trees on the eastern portion of the Project Site and one oak tree just east of the Project Site. One of the on-site oak trees would have a protected zone encroachment of more than 10 percent, which requires mitigation at a 5:1 ratio. The Permittee's habitat restoration plan proposes that five mitigation oak trees and one contingency oak tree be planted, for a total of six trees. The other two oak tree encroachments would extend into less than 10 percent of the protected zones, which means no mitigation is required by the LIP. However, all on-site oak trees will be monitored for a period of 10 years, and any trees that die as a result of the Project must be mitigated at a 10:1 ratio. The Project also proposes development within approximately 2,888 square feet of oak woodland. Although the oak woodland is within H3 Habitat, it will be mitigated on site at a 2:1 ratio, per the Permittee's habitat restoration plan.
- 22. BIOLOGICAL RESOURCES.** The Hearing Officer finds that the Project is consistent with the biological resource 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 include a best management practices plan, runoff control measures, retaining a biological monitor, screening the site and staking grading limits, preparing surveys and restoration plans for nesting birds, bats, and native trees, and the planting of mitigation oak trees through field surveying. At its meeting on February 28, 2022, the ERB found that the Project, as modified, would be consistent with local biological resources. The ERB's recommended modifications have been included in the Project's conditions of approval.
- 23. 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 3,776 cubic yards of grading, consisting of 1,888 cubic yards cut and 1,888 cubic yards fill, balanced on site. The Project is consistent with the applicable grading requirements because grading, including removal and recompaction of the underlying unstable pad, would occur in an area close to the

existing access driveway, and the Project is appropriately conditioned to restrict grading from starting during the defined rainy season.

24. 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.

25. 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. Minimal fencing and retaining walls are proposed for the Project Site, and an existing perimeter chain-link fence would be removed to facilitate wildlife movement.

26. BUILDING SITE AREA. The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.44.1910.I, which refers to the maximum allowable building site area. The total building site area of 9,540 square feet is within the maximum building site area of 10,000 square feet.

27. HABITAT CATEGORIES. The Hearing Officer finds that the Project is consistent with the standards identified in County Code Section 22.44.1920. The habitat remapping recommended by the ERB would result in 0.3 acres of H3 Habitat and 0.9 acres of H2 Habitat on the Project Site. The building site area, as well as the areas of brush clearance, are designated as H3 and H2 Habitat. Development within H2 Habitat is permitted when it is the most appropriate location and no feasible site within H3 Habitat is available. While a portion of the residence would be located in H3 Habitat, some direct development, fuel modification, grading, and the OWTS would be located within H2 Habitat. The narrow width of the H3 Habitat area adjacent to the existing driveway, the proximity of H3 Habitat to protected oak trees, underlying unstable soil, and required fuel modification makes this encroachment unavoidable.

The Project would result in 0.17 acres of direct development and 0.55 acres of fuel modification within the H2 Habitat (0.38 acres irrigated and 0.17 acres non-irrigated). These impacts must be mitigated through a habitat impact in-lieu fee or a separate on-site or off-site mitigation plan (County Code Section 22.44.1950). Therefore, a condition of Project approval requires the impact to be mitigated through an in-lieu fee or, alternatively, by proposing a mitigation plan to be approved by the Director of LA County Planning at a later date, but before grading and construction can occur.

28. GRANT TERM. The Hearing Officer finds that it is not necessary to require a grant term given the nature of the residential use and the surrounding area.

COASTAL DEVELOPMENT PERMIT FINDINGS

29. **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 subject to the Santa Monica Mountains Local Coastal Program, which includes the LUP and LIP, including those standards related to permitted uses, building site area, habitat categories, height restrictions, and scenic resources.
30. **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 do not apply.

ENVIRONMENTAL FINDINGS

31. After consideration of the MND and MMRP, together with the comments received during the public review process, the Hearing Officer finds on the basis of the whole record before them that there is no substantial evidence that the Project as conditioned will have a significant effect on the environment, and further finds that the MND and MMRP reflects the independent judgment and analysis of the Hearing Officer.

ADMINISTRATIVE FINDINGS

32. **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 Coastal Development Services Section, LA County Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- A. The Hearing Officer finds that the proposed development is in conformity with the certified local coastal program.
- B. 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.

THEREFORE, THE HEARING OFFICER:

1. Certifies that the MND for the Project was completed in compliance with CEQA and the State and County CEQA Guidelines related thereto; certifies that they independently

reviewed and considered the MND and that the MND reflects the independent judgment and analysis of the Hearing Officer as to the environmental consequences of the Project; certifies that they considered the MMRP, finding that it is adequately designed to ensure compliance with the mitigation measures during Project implementation; determined that on the basis of the whole record before the Hearing Officer that there is no substantial evidence that the Project will have a significant effect on the environment; adopts the MND and finds that the MMRP is adequately designed to ensure compliance with the mitigation measures during Project implementation; and

2. Approves **MINOR COASTAL DEVELOPMENT PERMIT NO. RPPL2019000017** subject to the attached conditions.

ACTION DATE: May 6, 2025

MG:RG:TM

5/7/25

c: Zoning Enforcement, Building and Safety

**LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING**

**CONDITIONS OF APPROVAL
PROJECT NO. 2019-000010-(3)
MINOR COASTAL DEVELOPMENT PERMIT NO. RPPL2019000017
ENVIRONMENTAL ASSESSMENT NO. RPPL2023001199**

PROJECT DESCRIPTION

The project is a Minor Coastal Development Permit ("Minor CDP") to construct a new single-family residence on a 1.2-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 Conditions No. 9, 10, and 13. 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 Section 22.44.1090 of the County Code.
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 or 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 may be unannounced. Inspections may be conducted utilizing any available technologies, including, but not limited to, unmanned aircraft systems ("UAS"). Use of the UAS requires the approval of the Permittee pursuant to LA

County Planning's UAS Policy, which may be updated from time to time, and which shall be provided to the Permittee upon request.

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. Within five (5) working days from the day after the appeal period ends **[May 20, 2025]**, the permittee shall remit processing fees at the County Registrar-Recorder/County Clerk Office, payable to the County of Los Angeles, in connection with the filing and posting of a Notice of Determination ("NOD") for this project and its entitlements in compliance with section 21152 of the Public Resources Code. Unless a Certificate of Exemption is issued by the California Department of Fish and Wildlife pursuant to section 711.4 of the California Fish and Game Code, the permittee shall pay the fees in effect at the time of the filing of the NOD, as provided for in section 711.4 of the Fish and Game Code, currently **\$2,991.75** (\$2,916.75 for a Negative Declaration or Mitigated Negative Declaration plus \$75.00 processing fee). No land use project subject to this requirement is final, vested or operative until the fee is paid.
11. The permittee shall comply with all mitigation measures identified in the Mitigation Monitoring and Reporting Program ("MMRP") associated with Environmental Assessment No. RPPL2023001199, which are incorporated by this reference as if set forth fully herein. Environmental Assessment No. RPPL2023001199 is also related to Minor CDPs No. RPPL2019000016, RPPL2019000018, and RPPL2019000019.
12. Within thirty (30) days of the date of final approval of the grant by the County, the permittee shall record a covenant and agreement, which attaches the MMRP and agrees to comply with the mitigation measures imposed by the Mitigated Negative Declaration for this Project, in the office of the Recorder. Prior to recordation of the covenant, the permittee shall submit a draft copy of the covenant and agreement to LA County Planning for review and approval. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit annual mitigation monitoring reports to LA County Planning for approval or as required. The reports shall describe the status of the permittee's compliance with the required mitigation measures.
13. The permittee shall deposit an initial sum of **\$6,000.00** with LA County Planning within thirty (30) days of the date of final approval of this grant in order to defray the cost of reviewing and verifying the information contained in the reports required by the MMRP. The permittee shall replenish the mitigation monitoring account if necessary, until all mitigation measures have been implemented and completed.

14. 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 Sections 22.44.1130 and/or 22.44.1140 of the County Code.
15. 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").
16. 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.
17. 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").
18. 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 **July 7, 2025**.
19. 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

20. The building site area, as defined in the County Code Section 22.44.630, shall be limited to 9,540 square feet.
21. Prior to the issuance of building permits, the permittee shall obtain a "Post Coastal Approval of Onsite Wastewater Treatment System" from the County Department of Public Health ("Public Health") Environmental Health Division and a will-serve letter from the local water purveyor with all conditions met, to the satisfaction of Public Health.
22. Prior to the issuance of building permits, the permittee shall obtain approval of all plans by the Fire Department Engineering Unit, to the satisfaction of the Fire Department.

23. The permittee shall comply with all conditions set forth in the attached Public Works letter dated July 31, 2019, to the satisfaction of Public Works.
24. 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.
25. Per the requirements of County Code Section 22.44.1920 J, prior to issuance of the grading or building permit for the project, the permittee shall dedicate a permanent Irrevocable Open Space Conservation Easement over all H2 Habitat areas outside of the Fire Department required irrigated fuel modification area (Zones A and B), as well as all areas of the Project Site with grades of more than 50 percent, and a north-south wildlife movement corridor with a minimum width of 45 feet adjacent to the western property boundary. This easement shall be held by the County on behalf of the People of the State of California. No development, as defined in County Code Section 22.44.630, grazing, or agricultural activities shall be allowed in the Irrevocable Open Space Easement, except for the following:
 - a. Fuel modification required by the Fire Department undertaken in accordance with the final approved fuel modification plan for the permitted development and/or brush clearance required by the Fire Department for existing development on adjoining properties;
 - b. Drainage and polluted runoff control activities required and approved by Public Works and LA County Planning for permitted development;
 - c. If approved by the County as an amendment to the CDP or a new CDP:
 - i. Planting of native vegetation and other restoration activities;
 - ii. Construction and maintenance of public hiking trails;
 - iii. Construction and maintenance of roads, trails, and utilities consistent with easements in existence prior to approval of the permit; and
 - iv. Confined animal facilities only where consistent with County Code Section 22.44.1940.

Regardless of the above permitted uses, all fencing, lighting elements, non-native landscaping, and manmade materials shall be prohibited from the designated wildlife corridor. The permittee shall provide evidence of the recordation of a valid dedication to the County, and acceptance by the County, or a valid dedication to another public entity acceptable to the Director, and acceptance by said public entity, of a permanent, Irrevocable Open Space Conservation Easement in favor of the People of the State of California over the Irrevocable Open Space Conservation Easement Area for the purpose of habitat protection. The text of the dedication shall be approved by the Director prior to recordation. The recorded easement

document shall include a formal legal description of the entire property and a metes and bounds legal description and graphic depiction, prepared by a licensed surveyor, of the Irrevocable Open Space Conservation Easement Area. The easement document shall be recorded free of prior liens, including tax liens, and encumbrances. The recorded easement document shall reflect that no development shall occur within the Irrevocable Open Space Conservation Easement, except as otherwise set forth in the CDP conditions, consistent with the exceptions detailed in this condition. Recordation of the easement on the Project Site shall be permanent.

26. Prior to approval of the Exhibit "A," the permittee shall provide a grading plan and drainage report, including proposed site design and source control best management practices to minimize post-construction runoff and infiltrate, at minimum, the first 0.75 inches of stormwater. This plan shall show all proposed drainage improvements, such as locations of infiltration basins, measures to convey runoff from impervious surfaces to permeable areas of the site (i.e. 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 and/or rain barrels for stormwater capture.
27. 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 pruning 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.
28. The permittee shall include provisions for permanent irrigation in Fuel Modification Zones A and B and for temporary irrigation in Fuel Modification Zone C for establishment of new native plants in Zone C and outside of fuel modification zones.
29. Glass shall be of the least reflective variety or have frit patterns that will promote energy conservation and prevent bird strikes, per the provisions of County Code Section 22.44.1320.
30. Exterior lighting shall comply with the provisions of County Code Section 22.44.1270 in order to avoid light trespass.
31. Prior to the issuance of a grading permit, a qualified biologist shall be retained by the permittee as the lead biological monitor subject to the approval of the Director. That person shall ensure that the approved habitat restoration plan is followed and 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.

32. The biological monitor shall ensure compliance with the habitat restoration plan prepared by Courtney McCammon of CJ Biomonitoring dated October 8, 2020, with amendments dated August 7, 2023 ("Habitat Restoration Plan"). The Habitat Restoration Plan requires the planting of 10 mitigation coast live oak trees, two contingency coast live oak trees, and the designation of 28,876 square feet for removal of non-native plants and the planting of up to 75 scrub oak seedlings. Restoration shall occur on the subject property, as well as three adjacent properties (Assessor's Parcel Numbers 4455-019-044; 4455-019-046; and 4455-019-047) in order to mitigate direct development within the protected zones of two coast live oaks and 14,438 square feet of oak woodland across all four properties. All encroached trees, on-site oak trees, and mitigation trees shall be monitored for 10 years following the completion of construction, with annual reports provided to the LA County Planning Zoning Enforcement Section. The Habitat Restoration Plan shall be completed to the satisfaction of the LA County Planning Staff Biologist. At the discretion of the Director, similar proportional on-site restoration may be approved solely on the subject property to the satisfaction of the LA County Planning Staff Biologist.
33. Circles of a 15-foot radius around all on-site oak trees shall be weeded of all non-natives twice a year (including non-native grasses and other non-native herbaceous plants). Native plants in the 15-foot radius circle shall be allowed to grow. Weeding shall be in fall prior to the rainy season and in spring, prior to weed seed set. Weeding shall include plant roots. All weed parts shall be sent to a landfill in closed containers.
34. The biological monitor shall ensure maintenance of a four-foot-high fencing to protect trees during construction. For work in native tree protected zones, the arborist may take down fencing, supervise work, and reinstall fencing after work completion.
35. All grading and construction work within a tree protection zone ("TPZ") shall be supervised by the biological monitor in conjunction with foremen. All work within TPZs shall be done with hand tools as supervised by the arborist-of-record.
36. If any encroached tree dies or has deteriorating health during the monitoring, a total of 10 mitigation trees of that species shall be planted on the Project Site or in a satisfactory off-site location, as determined by the Director. Mitigation trees shall be

monitored for a total of 10 years after planting. Reports on new mitigation trees shall be added to the annual reports.

37. If any mitigation tree dies or deteriorates during monitoring, it shall be replaced by one mitigation tree of the same species and monitored to the end of the original monitoring period. Replacement trees shall be of the stock of the Santa Monica Mountains of Los Angeles and Ventura counties.
38. All current storage and any planned storage of accessory uses and movable items (e.g., Recreational Vehicle, picnic table, or garden equipment) shall not encroach into TPZs. No structures shall impact TPZs except as authorized by a specific permit. TPZs shall have no storage, no dumping, or irrigation, except for irrigation during exceptional drought.
39. TPZs of existing native trees shall be allowed to accumulate six-inch-thick layers of dropped native tree leaves. Initial treatment of TPZs shall be a four-inch layer of native tree leaf mulch/chopped native plant mulch in the TPZs, which shall not touch the tree trunk.
40. 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.
41. 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 to these areas, they shall 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.
 - f. 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 shall 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.
 - g. 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.
42. Temporary wildlife fencing shall be utilized to reduce the potential for wildlife being harmed by or moving into the work site. The permittee's contractor shall delineate the

grading limits/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/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 biological monitor conducts a pre-construction survey and shall be closed only after vegetation is cleared from within the fenced area (see below).
43. 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.
44. 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.

45. 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 and in accordance with the following:
 - a. A qualified biologist shall implement the Nesting Bird Survey and 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 modification. 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.
46. 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.
47. 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.
48. The Project shall provide mitigation through the County's Resource Conservation Program ("RCP"), if such program is valid and in effect, or shall otherwise provide mitigation through payment of a habitat impact in-lieu fee and/or restoration as mitigation pursuant to County Code Section 22.44.1950. If the RCP is valid and in effect at the time of implementation of this condition, the RCP may be utilized as mitigation instead of restoration. Pursuant to County Code Section 22.44.1950 A.3.f.i, the Habitat Impact Fee shall be calculated at the current updated in-lieu fee amount in effect at the time of, and shall be paid prior to, issuance of a grading or building permit. If mitigation as restoration is required, the permittee shall submit a restoration and/or enhancement plan consistent with the LIP for review and acceptance by the Director prior to issuance of grading or building permits. The habitat restoration or

PROJECT NO. 2019-000010-(3)
MINOR COASTAL DEVELOPMENT PERMIT NO.
RPPL2019000017
ENVIRONMENTAL ASSESSMENT NO. RPPL2023001199

CONDITIONS OF APPROVAL
PAGE 12 OF 12

enhancement shall be completed prior to construction of the Project and in any case, the vegetation and irrigation installation for the restoration and/or enhancement shall be completed prior to issuance of a grading or building permit.

Attachments:

Exhibit 1 Public Works letter dated July 31, 2019

Exhibit 2 Habitat Restoration Plan dated October 8, 2020



MARK PESTRELLA, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE

July 31, 2019

TO: Rob Glaser
Coastal Permits Section
Department of Regional Planning

Attention Tyler Montgomery

FROM: Art Vander Vis
Land Development Division
Department of Public Works

A handwritten signature in black ink, appearing to read "Art Vander Vis", is written over the typed name and title.

RPPL2019000017 (CDP)
ASSESSOR'S MAP BOOK 4455, PAGE 019, PARCEL 045
UNINCORPORATED COUNTY COMMUNITY OF CALABASAS

Thank you for the opportunity to review the zoning permit application and plan associated with the subject project. The proposed project includes the construction of a single family residence.

- ☒ Public Works recommends that the conditions shown below be applied to the project if ultimately approved by the advisory agency.
- ☐ Public Works has comments on the submitted documents and therefore a Public Hearing shall NOT be scheduled until the following comments have been addressed:

1. Building and Safety

- 1.1. Submit a grading/drainage plan to Public Works, Building and Safety Division, Calabasas Office for review and approval. The grading plans must show and

call out the construction of at least all drainage devices and details, paved driveways, and elevation and drainage of all pads, retaining walls, the water quality devices, and Low Impact Development (LID) features, and all existing easements.

- 1.2. Comply with LID standards in accordance with the LID Standards Manual, which can be found at <http://dpw.lacounty.gov/idd/lib/fp/Hydrology/Low%20Impact%20Development%20Standards%20Manual.pdf>.
- 1.3. Provide a maintenance agreement/covenant for privately maintained drainage devices.
- 1.4. Obtain soil/geology approval of the grading plan by Public Works, Geotechnical and Materials Engineering Division.
- 1.5. Obtain Fire Department approval of the grading plan.
- 1.6. Provide permits and/or letters of non-jurisdiction from all applicable State and Federal agencies. These agencies may include but may not be limited to the State of California Regional Water Quality Control Board, State of California Department of Fish and Wildlife, State of California Department of Conservation, Division of Oil, Gas, and Geothermal Resources, and the Army Corps of Engineers.

For questions regarding the building and safety conditions, please contact Rachelle Taccone of Public Works, Building and Safety Division at (818) 880-4150 or rtaccone@pw.lacounty.gov.

If you have any other questions or require additional information, please contact Toan Duong of Public Works, Land Development Division at (626) 458-4945 or tduong@pw.lacounty.gov.

AM:

\\pw01\pwpublic\ldpub\SUBPCHECK\Plan Checking Files\CUP\RPPL2019000017 - APN 4455-019-045\RPPL2019000017\2019-07-08 SUBMITTAL\DPW_Cleared_2019-07-31_RPPL2019000017.docx

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
PROJECT NO. 2019-000010-(3) / PERMIT NO. RPPL2019000016, RPPL2019000017, RPPL2019000018, RPPL2019000019

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
4.1	Biological Resources	BIOLOGICAL MONITOR --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 DRP. The monitor 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 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 the approved habitat restoration plan is implemented as required, and shall make monitoring reports available to DRP and CDFW at their request	Retain qualified biological monitor and maintain daily monitoring reports	Prior to issuance of grading permit and during construction & fuel modification	Applicant	DRP
4.2	Biological Resources	HABITAT RESTORATION PLAN --The applicant shall implement the habitat restoration plan approved by DRP as part of the stamped Exhibit "A." This restoration plan shall accomplish the planting of 12 mitigation coast live oak trees, the planting of up to 75 scrub oak seedlings, and the removal of non-native plant species across the Project Site. In addition, removal of all chain-link fencing on the Project Site shall be accomplished with hand tools, and existing fence posts shall be cut off at ground level. Restoration will entail physical removal of non-natives and the sowing/planting of species locally native to the site. Plant species within fuel modification Zone "C" shall require minimal mowing to achieve Fire Department approval. The restoration plan shall include provisions for delaying fuel modification and/or mowing activities until most seeds of native plants have matured, or the last day permitted by the Los Angeles County Fire Department--whichever comes first. All on-site oak trees shall be monitored for a period of 10 years following the completion of construction, with annual reports to be provided to DRP Zoning Enforcement. The arborist-of-record shall provide and maintain a four-foot-high fencing to protect trees during construction. For work in native tree protected zones, the arborist may take down fencing, supervise work, and reinstall fencing after work completion. All grading and construction work within a tree protection zone ("TPZ") shall be supervised by the arborist-of-record in conjunction with foremen. All work within TPZs shall be done with hand tools as supervised by the arborist-of-record. If any encroached tree dies or has deteriorating health during the monitoring, a total of 10 mitigation trees of that species shall be planted on the Project Site or in a satisfactory off-site location, as determined by the Director of the Department of Regional Planning. Reports on new mitigation trees shall be added to the annual reports. If any mitigation tree dies or deteriorates during monitoring, it shall be replaced by one mitigation tree of the same species and monitored to the end of the original monitoring period. Replacement trees shall be of the stock of the Santa Monica Mountains of Los Angeles and Ventura counties.	Submittal, approval, and implementation of Habitat Restoration Plan	Prior to issuance of grading permit and during construction & fuel modification	Applicant	DRP
4.3	Biological Resources	STAKING OF GRADING LIMITS --The Applicant's contractor 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 project biological monitor.	Implementation of staking			
4.4	Biological Resources	NESTING BIRD SURVEY --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: If initial grubbing, grading, and construction activities are scheduled to occur outside the CDFW 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 7 days prior to, and again within 3 days, of 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. 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 thirty 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 3 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 (within 500 feet for 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 below. If an active nest is found, regardless of time of year, project activities within 300 feet of the nest (within 500 feet for raptor nests) or as determined by a qualified biological monitor, must be postponed until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting. Flagging, stakes, or construction fencing shall be used to demarcate 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. The qualified biologist shall provide the Director of Regional Planning 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. If the qualified biologist determines that a narrower buffer between the project activities and observed active nests is warranted, he or she 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 Regional Planning and CDFW. Based on the submitted information, the Director of Regional Planning (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. 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. The biologist shall send weekly monitoring reports to the Director of Regional Planning and, upon request, to CDFW, documenting the status of monitored nests, and shall notify Regional Planning immediately if project activities damage active avian nests.	Implementation of nesting bird survey(s)	Prior to issuance of grading permit and during construction & fuel modification	Applicant and subsequent owner(s)	DRP

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
PROJECT NO. 2019-000010-(3) / PERMIT NO. RPPL2019000016, RPPL2019000017, RPPL2019000018, RPPL2019000019

4.5	Biological Resources	TEMPORARY WILDLIFE FENCING -- 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 limits/approved development area and shall fence the area in its entirety with green screen before beginning removal of any vegetation. 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. 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. Laborers installing the fence shall remain within the cut areas and any paths leading to it. 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. The biological monitor must hold a CDFW Scientific Collectors Permit authorizing handling of invertebrates, reptiles, amphibians, and mammals. 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).	Implementation of temporary wildlife fencing	Prior to issuance of grading permit and during construction & fuel modification	Applicant and subsequent owner(s)	DRP
4.6	Biological Resources	PRE-CONSTRUCTION BIOLOGICAL RESOURCE SURVEY & SITE CLEARANCE —A pre-construction biological resources survey shall be conducted within the area that is screened and within areas adjacent the driveway the day after screening. The project proponent's contractor shall plan to remove vegetation from within the screened area no more than one day after completion of the Pre-Construction Biological Resources Survey. Laborers shall use hand held tools to remove the vegetation. Using hand-held tools will allow wildlife, including special-status species, a chance to escape and reduce the potential of them being crushed by heavy machinery. A biologist shall monitor vegetation removal so that they can capture and relocate wildlife as necessary. The biological monitor must hold a CDFW Scientific Collectors Permit authorizing handling of invertebrates, reptiles, amphibians, and mammals.	Preparation of a pre-construction biological resource survey and implementation of special vegetation removal methods	Prior to issuance of grading permit and during construction & fuel modification	Applicant and subsequent owner(s)	DRP
4.7	Biological Resources	INITIAL GRUBBING & GRADING —Initial grubbing and grading shall occur 3 to 7 days after vegetation has been cleared from the proposed development area/grading limits. The delay between vegetation clearance and the grubbing and grading activities will allow wildlife, including special-status species, a chance to escape and reduce the potential of them being crushed by heavy machinery. The biological monitor shall monitor initial grading and grubbing so that they can capture and relocate wildlife as necessary. The biological monitor must hold a CDFW Scientific Collectors Permit authorizing handling of invertebrates, reptiles, amphibians, and mammals	Implementation of special grubbing & grading methods	Prior to issuance of grading permit and during grubbing and grading	Applicant and subsequent owner(s)	DRP
4.8	Biological Resources	INITIAL FUEL MODIFICATION —The site shall only be fuel-modified after the construction phase of the proposed project has been completed or as otherwise directed by the Fire Department. A qualified biologist shall implement the Nesting Bird Survey & Protection Plan before fuel modification occurs. 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. The biological monitor 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.	Implementation of special fuel modification methods	Prior to certificate of occupancy and during fuel modification	Applicant and subsequent owner(s)	DRP
5.1	Cultural Resources, Tribal Cultural Resources	NATIVE AMERICAN MONITORS —The Project Applicant shall retain professional Native American monitors procured by the Fernandeano Tataviam Band of Mission Indians (FTBMI) to observe all ground-disturbing activities including, but not limited to, clearing, grading, excavating, digging, trenching, plowing, drilling, tunneling, quarrying, leveling, driving posts, auguring, blasting, stripping topsoil or any similar activity to occur within the proposed project area. One Native American Monitor shall be assigned by the FTBMI to each machine or work crew engaged in ground disturbing activity that is active more than 100 feet from any other earthwork machine or work crew. In the event that tribal cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall assess the find. The archaeologist and Tribal monitor will have the authority to request ground disturbing activities cease within the area of a discovery. Work on the other portions of the project outside of the buffered area may continue during this assessment period.	Hiring and retention of Native American monitors during ground disturbance activities	Prior to issuance of grading permit and during grading activities	Applicant and subsequent owner(s)	DRP
5.2	Cultural Resources, Tribal Cultural Resources	DISPOSITION OF TRIBAL RESOURCES —The Project Applicant shall, in good faith, consult with the FTBMI on the disposition and treatment of any Tribal Cultural Resource encountered during all ground disturbing activities.	Consultation with FTBMI regarding treatment of tribal cultural resources	Upon discovery of tribal cultural resources	Applicant and subsequent owner(s)	DRP
5.3	Cultural Resources, Tribal Cultural Resources	ARCHEOLOGICAL DOCUMENTS —Any and all archeological documents created as a part of the project (isolate records, site records, survey reports, testing reports and monitoring reports, etc.) shall be provided to the FTBMI.	Provision of archeological documents to FTBMI	Upon completion of archeological documents	Applicant and subsequent owner(s)	DRP
5.4	Cultural Resources, Tribal Cultural Resources	TREATMENT OF HUMAN REMAINS —If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to California Health and Safety Code §7050.5 and that code shall be enforced for the duration of the project. Inadvertent discoveries of human remains and/or funerary object(s) are subject to this code, and the subsequent disposition of those discoveries shall be decided by the Most Likely Descendant (MLD), as determined by the Native American Heritage Commission (NAHC), should those findings be determined as Native American in origin.	Compliance with Health and Safety Code §7050.5	Upon discovery of human remains or funerary objects	Applicant and subsequent owner(s)	DRP
19	Mitigation Compliance	MITIGATION COMPLIANCE --As a means of ensuring compliance of above mitigation measures, the applicant and subsequent owner(s) are responsible for submitting compliance report to the Department of Regional Planning for review, and for replenishing the mitigation monitoring account if necessary until such as all mitigation measures have been implemented and completed.	Submittal and approval of compliance report and replenishing mitigation monitoring account	Yearly and as required until all measures are completed.	Applicant and subsequent owner(s)	DRP

**LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING
FINDINGS OF THE HEARING OFFICER
AND ORDER
PROJECT NO. 2019-000010-(3)
MINOR COASTAL DEVELOPMENT PERMIT NO. RPPL2019000018
ENVIRONMENTAL ASSESSMENT NO. RPPL2023001199**

RECITALS

1. **HEARING DATE(S).** The Los Angeles County ("County") Hearing Officer conducted a duly noticed public hearing on May 6, 2025, in the matter of Project No. 2019-000010-(3), consisting of Minor Coastal Development Permit No. RPPL2019000018 ("Minor CDP") and Environmental Assessment No. RPPL2023001199. Environmental Assessment No. RPPL2023001199 is also related to Minor CDP Nos. 2019000016, RPPL2019000017, and RPPL2019000019.
2. **HEARING PROCEEDINGS.** A duly noticed public hearing was scheduled before the Hearing Officer on May 28, 2024. The item was subsequently continued, without the public hearing being opened, to June 25, 2024, August 20, 2024, September 17, 2024, October 15, 2024, January 21, 2025, March 18, 2025, and May 6, 2025. On May 6, 2025, the public hearing was opened, and Department of Regional Planning Staff gave a presentation recommending approval. Public testimony was given both for and against the project. The Hearing Officer subsequently closed the public hearing and approved the project.
3. **ENTITLEMENT(S) REQUESTED.** The permittee, Isaac Zachary ("Permittee"), requests a Minor CDP to construct a new 4,114-square-foot single-family residence, a 451-square-foot attached garage, a swimming pool, and an onsite wastewater treatment system (OWTS) with 4,430 cubic yards of grading ("Project") on a 10.1-acre flag lot—also referred to as "Lot 3"—located at 24937 Mulholland Highway, unincorporated Calabasas, in the Santa Monica Mountains Coastal Zone ("Project Site"). Development would encroach into the protected zones of two on-site oak trees. As part of the Project, on-site habitat will be remapped as recommended by the Environmental Review Board ("ERB"), resulting in approximately 0.3 acres of H3 Habitat and 9.8 acres of H2 Habitat.
4. **ENTITLEMENT(S) REQUIRED.** The Minor CDP is a request to construct a new single-family residence and improvements, including a new OWTS, in the R-C-20 (Rural Coastal—20 Acre Minimum Required Lot Area) Zone pursuant to County Code Section 22.44.810. Per the requirements of the Santa Monica Mountains Local Implementation Program ("LIP"), a Minor CDP is required for any project that results in grading of between 50 and 5,000 cubic yards of earth (County Code Section 22.44.1260). A Minor CDP is also required for any project that removes or encroaches into the protected zone of an oak tree (County Code Section 22.44.950). Thus, a Minor CDP is required because the Project proposes 4,430 cubic yards of grading (2,215

cubic yards cut and 2,215 cubic yards fill) and encroaches into the protected zones of two oak trees.

5. **PREVIOUS ENTITLEMENT(S).** The existing parcel and paved driveway were authorized by Parcel Map 10857 and CDP P-80-6480 in 1981.
6. **LAND USE DESIGNATION.** The Project Site is located within the Rural Land 20 (1 dwelling unit per 20 acres) land use designation of the Santa Monica Mountains Local Coastal Program Land Use Policy Map, which is a component of the Santa Monica Mountains Local Coastal Program Land Use Plan ("LUP").
7. **ZONING.** The Project Site is located in the Malibu Zoned District and is currently zoned R-C-20. Pursuant to County Code Section 22.44.1750, a single-family residence and its accessory structures are the principal permitted use within the R-C Zone.
8. **PROJECT AND SITE PLAN DESCRIPTION.**

A. Existing Site Conditions

The 10.1-acre Project Site consists of a flag lot with relatively gently sloping terrain across the southern portion, but rising steeply toward the north, becoming rocky as it increases in elevation. An existing 20-foot-wide paved driveway is located adjacent to its southeastern boundary, accessing Mulholland Highway approximately 450 feet to the south via the flag lot "stem." After site-specific surveys by the Permittee's biologist and the County Department of Regional Planning ("LA County Planning") Staff Biologist ("Staff Biologist"), the ERB recommended that the on-site habitat be remapped, which would result in approximately 0.3 acres of H3 Habitat, consisting of native and non-native grasses on the southeastern portion of the Project Site, and 9.8 acres of H2 Habitat, consisting of chaparral and rock outcrops. The southeastern portion of the Project Site is subject to annual brush clearance and mowing activities due to the presence of single-family residences to the east, as well as within the shoulders of the existing driveway. A small area of oak woodland is located within the southernmost portion of the Project Site (the flag lot "stem"), within H3 Habitat. The northern portion of the Project Site consists of 9.0 acres that have been designated restricted use areas and/or flood hazard areas as part of the underlying parcel map.

B. Site Access

The Project Site is accessed by a 20-foot-wide, 450-foot-long shared paved driveway to Mulholland Highway, a 100-foot-wide public parkway (35-foot-wide paved width) and designated scenic highway to the south.

C. Site Plan

The Permittee proposes construction of a new 3,291-square-foot single-family residence with a 451-square-foot attached garage and 938-square-foot covered patio. The residence would be located on the southeastern portion of a 10.1-acre Project Site in the Santa Monica Mountains Coastal Zone and would have a

maximum height of 18 feet above grade. A new OWTS would be located to the southeast of the residence. An existing 20-foot-wide, 450-foot-long paved driveway provides access to the Project Site along its eastern boundary. A new paved circular turnaround would be added to the end of the driveway, partially located on the Project Site. Landscaping and hardscaping are proposed, including a swimming pool to the south of the residence, as well as the removal of an existing chain-link fence from the western boundary of the Project Site. The Project would result in a total building site of 9,898 square feet and 4,430 cubic yards of grading (2,215 cubic yards cut and 2,215 cubic yards fill, balanced on site) due to the need for removal and recompaction of the underlying soil. The Project would result in encroachments into the protected zones of two oak trees on the southern portion of the Project Site. In accordance with the ERB's recommended remapping, the proposed development and all fuel modification areas are completely located within H3 and H2 Habitats.

9. **PUBLIC COMMENTS.** LA County Planning Staff has received four letters of opposition to the Project. The letters site multiple reasons for their opposition, including increased fire risk, harm to biological resources, visual impacts, incompatible architecture, inadequate plans for mitigation tree planting, the potential for higher local insurance rates or cancelled policies, and that four dwelling units on the Project Site is an inappropriate density.

10. **AGENCY RECOMMENDATIONS.**

- A. The Department of Parks and Recreation, in a letter dated July 11, 2019, recommended that the Project proceed to a public hearing without conditions.
- B. The Department of Public Health, in a letter dated July 29, 2019, recommended that the Project proceed to a public hearing with specific conditions regarding provision of water purveyor will-serve letters and non-conventional OWTS covenants. These have been included as conditions of approval.
- C. The County Fire Department, in a letter dated July 31, 2019, recommended that the Project proceed to a public hearing with a specific condition requiring approval of all plans by the Fire Department Engineering Unit. This has been included as a condition of approval.
- D. The Department of Public Works, in a letter dated July 31, 2019, recommended that the Project proceed to a public hearing with specific conditions regarding on-site grading and drainage, low-impact development features, and the provision of permits or letters of non-jurisdiction letters from all applicable State and Federal agencies. These have been included as conditions of approval.

11. **LEGAL NOTIFICATION.** The Hearing Officer finds that pursuant to County Code Section 22.44.990, the community was properly notified of the public hearing by mail, newspaper (*Malibu Times*), and property posting. Additionally, the Project was noticed, and case materials were made available on LA County Planning's website. On

April 18, 2024, a total of 57 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 21 to those on the courtesy mailing list for the Santa Monica Mountains Planning Area and to any additional interested parties. In addition, story poles indicating the elevation of all parts of the structure were erected on the Project Site on April 22, 2024, pursuant to the LIP requirements (County Code Section 22.44.1440).

12. CEQA DETERMINATION.

Prior to the Hearing Officer's public hearing on the Project, an Initial Study was prepared for the 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 for the County. Based on the Initial Study, LA County Planning Staff determined that a Mitigated Negative Declaration ("MND") was the appropriate environmental document for the Project. The mitigation measures necessary to ensure the Project will not have a significant effect on the environment are contained in the Mitigation Monitoring and Reporting Program ("MMRP") prepared for the Project and three other projects on three adjoining parcels.

GENERAL PLAN CONSISTENCY FINDINGS

13. **LAND USE POLICY.** The Hearing Officer finds that the Project is consistent with the goals and policies of the LUP because the Rural Land 20 (1 dwelling unit per 20 acres) land use designation is intended for appropriately sized single-family residential uses on large lots. A single-family residence is permitted under this designation.

14. **GOALS AND POLICIES.** The Hearing Officer finds that the Project would be consistent with the following policies of the LUP:

Conservation and 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 much of the existing cleared portion of the Project Site immediately adjacent to the paved access driveway. This will lessen the need to disturb natural vegetation and landforms on the northern and western portions of the Project Site with direct development. No H1 Habitat, H1 Habitat Buffer, or H1 Habitat Quiet Zone would be impacted as part of the Project.

*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 Mulholland Highway and thus is located in a Scenic Resource Area ("SRA"). The maximum height for a single-family residence within an SRA in the Coastal Zone is 18 feet above grade, which is the maximum height of the proposed single-family residence. The 18-foot-tall design is appropriate for the Project Site, as it minimizes the viewshed disturbance and is similar to several homes to the south, east, and west. The Project would also comply with the LIP limitations on building site area, as the 9,898-square-foot building site area is less than the maximum of 10,000 square feet.

ZONING CODE CONSISTENCY FINDINGS

15. **PERMITTED USE IN ZONE.** The Hearing Officer finds that the Project is consistent with the R-C-20 zoning classification, as a single-family residence is the principal permitted use in such zone with a 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. A Minor CDP is also required for any project that removes or encroaches into the protected zone of an oak tree (County Code Section 22.44.950). Thus, a Minor CDP is required because the Project proposes 4,430 cubic yards of grading (2,215 cubic yards cut, 2,215 cubic yards fill) and encroaches into the protected zones of two oak trees.
16. **REQUIRED YARDS.** The Hearing Officer finds that the Project is consistent with the standards identified in County Code Sections 22.44.1375 and 22.44.1750, as the Project would meet all required setback standards, including the 20-foot front-yard setback, 15-foot rear-yard setback, and five-foot side-yard setback for all structures.
17. **HEIGHT.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.44.1250. The maximum height for a single-family residence within an SRA in the Coastal Zone is 18 feet above grade, which is the maximum height of the proposed single-family residence.
18. **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.

19. **PARKING.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.44.1410. Because the Project Site is greater than one acre in size and is not within a Rural Village, no covered parking spaces are required, although an attached garage would be constructed as part of the Project.
20. **VEGETATION REMOVAL.** The Hearing Officer finds that the Project is consistent with the vegetation removal method requirements identified in County Code Section 22.44.1240. The requested Minor CDP is conditioned to prohibit the use of discing or other methods of clearance to bare earth within fuel modification areas, consistent with these requirements. The site plan associated with the Project depicts vegetation removal occurring only in areas where the single-family residence and garage will be located and within the associated fuel modification and brush clearance zones. Mapped H1 Habitats would not be subject to fuel modification. The Project is also designed to ensure that the building site area, as much as possible, is located on the previously cleared portion of the Project Site within H3 Habitat, per the recommended ERB remapping (see Exhibit G – Informational Maps attached to the Report to the Hearing Officer dated June 13, 2024).
21. **OAK TREE IMPACTS.** The Hearing Officer finds that the Project is consistent with the oak tree and oak woodland preservation requirements of County Code Sections 22.44.950, 22.44.1920, et seq. The Project would encroach into the protected zones of two oak trees on the southern portion of the Project Site. One of the on-site oak trees would have a protected zone encroachment of more than 10 percent, which requires mitigation at a 5:1 ratio. The Permittee's habitat restoration plan proposes five mitigation trees and one contingency tree be planted, for a total of six trees. The second oak tree encroachment would extend into less than 10 percent of the protected zone, which means no mitigation is required by the LIP. However, all on-site oak trees will be monitored for a period of 10 years, and any trees that die as a result of the Project must be mitigated at a 10:1 ratio. The Project also proposes development within approximately 2,888 square feet of oak woodland. Although the oak woodland is within H3 Habitat, it will be mitigated on site at a 2:1 ratio, per the Permittee's habitat restoration plan.
22. **BIOLOGICAL RESOURCES.** The Hearing Officer finds that the Project is consistent with the biological resource 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 include a best management practices plan, runoff control measures, retaining a biological monitor, screening the site and staking grading limits, preparing surveys and restoration plans for nesting birds, bats, and native trees, and the planting of mitigation oak trees through field surveying. At its meeting on February 28, 2022, the ERB found that the Project, as modified, would be consistent with local biological resources. The ERB's recommended modifications have been included in the Project's conditions of approval.
23. **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 4,430 cubic yards of grading, consisting of 2,215 cubic yards cut and 2,215 cubic yards fill, balanced on site. The Project is consistent with the applicable grading requirements because grading, including removal and recompaction of the underlying unstable pad, would occur in an area close to the existing access driveway, and the Project is appropriately conditioned to restrict grading from starting during the defined rainy season.

24. **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.

25. **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. Minimal fencing and retaining walls are proposed for the Project Site, and an existing perimeter chain-link fence would be removed to facilitate wildlife movement.

26. **BUILDING SITE AREA.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.44.1910.I, which refers to the maximum allowable building site area. The total building site area of 9,898 square feet is within the maximum building site area of 10,000 square feet.

27. **HABITAT CATEGORIES.** The Hearing Officer finds that the Project is consistent with the standards identified in County Code Section 22.44.1920. The habitat remapping recommended by the ERB would result in 0.3 acres of H3 Habitat and 9.8 acres of H2 Habitat on the Project Site. The building site area, as well as the areas of brush clearance, are designated as H3 and H2 Habitat. Development within H2 Habitat is permitted when it is the most appropriate location and no feasible site within H3 Habitat is available. While a portion of the residence would be located in H3 Habitat, some direct development, fuel modification, and grading would be located within H2 Habitat. The narrow width and small area of the H3 Habitat area adjacent to the existing driveway, underlying unstable soil, and required fuel modification makes this encroachment unavoidable.

The Project would result in 0.19 acres of direct development and 1.02 acres of fuel modification within the H2 Habitat (0.48 acres irrigated and 0.54 acres non-irrigated). These impacts must be mitigated through a habitat impact in-lieu fee or on-site or off-site mitigation. Therefore, a condition of Project approval requires the impact to be mitigated through an in-lieu fee or, alternatively, by proposing a mitigation plan to be approved by the Director of LA County Planning at a later date, but before grading and construction can occur.

28. **GRANT TERM.** The Hearing Officer finds that it is not necessary to require a grant term given the nature of the residential use and the surrounding area.

COASTAL DEVELOPMENT PERMIT FINDINGS

29. **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 subject to the Santa Monica Mountains Local Coastal Program, which includes the LUP and LIP, including those standards related to permitted uses, building site area, habitat categories, height restrictions, and scenic resources.
30. **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 do not apply.

ENVIRONMENTAL FINDINGS

31. After consideration of the MND and MMRP, together with the comments received during the public review process, the Hearing Officer finds on the basis of the whole record before them that there is no substantial evidence that the Project as conditioned will have a significant effect on the environment, and further finds that the MND and MMRP reflects the independent judgment and analysis of the Hearing Officer.

ADMINISTRATIVE FINDINGS

32. **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 Hearing Officer finds that the proposed development is in conformity with the certified local coastal program.
- B. 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.

THEREFORE, THE HEARING OFFICER:

1. Certifies that the MND for the Project was completed in compliance with CEQA and the State and County CEQA Guidelines related thereto; certifies that they independently reviewed and considered the MND and that the MND reflects the independent judgment and analysis of the Hearing Officer as to the environmental consequences of the Project; certifies that they considered the MMRP, finding that it is adequately designed to ensure compliance with the mitigation measures during Project implementation; determined that on the basis of the whole record before the Hearing Officer that there is no substantial evidence that the Project will have a significant effect on the environment; adopts the MND and finds that the MMRP is adequately designed to ensure compliance with the mitigation measures during Project implementation; and
2. Approves **MINOR COASTAL DEVELOPMENT PERMIT NO. RPPL2019000018** subject to the attached conditions.

ACTION DATE: May 6, 2025

MG:RG:TM

5/7/25

c: Zoning Enforcement, Building and Safety

**LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING**

**CONDITIONS OF APPROVAL
PROJECT NO. 2019-000010-(3)
MINOR COASTAL DEVELOPMENT PERMIT NO. RPPL2019000018
ENVIRONMENTAL ASSESSMENT NO. RPPL2023001199**

PROJECT DESCRIPTION

The project is a Minor Coastal Development Permit ("Minor CDP") to construct a new single-family residence on a 10.1-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 Conditions No. 9, 10, and 13. 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 Section 22.44.1090 of the County Code.
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 or 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 may be unannounced. Inspections may be conducted utilizing any available technologies, including, but not limited to, unmanned aircraft systems ("UAS"). Use of the UAS requires the approval of the Permittee pursuant to LA

County Planning's UAS Policy, which may be updated from time to time, and which shall be provided to the Permittee upon request.

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. Within five (5) working days from the day after the appeal period ends **[May 20, 2025]**, the permittee shall remit processing fees at the County Registrar-Recorder/County Clerk Office, payable to the County of Los Angeles, in connection with the filing and posting of a Notice of Determination ("NOD") for this project and its entitlements in compliance with section 21152 of the Public Resources Code. Unless a Certificate of Exemption is issued by the California Department of Fish and Wildlife pursuant to section 711.4 of the California Fish and Game Code, the permittee shall pay the fees in effect at the time of the filing of the NOD, as provided for in section 711.4 of the Fish and Game Code, currently **\$2,991.75** (\$2,916.75 for a Negative Declaration or Mitigated Negative Declaration plus \$75.00 processing fee). No land use project subject to this requirement is final, vested or operative until the fee is paid.
11. The permittee shall comply with all mitigation measures identified in the Mitigation Monitoring and Reporting Program ("MMRP") associated with Environmental Assessment No. RPPL2023001199, which are incorporated by this reference as if set forth fully herein. Environmental Assessment No. RPPL2023001199 is also related to Minor CDPs No. RPPL2019000016, RPPL2019000017, and RPPL2019000019.
12. Within thirty (30) days of the date of final approval of the grant by the County, the permittee shall record a covenant and agreement, which attaches the MMRP and agrees to comply with the mitigation measures imposed by the Mitigated Negative Declaration for this Project, in the office of the Recorder. Prior to recordation of the covenant, the permittee shall submit a draft copy of the covenant and agreement to LA County Planning for review and approval. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit annual mitigation monitoring reports to LA County Planning for approval or as required. The reports shall describe the status of the permittee's compliance with the required mitigation measures.
13. The permittee shall deposit an initial sum of **\$6,000.00** with LA County Planning within thirty (30) days of the date of final approval of this grant in order to defray the cost of reviewing and verifying the information contained in the reports required by the MMRP. The permittee shall replenish the mitigation monitoring account if necessary, until all mitigation measures have been implemented and completed.

14. 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 Sections 22.44.1130 and/or 22.44.1140 of the County Code.
15. 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").
16. 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.
17. 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").
18. 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 **July 7, 2025**.
19. 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

20. The building site area, as defined in the County Code Section 22.44.630, shall be limited to 9,898 square feet.
21. Prior to the issuance of building permits, the permittee shall obtain a "Post Coastal Approval of Onsite Wastewater Treatment System" from the County Department of Public Health ("Public Health") Environmental Health Division and a will-serve letter from the local water purveyor with all conditions met, to the satisfaction of Public Health.
22. Prior to the issuance of building permits, the permittee shall obtain approval of all plans by the Fire Department Engineering Unit, to the satisfaction of the Fire Department.

23. The permittee shall comply with all conditions set forth in the attached Public Works letter dated July 31, 2019, to the satisfaction of Public Works.
24. 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.
25. Per the requirements of County Code Section 22.44.1920 J, prior to issuance of the grading or building permit for the project, the permittee shall dedicate a permanent Irrevocable Open Space Conservation Easement over all H2 Habitat areas outside of the Fire Department required irrigated fuel modification area (Zones A and B), as well as all areas of the Project Site with grades of more than 50 percent, and a north-south wildlife movement corridor with a minimum width of 45 feet adjacent to the western property boundary. This easement shall be held by the County on behalf of the People of the State of California. No development, as defined in County Code Section 22.44.630, grazing, or agricultural activities shall be allowed in the Irrevocable Open Space Easement, except for the following:
 - a. Fuel modification required by the Fire Department undertaken in accordance with the final approved fuel modification plan for the permitted development and/or brush clearance required by the Fire Department for existing development on adjoining properties;
 - b. Drainage and polluted runoff control activities required and approved by Public Works and LA County Planning for permitted development;
 - c. If approved by the County as an amendment to the CDP or a new CDP:
 - i. Planting of native vegetation and other restoration activities;
 - ii. Construction and maintenance of public hiking trails;
 - iii. Construction and maintenance of roads, trails, and utilities consistent with easements in existence prior to approval of the permit; and
 - iv. Confined animal facilities only where consistent with County Code Section 22.44.1940.

Regardless of the above permitted uses, all fencing, lighting elements, non-native landscaping, and manmade materials shall be prohibited from the designated wildlife corridor. The permittee shall provide evidence of the recordation of a valid dedication to the County, and acceptance by the County, or a valid dedication to another public entity acceptable to the Director, and acceptance by said public entity, of a permanent, Irrevocable Open Space Conservation Easement in favor of the People of the State of California over the Irrevocable Open Space Conservation Easement Area for the purpose of habitat protection. The text of the dedication shall be approved by the Director prior to recordation. The recorded easement

document shall include a formal legal description of the entire property and a metes and bounds legal description and graphic depiction, prepared by a licensed surveyor, of the Irrevocable Open Space Conservation Easement Area. The easement document shall be recorded free of prior liens, including tax liens, and encumbrances. The recorded easement document shall reflect that no development shall occur within the Irrevocable Open Space Conservation Easement, except as otherwise set forth in the CDP conditions, consistent with the exceptions detailed in this condition. Recordation of the easement on the Project Site shall be permanent.

26. Prior to approval of the Exhibit "A," the permittee shall provide a grading plan and drainage report, including proposed site design and source control best management practices to minimize post-construction runoff and infiltrate, at minimum, the first 0.75 inches of stormwater. This plan shall show all proposed drainage improvements, such as locations of infiltration basins, measures to convey runoff from impervious surfaces to permeable areas of the site (i.e. 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 and/or rain barrels for stormwater capture.
27. 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 pruning for any one clump. Resprouting 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.
28. The permittee shall include provisions for permanent irrigation in Fuel Modification Zones A and B and for temporary irrigation in Fuel Modification Zone C for establishment of new native plants in Zone C and outside of fuel modification zones.
29. Glass shall be of the least reflective variety or have frit patterns that will promote energy conservation and prevent bird strikes, per the provisions of County Code Section 22.44.1320.
30. Exterior lighting shall comply with the provisions of County Code Section 22.44.1270 in order to avoid light trespass.
31. Prior to the issuance of a grading permit, a qualified biologist shall be retained by the permittee as the lead biological monitor subject to the approval of the Director. That person shall ensure that the approved habitat restoration plan is followed and 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.

32. The biological monitor shall ensure compliance with the habitat restoration plan prepared by Courtney McCammon of CJ Biomonitoring dated October 8, 2020, with amendments dated August 7, 2023 ("Habitat Restoration Plan"). The Habitat Restoration Plan requires the planting of 10 mitigation coast live oak trees, two contingency coast live oak trees, and the designation of 28,876 square feet for removal of non-native plants and the planting of up to 75 scrub oak seedlings. Restoration shall occur on the subject property, as well as three adjacent properties (Assessor's Parcel Numbers 4455-019-044; 4455-019-045; and 4455-019-047) in order to mitigate direct development within the protected zones of two coast live oaks and 14,438 square feet of oak woodland across all four properties. All encroached trees, on-site oak trees, and mitigation trees shall be monitored for 10 years following the completion of construction, with annual reports provided to the LA County Planning Zoning Enforcement Section. The Habitat Restoration Plan shall be completed to the satisfaction of the LA County Planning Staff Biologist. At the discretion of the Director, similar proportional on-site restoration may be approved solely on the subject property to the satisfaction of the LA County Planning Staff Biologist.
33. Circles of a 15-foot radius around all on-site oak trees shall be weeded of all non-natives twice a year (including non-native grasses and other non-native herbaceous plants). Native plants in the 15-foot radius circle shall be allowed to grow. Weeding shall be in fall prior to the rainy season and in spring, prior to weed seed set. Weeding shall include plant roots. All weed parts shall be sent to a landfill in closed containers.
34. The biological monitor shall ensure maintenance of a four-foot-high fencing to protect trees during construction. For work in native tree protected zones, the arborist may take down fencing, supervise work, and reinstall fencing after work completion.
35. All grading and construction work within a tree protection zone ("TPZ") shall be supervised by the biological monitor in conjunction with foremen. All work within TPZs shall be done with hand tools as supervised by the arborist-of-record.
36. If any encroached tree dies or has deteriorating health during the monitoring, a total of 10 mitigation trees of that species shall be planted on the Project Site or in a satisfactory off-site location, as determined by the Director. Mitigation trees shall be

monitored for a total of 10 years after planting. Reports on new mitigation trees shall be added to the annual reports.

37. If any mitigation tree dies or deteriorates during monitoring, it shall be replaced by one mitigation tree of the same species and monitored to the end of the original monitoring period. Replacement trees shall be of the stock of the Santa Monica Mountains of Los Angeles and Ventura counties.
38. All current storage and any planned storage of accessory uses and movable items (e.g., Recreational Vehicle, picnic table, or garden equipment) shall not encroach into TPZs. No structures shall impact TPZs except as authorized by a specific permit. TPZs shall have no storage, no dumping, or irrigation, except for irrigation during exceptional drought.
39. TPZs of existing native trees shall be allowed to accumulate six-inch-thick layers of dropped native tree leaves. Initial treatment of TPZs shall be a four-inch layer of native tree leaf mulch/chopped native plant mulch in the TPZs, which shall not touch the tree trunk.
40. 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.
41. 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 to these areas, they shall 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.
 - f. 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 shall 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.
 - g. 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.
42. Temporary wildlife fencing shall be utilized to reduce the potential for wildlife being harmed by or moving into the work site. The permittee's contractor shall delineate the

grading limits/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/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 biological monitor conducts a pre-construction survey and shall be closed only after vegetation is cleared from within the fenced area (see below).
43. 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.
44. 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.

45. 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 and in accordance with the following:
 - a. A qualified biologist shall implement the Nesting Bird Survey and 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 modification. 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.
46. 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.
47. 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.
48. The Project shall provide mitigation through the County's Resource Conservation Program ("RCP"), if such program is valid and in effect, or shall otherwise provide mitigation through payment of a habitat impact in-lieu fee and/or restoration as mitigation pursuant to County Code Section 22.44.1950. If the RCP is valid and in effect at the time of implementation of this condition, the RCP may be utilized as mitigation instead of restoration. Pursuant to County Code Section 22.44.1950 A.3.f.i, the Habitat Impact Fee shall be calculated at the current updated in-lieu fee amount in effect at the time of, and shall be paid prior to, issuance of a grading or building permit. If mitigation as restoration is required, the permittee shall submit a restoration and/or enhancement plan consistent with the LIP for review and acceptance by the Director prior to issuance of grading or building permits. The habitat restoration or

PROJECT NO. 2019-000010-(3)
MINOR COASTAL DEVELOPMENT PERMIT NO.
RPPL2019000018
ENVIRONMENTAL ASSESSMENT NO. RPPL2023001199

CONDITIONS OF APPROVAL
PAGE 12 OF 12

enhancement shall be completed prior to construction of the Project and in any case, the vegetation and irrigation installation for the restoration and/or enhancement shall be completed prior to issuance of a grading or building permit.

Attachments:

Exhibit 1 Public Works letter dated July 31, 2019

Exhibit 2 Habitat Restoration Plan dated October 8, 2020



MARK PESTRELLA, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

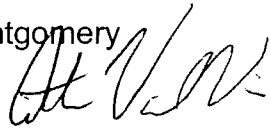
ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE:

July 31, 2019

TO: Rob Glaser
Coastal Permits Section
Department of Regional Planning

Attention Tyler Montgomery

FROM: Art Vander Vis 
Land Development Division
Department of Public Works

RPPL2019000018 (CDP)
ASSESSOR'S MAP BOOK 4455, PAGE 019, PARCEL 046
UNINCORPORATED COUNTY COMMUNITY OF CALABASAS

Thank you for the opportunity to review the zoning permit application and plan associated with the subject project. The proposed project includes the construction of a single family residence.

- ☒ Public Works recommends that the conditions shown below be applied to the project if ultimately approved by the advisory agency.
- ☐ Public Works has comments on the submitted documents and therefore a Public Hearing shall NOT be scheduled until the following comments have been addressed:

1. Building and Safety

- 1.1. Submit a grading/drainage plan to Public Works, Building and Safety Division, Calabasas Office for review and approval. The grading plans must show and

call out the construction of at least all drainage devices and details, paved driveways, and elevation and drainage of all pads, retaining walls, the water quality devices, and Low Impact Development (LID) features, and all existing easements.

- 1.2. Comply with LID standards in accordance with the LID Standards Manual, which can be found at <http://dpw.lacounty.gov/idd/lib/fp/Hydrology/Low%20Impact%20Development%20Standards%20Manual.pdf>.
- 1.3. Provide a maintenance agreement/covenant for privately maintained drainage devices.
- 1.4. Obtain soil/geology approval of the grading plan by Public Works, Geotechnical and Materials Engineering Division.
- 1.5. Obtain Fire Department approval of the grading plan.
- 1.6. Provide permits and/or letters of non-jurisdiction from all applicable State and Federal agencies. These agencies may include but may not be limited to the State of California Regional Water Quality Control Board, State of California Department of Fish and Wildlife, State of California Department of Conservation, Division of Oil, Gas, and Geothermal Resources, and the Army Corps of Engineers.

For questions regarding the building and safety conditions, please contact Rachelle Taccone of Public Works, Building and Safety Division at (818) 880-4150 or rtaccone@pw.lacounty.gov.

If you have any other questions or require additional information, please contact Toan Duong of Public Works, Land Development Division at (626) 458-4945 or tduong@pw.lacounty.gov.

AM:

\\pw01\pwpublic\ldpub\SUBPCHECK\Plan Checking Files\CUP\RPPL2019000018 - APN 4455-019-046\RPPL2019000018\2019-07-08 SUBMITTAL\DPW_Cleared_2019-07-31_RPPL2019000018.docx

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
PROJECT NO. 2019-000010-(3) / PERMIT NO. RPPL2019000016, RPPL2019000017, RPPL2019000018, RPPL2019000019

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
4.1	Biological Resources	BIOLOGICAL MONITOR --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 DRP. The monitor 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 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 the approved habitat restoration plan is implemented as required, and shall make monitoring reports available to DRP and CDFW at their request	Retain qualified biological monitor and maintain daily monitoring reports	Prior to issuance of grading permit and during construction & fuel modification	Applicant	DRP
4.2	Biological Resources	HABITAT RESTORATION PLAN --The applicant shall implement the habitat restoration plan approved by DRP as part of the stamped Exhibit "A." This restoration plan shall accomplish the planting of 12 mitigation coast live oak trees, the planting of up to 75 scrub oak seedlings, and the removal of non-native plant species across the Project Site. In addition, removal of all chain-link fencing on the Project Site shall be accomplished with hand tools, and existing fence posts shall be cut off at ground level. Restoration will entail physical removal of non-natives and the sowing/planting of species locally native to the site. Plant species within fuel modification Zone "C" shall require minimal mowing to achieve Fire Department approval. The restoration plan shall include provisions for delaying fuel modification and/or mowing activities until most seeds of native plants have matured, or the last day permitted by the Los Angeles County Fire Department--whichever comes first. All on-site oak trees shall be monitored for a period of 10 years following the completion of construction, with annual reports to be provided to DRP Zoning Enforcement. The arborist-of-record shall provide and maintain a four-foot-high fencing to protect trees during construction. For work in native tree protected zones, the arborist may take down fencing, supervise work, and reinstall fencing after work completion. All grading and construction work within a tree protection zone ("TPZ") shall be supervised by the arborist-of-record in conjunction with foremen. All work within TPZs shall be done with hand tools as supervised by the arborist-of-record. If any encroached tree dies or has deteriorating health during the monitoring, a total of 10 mitigation trees of that species shall be planted on the Project Site or in a satisfactory off-site location, as determined by the Director of the Department of Regional Planning. Reports on new mitigation trees shall be added to the annual reports. If any mitigation tree dies or deteriorates during monitoring, it shall be replaced by one mitigation tree of the same species and monitored to the end of the original monitoring period. Replacement trees shall be of the stock of the Santa Monica Mountains of Los Angeles and Ventura counties.	Submittal, approval, and implementation of Habitat Restoration Plan	Prior to issuance of grading permit and during construction & fuel modification	Applicant	DRP
4.3	Biological Resources	STAKING OF GRADING LIMITS --The Applicant's contractor 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 project biological monitor.	Implementation of staking			
4.4	Biological Resources	NESTING BIRD SURVEY --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: If initial grubbing, grading, and construction activities are scheduled to occur outside the CDFW 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 7 days prior to, and again within 3 days, of 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. 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 thirty 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 3 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 (within 500 feet for 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 below. If an active nest is found, regardless of time of year, project activities within 300 feet of the nest (within 500 feet for raptor nests) or as determined by a qualified biological monitor, must be postponed until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting. Flagging, stakes, or construction fencing shall be used to demarcate 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. The qualified biologist shall provide the Director of Regional Planning 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. If the qualified biologist determines that a narrower buffer between the project activities and observed active nests is warranted, he or she 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 Regional Planning and CDFW. Based on the submitted information, the Director of Regional Planning (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. 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. The biologist shall send weekly monitoring reports to the Director of Regional Planning and, upon request, to CDFW, documenting the status of monitored nests, and shall notify Regional Planning immediately if project activities damage active avian nests.	Implementation of nesting bird survey(s)	Prior to issuance of grading permit and during construction & fuel modification	Applicant and subsequent owner(s)	DRP

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
PROJECT NO. 2019-000010-(3) / PERMIT NO. RPPL2019000016, RPPL2019000017, RPPL2019000018, RPPL2019000019

4.5	Biological Resources	TEMPORARY WILDLIFE FENCING -- 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 limits/approved development area and shall fence the area in its entirety with green screen before beginning removal of any vegetation. 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. 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. Laborers installing the fence shall remain within the cut areas and any paths leading to it. 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. The biological monitor must hold a CDFW Scientific Collectors Permit authorizing handling of invertebrates, reptiles, amphibians, and mammals. 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).	Implementation of temporary wildlife fencing	Prior to issuance of grading permit and during construction & fuel modification	Applicant and subsequent owner(s)	DRP
4.6	Biological Resources	PRE-CONSTRUCTION BIOLOGICAL RESOURCE SURVEY & SITE CLEARANCE —A pre-construction biological resources survey shall be conducted within the area that is screened and within areas adjacent the driveway the day after screening. The project proponent's contractor shall plan to remove vegetation from within the screened area no more than one day after completion of the Pre-Construction Biological Resources Survey. Laborers shall use hand held tools to remove the vegetation. Using hand-held tools will allow wildlife, including special-status species, a chance to escape and reduce the potential of them being crushed by heavy machinery. A biologist shall monitor vegetation removal so that they can capture and relocate wildlife as necessary. The biological monitor must hold a CDFW Scientific Collectors Permit authorizing handling of invertebrates, reptiles, amphibians, and mammals.	Preparation of a pre-construction biological resource survey and implementation of special vegetation removal methods	Prior to issuance of grading permit and during construction & fuel modification	Applicant and subsequent owner(s)	DRP
4.7	Biological Resources	INITIAL GRUBBING & GRADING —Initial grubbing and grading shall occur 3 to 7 days after vegetation has been cleared from the proposed development area/grading limits. The delay between vegetation clearance and the grubbing and grading activities will allow wildlife, including special-status species, a chance to escape and reduce the potential of them being crushed by heavy machinery. The biological monitor shall monitor initial grading and grubbing so that they can capture and relocate wildlife as necessary. The biological monitor must hold a CDFW Scientific Collectors Permit authorizing handling of invertebrates, reptiles, amphibians, and mammals	Implementation of special grubbing & grading methods	Prior to issuance of grading permit and during grubbing and grading	Applicant and subsequent owner(s)	DRP
4.8	Biological Resources	INITIAL FUEL MODIFICATION —The site shall only be fuel-modified after the construction phase of the proposed project has been completed or as otherwise directed by the Fire Department. A qualified biologist shall implement the Nesting Bird Survey & Protection Plan before fuel modification occurs. 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. The biological monitor 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.	Implementation of special fuel modification methods	Prior to certificate of occupancy and during fuel modification	Applicant and subsequent owner(s)	DRP
5.1	Cultural Resources, Tribal Cultural Resources	NATIVE AMERICAN MONITORS —The Project Applicant shall retain professional Native American monitors procured by the Fernandefio Tataviam Band of Mission Indians (FTBMI) to observe all ground-disturbing activities including, but not limited to, clearing, grading, excavating, digging, trenching, plowing, drilling, tunneling, quarrying, leveling, driving posts, auguring, blasting, stripping topsoil or any similar activity to occur within the proposed project area. One Native American Monitor shall be assigned by the FTBMI to each machine or work crew engaged in ground disturbing activity that is active more than 100 feet from any other earthwork machine or work crew. In the event that tribal cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall assess the find. The archaeologist and Tribal monitor will have the authority to request ground disturbing activities cease within the area of a discovery. Work on the other portions of the project outside of the buffered area may continue during this assessment period.	Hiring and retention of Native American monitors during ground disturbance activities	Prior to issuance of grading permit and during grading activities	Applicant and subsequent owner(s)	DRP
5.2	Cultural Resources, Tribal Cultural Resources	DISPOSITION OF TRIBAL RESOURCES —The Project Applicant shall, in good faith, consult with the FTBMI on the disposition and treatment of any Tribal Cultural Resource encountered during all ground disturbing activities.	Consultation with FTBMI regarding treatment of tribal cultural resources	Upon discovery of tribal cultural resources	Applicant and subsequent owner(s)	DRP
5.3	Cultural Resources, Tribal Cultural Resources	ARCHEOLOGICAL DOCUMENTS —Any and all archeological documents created as a part of the project (isolate records, site records, survey reports, testing reports and monitoring reports, etc.) shall be provided to the FTBMI.	Provision of archeological documents to FTBMI	Upon completion of archeological documents	Applicant and subsequent owner(s)	DRP
5.4	Cultural Resources, Tribal Cultural Resources	TREATMENT OF HUMAN REMAINS —If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to California Health and Safety Code §7050.5 and that code shall be enforced for the duration of the project. Inadvertent discoveries of human remains and/or funerary object(s) are subject to this code, and the subsequent disposition of those discoveries shall be decided by the Most Likely Descendant (MLD), as determined by the Native American Heritage Commission (NAHC), should those findings be determined as Native American in origin.	Compliance with Health and Safety Code §7050.5	Upon discovery of human remains or funerary objects	Applicant and subsequent owner(s)	DRP
19	Mitigation Compliance	MITIGATION COMPLIANCE --As a means of ensuring compliance of above mitigation measures, the applicant and subsequent owner(s) are responsible for submitting compliance report to the Department of Regional Planning for review, and for replenishing the mitigation monitoring account if necessary until such as all mitigation measures have been implemented and completed.	Submittal and approval of compliance report and replenishing mitigation monitoring account	Yearly and as required until all measures are completed.	Applicant and subsequent owner(s)	DRP

**LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING
FINDINGS OF THE HEARING OFFICER
AND ORDER
PROJECT NO. 2019-000010-(3)
MINOR COASTAL DEVELOPMENT PERMIT NO. RPPL2019000019
ENVIRONMENTAL ASSESSMENT NO. RPPL2023001199**

RECITALS

1. **HEARING DATE(S).** The Los Angeles County ("County") Hearing Officer conducted a duly noticed public hearing on May 6, 2025, in the matter of Project No. 2019-000010-(3), consisting of Minor Coastal Development Permit No. RPPL2019000019 ("Minor CDP") and Environmental Assessment No. RPPL2023001199. Environmental Assessment No. RPPL2023001199 is also related to Minor CDP Nos. 2019000016, RPPL2019000017, and RPPL2019000018.
2. **HEARING PROCEEDINGS.** A duly noticed public hearing was scheduled before the Hearing Officer on May 28, 2024. The item was subsequently continued, without the public hearing being opened, to June 25, 2024, August 20, 2024, September 17, 2024, October 15, 2024, January 21, 2025, March 18, 2025, and May 6, 2025. On May 6, 2025, the public hearing was opened, and Department of Regional Planning Staff gave a presentation recommending approval. Public testimony was given both for and against the project. The Hearing Officer subsequently closed the public hearing and approved the project.
3. **ENTITLEMENT(S) REQUESTED.** The permittee, Isaac Zachary ("Permittee"), requests a Minor CDP to construct a new 4,186-square-foot single-family residence, a 450-square-foot attached garage, a swimming pool, and an onsite wastewater treatment system (OWTS) with 4,758 cubic yards of grading ("Project") on a 3.8-acre flag lot—also referred to as "Lot 4"—located at 24937 Mulholland Highway, unincorporated Calabasas, in the Santa Monica Mountains Coastal Zone ("Project Site"). Development would encroach into the protected zones of three on-site oak trees and one off-site oak tree. As part of the Project, on-site habitat will be remapped as recommended by the Environmental Review Board ("ERB"), resulting in approximately 1.1 acres of H3 Habitat and 2.7 acres of H2 Habitat.
4. **ENTITLEMENT(S) REQUIRED.** The Minor CDP is a request to construct a new single-family residence and improvements, including a new OWTS, in the R-C-20 (Rural Coastal—20 Acre Minimum Required Lot Area) Zone pursuant to County Code Section 22.44.810. Per the requirements of the Santa Monica Mountains Local Implementation Program ("LIP"), a Minor CDP is required for any project that results in grading of between 50 and 5,000 cubic yards of earth (County Code Section 22.44.1260). A Minor CDP is also required for any project that removes or encroaches into the protected zone of an oak tree (County Code Section 22.44.950). Thus, a Minor CDP is required because the Project proposes 4,758 cubic yards of grading (2,379

cubic yards cut and 2,379 cubic yards fill) and encroaches into the protected zones of four oak trees.

5. **PREVIOUS ENTITLEMENT(S).** The existing parcel and paved driveway were authorized by Parcel Map 10857 and CDP P-80-6480 in 1981.
6. **LAND USE DESIGNATION.** The Project Site is located within the Rural Land 20 (1 dwelling unit per 20 acres) land use designation of the Santa Monica Mountains Local Coastal Program Land Use Policy Map, which is a component of the Santa Monica Mountains Local Coastal Program Land Use Plan ("LUP").
7. **ZONING.** The Project Site is located in the Malibu Zoned District and is currently zoned R-C-20. Pursuant to County Code Section 22.44.1750, a single-family residence and its accessory structures are the principal permitted use within the R-C Zone.
8. **PROJECT AND SITE PLAN DESCRIPTION.**

A. Existing Site Conditions

The 3.8-acre Project Site consists of a flag lot with relatively gently sloping terrain across the southern portion, but rising steeply toward the north, becoming rocky as it increases in elevation. An existing 20-foot-wide paved driveway is located adjacent to its southwestern boundary, accessing Mulholland Highway approximately 450 feet to the south via the flag lot "stem." After site-specific surveys by the Permittee's biologist and the County Department of Regional Planning ("LA County Planning") Staff Biologist ("Staff Biologist"), the ERB recommended that the on-site habitat be remapped, which would result in approximately 1.1 acres of H3 Habitat, consisting of native and non-native grasses on the southeastern portion of the Project Site, and 2.7 acres of H2 Habitat, consisting of chaparral and rock outcrops. The southeastern portion of the Project Site is subject to annual brush clearance and mowing activities due to the presence of single-family residences to the east, as well as within the shoulders of the existing driveway. A small area of oak woodland is located within the southernmost portion the Project Site (the flag lot "stem"), within H3 Habitat. The northern and central portions of the Project Site consist of 2.9 acres that have been designated restricted use areas and/or flood hazard areas as part of the underlying parcel map.

B. Site Access

The Project Site is accessed by a 20-foot-wide, 450-foot-long shared paved driveway to Mulholland Highway, a 100-foot-wide public parkway (35-foot-wide paved width) and designated scenic highway to the south.

C. Site Plan

The Permittee proposes construction of a new 4,186-square-foot single-family residence with a 450-square-foot attached garage and a 760-square-foot covered patio. The residence would be located on the southeastern portion of a 3.8-acre Project Site in the Santa Monica Mountains Coastal Zone and would have a

maximum height of 18 feet above grade. A new OWTS would be located to the west of the residence. An existing 20-foot-wide, 450-foot-long paved driveway provides access to the Project Site along its southwestern boundary. The Project proposes a new driveway running 95 feet to the northeast from this existing driveway. A new paved circular turnaround would be added to the end of the existing driveway, partially located on the Project Site. Landscaping and hardscaping are proposed, including a swimming pool to the south of the residence, as well as the removal of an existing chain-link fence from the eastern boundary of the Project Site. The Project would result in a total building site of 9,898 square feet and 4,850 cubic yards of grading (2,717 cubic yards cut, 2,133 cubic yards fill, 584 cubic yards export) due to the need for removal and recompaction of the underlying soil. The Project would result in encroachments into the protected zones of three on-site oak trees on the southern portion of the Project Site and one off-site oak tree. In accordance with the ERB's recommended remapping, the proposed development and all fuel modification areas are completely located within H3 and H2 Habitats. While the residence is proposed outside of all restricted use areas, a portion of the driveway, hardscape, and swimming pool would be located within the designated flood hazard zone.

9. **PUBLIC COMMENTS.** LA County Planning Staff has received four letters of opposition to the Project. The letters site multiple reasons for their opposition, including increased fire risk, harm to biological resources, visual impacts, incompatible architecture, inadequate plans for mitigation tree planting, the potential for higher local insurance rates or cancelled policies, and that four dwelling units on the Project Site is an inappropriate density.

10. AGENCY RECOMMENDATIONS.

- A. The Department of Parks and Recreation, in a letter dated July 11, 2019, recommended that the Project proceed to a public hearing without conditions.
- B. The Department of Public Health, in a letter dated July 29, 2019, recommended that the Project proceed to a public hearing with specific conditions regarding provision of water purveyor will-serve letters and non-conventional OWTS covenants. These have been included as conditions of approval.
- C. The County Fire Department, in a letter dated July 31, 2019, recommended that the Project proceed to a public hearing with a specific condition requiring approval of all plans by the Fire Department Engineering Unit. This has been included as a condition of approval.
- D. The Department of Public Works, in a letter dated July 31, 2019, recommended that the Project proceed to a public hearing with specific conditions regarding on-site grading and drainage, low-impact development features, and the provision of permits or letters of non-jurisdiction letters from all applicable State and Federal agencies. These have been included as conditions of approval.

11. **LEGAL NOTIFICATION.** The Hearing Officer finds that pursuant to County Code Section 22.44.990, the community was properly notified of the public hearing by mail, newspaper (*Malibu Times*), and property posting. Additionally, the Project was noticed and case materials were made available on LA County Planning's website. On April 18, 2024, a total of 57 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 21 to those on the courtesy mailing list for the Santa Monica Mountains Planning Area and to any additional interested parties. In addition, story poles indicating the elevation of all parts of the structure were erected on the Project Site on April 22, 2024, pursuant to the LIP requirements (County Code Section 22.44.1440).

12. **CEQA DETERMINATION.**

Prior to the Hearing Officer's public hearing on the Project, an Initial Study was prepared for the 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 for the County. Based on the Initial Study, LA County Planning Staff determined that a Mitigated Negative Declaration ("MND") was the appropriate environmental document for the Project. The mitigation measures necessary to ensure the Project will not have a significant effect on the environment are contained in the Mitigation Monitoring and Reporting Program ("MMRP") prepared for the Project and three other projects on three adjoining parcels.

GENERAL PLAN CONSISTENCY FINDINGS

13. **LAND USE POLICY.** The Hearing Officer finds that the Project is consistent with the goals and policies of the LUP because the Rural Land 20 (1 dwelling unit per 20 acres) land use designation is intended for appropriately sized single-family residential uses on large lots. A single-family residence is permitted under this designation.

14. **GOALS AND POLICIES.** The Hearing Officer finds that the Project would be consistent with the following policies of the LUP:

Conservation and 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 much of the existing cleared portion of the Project Site. This will lessen the need to disturb natural vegetation and landforms on the northern and western portions of the Project Site with direct development. No H1 Habitat, H1 Habitat Buffer, or H1 Habitat Quiet Zone would be impacted as part of the Project.

*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 Mulholland Highway and thus is located in a Scenic Resource Area ("SRA"). The maximum height for a single-family residence within an SRA in the Coastal Zone is 18 feet above grade, which is the maximum height of the proposed single-family residence. The 18-foot-tall design is appropriate for the Project Site, as it minimizes the viewshed disturbance and is similar to several homes to the south, east, and west. The Project would also comply with the LIP limitations on building site area, as the 9,895-square-foot building site area is less than the maximum of 10,000 square feet.

ZONING CODE CONSISTENCY FINDINGS

15. **PERMITTED USE IN ZONE.** The Hearing Officer finds that the Project is consistent with the R-C-20 zoning classification, as a single-family residence is the principal permitted use in such zone with a 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. A Minor CDP is also required for any project that removes or encroaches into the protected zone of an oak tree (County Code Section 22.44.950). Thus, a Minor CDP is required because the Project proposes 4,758 cubic yards of grading (2,379 cubic yards cut and 2,379 cubic yards fill) and encroaches into the protected zones of four oak trees.
16. **REQUIRED YARDS.** The Hearing Officer finds that the Project is consistent with the standards identified in County Code Sections 22.44.1375 and 22.44.1750, as the Project would meet all required setback standards, including the 10-foot yard required in all directions for flag lots.
17. **HEIGHT.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.44.1250. The maximum height for a single-family residence within an SRA in the Coastal Zone is 18 feet above grade, which is the maximum height of the proposed single-family residence.
18. **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.

19. **PARKING.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.44.1410. Because the Project Site is greater than one acre in size and is not within a Rural Village, no covered parking spaces are required, although an attached two-car garage would be constructed as part of the Project.
20. **VEGETATION REMOVAL.** The Hearing Officer finds that the Project is consistent with the vegetation removal method requirements identified in County Code Section 22.44.1240. The requested Minor CDP is conditioned to prohibit the use of discing or other methods of clearance to bare earth within fuel modification areas, consistent with these requirements. The site plan associated with the Project depicts vegetation removal occurring only in areas where the single-family residence and garage will be located and within the associated fuel modification and brush clearance zones. Mapped H1 Habitats would not be subject to fuel modification. The Project is also designed to ensure that the building site area is located entirely within the previously cleared portion of the Project Site within H3 Habitat, per the recommended ERB remapping (see Exhibit G – Informational Maps attached to the Report to the Hearing Officer dated June 13, 2024).
21. **OAK TREE IMPACTS.** The Hearing Officer finds that the Project is consistent with the oak tree and oak woodland preservation requirements of County Code Sections 22.44.950, 22.44.1920, et seq. The Project would encroach into the protected zones of three on-site oak trees on the southern portion of the Project Site and one off-site oak tree on the southern portion of the Project Site. All encroachments would extend into less than 10 percent of the protected zones, which means no mitigation is required by the LIP. However, all on-site oak trees will be monitored for a period of 10 years, and any trees that die as a result of the Project must be mitigated at a 10:1 ratio. The Project also proposes development within approximately 2,888 square feet of oak woodland. Although the oak woodland is within H3 Habitat, it will be mitigated on site at a 2:1 ratio, per the Permittee's habitat restoration plan.
22. **BIOLOGICAL RESOURCES.** The Hearing Officer finds that the Project is consistent with the biological resource 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 include a best management practices plan, runoff control measures, retaining a biological monitor, screening the site and staking grading limits, preparing surveys and restoration plans for nesting birds, bats, and native trees, and the planting of mitigation oak trees through field surveying. At its meeting on February 28, 2022, the ERB found that the Project, as modified, would be consistent with local biological resources. The ERB's recommended modifications have been included within the Project's conditions of approval.
23. **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 4,758 cubic yards of grading, consisting of 2,379

cubic yards cut and 2,379 cubic yards fill, balanced on site. The Project is consistent with the applicable grading requirements because grading, including removal and recompaction of the underlying unstable pad, would occur in an area that has been previously cleared, and the Project is appropriately conditioned to restrict grading from starting during the defined rainy season.

24. **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.

25. **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. Minimal fencing and retaining walls are proposed for the Project Site, and an existing perimeter chain-link fence would be removed to facilitate wildlife movement.

26. **BUILDING SITE AREA.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.44.1910.I, which refers to the maximum allowable building site area. The total building site area of 9,898 square feet is within the maximum building site area of 10,000 square feet.

27. **HABITAT CATEGORIES.** The Hearing Officer finds that the Project is consistent with the standards identified in County Code Section 22.44.1920. The habitat remapping recommended by the ERB would result in 1.1 acres of H3 Habitat and 2.7 acres of H2 Habitat on the Project Site. The building site area, as well as the areas of brush clearance, are designated as H3 and H2 Habitat. Development within H2 Habitat is permitted when it is the most appropriate location and no feasible site within H3 Habitat is available. While the entirety of the residence, OWTS, and all grading would be located in H3 Habitat, some fuel modification would be located within H2 Habitat. The relatively small area of the H3 Habitat area and the required fuel modification radius of 200 feet makes this encroachment unavoidable.

The Project would result in no direct development within H2 Habitat, although there would be 0.54 acres of fuel modification, all non-irrigated. These impacts must be mitigated through a habitat impact in-lieu fee or through on-site or off-site restoration (County Code Section 22.44.1950). Therefore, a condition of Project approval requires the impact to be mitigated through an in-lieu fee or, alternatively, by proposing a mitigation plan to be approved by the Director of LA County Planning at a later date, but before grading and construction can occur.

28. **GRANT TERM.** The Hearing Officer finds that it is not necessary to require a grant term given the nature of the residential use and the surrounding area.

COASTAL DEVELOPMENT PERMIT FINDINGS

29. **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 subject to the Santa Monica Mountains Local Coastal Program, which includes the LUP and LIP, including those standards related to permitted uses, building site area, habitat categories, height restrictions, and scenic resources.
30. **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 do not apply.

ENVIRONMENTAL FINDINGS

31. After consideration of the MND and MMRP, together with the comments received during the public review process, the Hearing Officer finds on the basis of the whole record before them that there is no substantial evidence that the Project as conditioned will have a significant effect on the environment, and further finds that the MND and MMRP reflects the independent judgment and analysis of the Hearing Officer.

ADMINISTRATIVE FINDINGS

32. **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 Hearing Officer finds that the proposed development is in conformity with the certified local coastal program.
- B. 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.

THEREFORE, THE HEARING OFFICER:

- 1. Certifies that the MND for the Project was completed in compliance with CEQA and the State and County CEQA Guidelines related thereto; certifies that they independently

reviewed and considered the MND and that the MND reflects the independent judgment and analysis of the Hearing Officer as to the environmental consequences of the Project; certifies that they considered the MMRP, finding that it is adequately designed to ensure compliance with the mitigation measures during Project implementation; determined that on the basis of the whole record before the Hearing Officer that there is no substantial evidence that the Project will have a significant effect on the environment; adopts the MND and finds that the MMRP is adequately designed to ensure compliance with the mitigation measures during Project implementation; and

2. Approves **MINOR COASTAL DEVELOPMENT PERMIT NO. RPPL2019000019** subject to the attached conditions.

ACTION DATE: May 6, 2025

MG:RG:TM

5/7/25

c: Zoning Enforcement, Building and Safety

**LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING**

**DRAFT CONDITIONS OF APPROVAL
PROJECT NO. 2019-000010-(3)
MINOR COASTAL DEVELOPMENT PERMIT NO. RPPL2019000019
ENVIRONMENTAL ASSESSMENT NO. RPPL2023001199**

PROJECT DESCRIPTION

The project is a Minor Coastal Development Permit ("Minor CDP") to construct a new single-family residence on a 3.8-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 Conditions No. 9, 10, and 13. 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 Section 22.44.1090 of the County Code.
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 or 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 may be unannounced. Inspections may be conducted utilizing any available technologies, including, but not limited to, unmanned aircraft systems ("UAS"). Use of the UAS requires the approval of the Permittee pursuant to LA

County Planning's UAS Policy, which may be updated from time to time, and which shall be provided to the Permittee upon request.

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. Within five (5) working days from the day after the appeal period ends **[May 20, 2025]**, the permittee shall remit processing fees at the County Registrar-Recorder/County Clerk Office, payable to the County of Los Angeles, in connection with the filing and posting of a Notice of Determination ("NOD") for this project and its entitlements in compliance with section 21152 of the Public Resources Code. Unless a Certificate of Exemption is issued by the California Department of Fish and Wildlife pursuant to section 711.4 of the California Fish and Game Code, the permittee shall pay the fees in effect at the time of the filing of the NOD, as provided for in section 711.4 of the Fish and Game Code, currently **\$2,991.75** (\$2,916.75 for a Negative Declaration or Mitigated Negative Declaration plus \$75.00 processing fee). No land use project subject to this requirement is final, vested or operative until the fee is paid.
11. The permittee shall comply with all mitigation measures identified in the Mitigation Monitoring and Reporting Program ("MMRP") associated with Environmental Assessment No. RPPL2023001199, which are incorporated by this reference as if set forth fully herein. Environmental Assessment No. RPPL2023001199 is also related to Minor CDPs No. RPPL2019000016, RPPL2019000017, and RPPL2019000018.
12. Within thirty (30) days of the date of final approval of the grant by the County, the permittee shall record a covenant and agreement, which attaches the MMRP and agrees to comply with the mitigation measures imposed by the Mitigated Negative Declaration for this Project, in the office of the Recorder. Prior to recordation of the covenant, the permittee shall submit a draft copy of the covenant and agreement to LA County Planning for review and approval. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit annual mitigation monitoring reports to LA County Planning for approval or as required. The reports shall describe the status of the permittee's compliance with the required mitigation measures.
13. The permittee shall deposit an initial sum of **\$6,000.00** with LA County Planning within thirty (30) days of the date of final approval of this grant in order to defray the cost of reviewing and verifying the information contained in the reports required by the MMRP. The permittee shall replenish the mitigation monitoring account if necessary, until all mitigation measures have been implemented and completed.

14. 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 Sections 22.44.1130 and/or 22.44.1140 of the County Code.
15. 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").
16. 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.
17. 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").
18. 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 **July 7, 2025**.
19. 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

20. The building site area, as defined in the County Code Section 22.44.630, shall be limited to 9,898 square feet.
21. Prior to the issuance of building permits, the permittee shall obtain a "Post Coastal Approval of Onsite Wastewater Treatment System" from the County Department of Public Health ("Public Health") Environmental Health Division and a will-serve letter from the local water purveyor with all conditions met, to the satisfaction of Public Health.
22. Prior to the issuance of building permits, the permittee shall obtain approval of all plans by the Fire Department Engineering Unit, to the satisfaction of the Fire Department.

23. The permittee shall comply with all conditions set forth in the attached Public Works letter dated July 31, 2019, to the satisfaction of Public Works.
24. 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.
25. Per the requirements of County Code Section 22.44.1920 J, prior to issuance of the grading or building permit for the project, the permittee shall dedicate a permanent Irrevocable Open Space Conservation Easement over all H2 Habitat areas outside of the Fire Department required irrigated fuel modification area (Zones A and B), as well as all areas of the Project Site with grades of more than 50 percent. This easement shall be held by the County on behalf of the People of the State of California. No development, as defined in County Code Section 22.44.630, grazing, or agricultural activities shall be allowed in the Irrevocable Open Space Easement, except for the following:
 - a. Fuel modification required by the Fire Department undertaken in accordance with the final approved fuel modification plan for the permitted development and/or brush clearance required by the Fire Department for existing development on adjoining properties;
 - b. Drainage and polluted runoff control activities required and approved by Public Works and LA County Planning for permitted development;
 - c. If approved by the County as an amendment to the CDP or a new CDP:
 - i. Planting of native vegetation and other restoration activities;
 - ii. Construction and maintenance of public hiking trails;
 - iii. Construction and maintenance of roads, trails, and utilities consistent with easements in existence prior to approval of the permit; and
 - iv. Confined animal facilities only where consistent with County Code Section 22.44.1940.

The permittee shall provide evidence of the recordation of a valid dedication to the County, and acceptance by the County, or a valid dedication to another public entity acceptable to the Director, and acceptance by said public entity, of a permanent, Irrevocable Open Space Conservation Easement in favor of the People of the State of California over the Irrevocable Open Space Conservation Easement Area for the purpose of habitat protection. The text of the dedication shall be approved by the Director prior to recordation. The recorded easement document shall include a formal legal description of the entire property and a metes and bounds legal description and graphic depiction, prepared by a licensed surveyor, of the Irrevocable Open Space Conservation Easement Area. The easement document shall be recorded free of

prior liens, including tax liens, and encumbrances. The recorded easement document shall reflect that no development shall occur within the Irrevocable Open Space Conservation Easement, except as otherwise set forth in the CDP conditions, consistent with the exceptions detailed in this condition. Recordation of the easement on the Project Site shall be permanent.

26. Prior to approval of the Exhibit "A," the permittee shall provide a grading plan and drainage report, including proposed site design and source control best management practices to minimize post-construction runoff and infiltrate, at minimum, the first 0.75 inches of stormwater. This plan shall show all proposed drainage improvements, such as locations of infiltration basins, measures to convey runoff from impervious surfaces to permeable areas of the site (i.e. 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 and/or rain barrels for stormwater capture.
27. 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 pruning 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.
28. The permittee shall include provisions for permanent irrigation in Fuel Modification Zones A and B and for temporary irrigation in Fuel Modification Zone C for establishment of new native plants in Zone C and outside of fuel modification zones.
29. Glass shall be of the least reflective variety or have frit patterns that will promote energy conservation and prevent bird strikes, per the provisions of County Code Section 22.44.1320.
30. Exterior lighting shall comply with the provisions of County Code Section 22.44.1270 in order to avoid light trespass.
31. Prior to the issuance of a grading permit, a qualified biologist shall be retained by the permittee as the lead biological monitor subject to the approval of the Director. That person shall ensure that the approved habitat restoration plan is followed and 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.

32. The biological monitor shall ensure compliance with the habitat restoration plan prepared by Courtney McCammon of CJ Biomonitoring dated October 8, 2020, with amendments dated August 7, 2023 ("Habitat Restoration Plan"). The Habitat Restoration Plan requires the planting of 10 mitigation coast live oak trees, two contingency coast live oak trees, and the designation of 28,876 square feet for removal of non-native plants and the planting of up to 75 scrub oak seedlings. Restoration shall occur on the subject property, as well as three adjacent properties (Assessor's Parcel Numbers 4455-019-044; 4455-019-045; and 4455-019-046) in order to mitigate direct development within the protected zones of two coast live oaks and 14,438 square feet of oak woodland across all four properties. All encroached trees, on-site oak trees, and mitigation trees shall be monitored for 10 years following the completion of construction, with annual reports provided to the LA County Planning Zoning Enforcement Section. The Habitat Restoration Plan shall be completed to the satisfaction of the LA County Planning Staff Biologist. At the discretion of the Director, similar proportional on-site restoration may be approved solely on the subject property to the satisfaction of the LA County Planning Staff Biologist.
33. Circles of a 15-foot radius around all on-site oak trees shall be weeded of all non-natives twice a year (including non-native grasses and other non-native herbaceous plants). Native plants in the 15-foot radius circle shall be allowed to grow. Weeding shall be in fall prior to the rainy season and in spring, prior to weed seed set. Weeding shall include plant roots. All weed parts shall be sent to a landfill in closed containers.
34. The biological monitor shall ensure maintenance of a four-foot-high fencing to protect trees during construction. For work in native tree protected zones, the arborist may take down fencing, supervise work, and reinstall fencing after work completion.
35. All grading and construction work within a tree protection zone ("TPZ") shall be supervised by the biological monitor in conjunction with foremen. All work within TPZs shall be done with hand tools as supervised by the arborist-of-record.
36. If any encroached tree dies or has deteriorating health during the monitoring, a total of 10 mitigation trees of that species shall be planted on the Project Site or in a satisfactory off-site location, as determined by the Director. Mitigation trees shall be monitored for a total of 10 years after planting. Reports on new mitigation trees shall be added to the annual reports.
37. If any mitigation tree dies or deteriorates during monitoring, it shall be replaced by one mitigation tree of the same species and monitored to the end of the original monitoring

period. Replacement trees shall be of the stock of the Santa Monica Mountains of Los Angeles and Ventura counties.

38. All current storage and any planned storage of accessory uses and movable items (e.g., Recreational Vehicle, picnic table, or garden equipment) shall not encroach into TPZs. No structures shall impact TPZs except as authorized by a specific permit. TPZs shall have no storage, no dumping, or irrigation, except for irrigation during exceptional drought.
39. TPZs of existing native trees shall be allowed to accumulate six-inch-thick layers of dropped native tree leaves. Initial treatment of TPZs shall be a four-inch layer of native tree leaf mulch/chopped native plant mulch in the TPZs, which shall not touch the tree trunk.
40. 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.
41. 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 to these areas, they shall 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.
 - f. 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 shall 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.
 - g. 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.
42. Temporary wildlife fencing shall be utilized to reduce the potential for wildlife being harmed by or moving into the work site. The permittee's contractor shall delineate the grading limits/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/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 biological monitor conducts a pre-construction survey and shall be closed only after vegetation is cleared from within the fenced area (see below).
43. 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.
44. 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.
45. 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 and in accordance with the following:

- a. A qualified biologist shall implement the Nesting Bird Survey and 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 modification. 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.
46. 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.
47. 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.
48. The Project shall provide mitigation through the County's Resource Conservation Program ("RCP"), if such program is valid and in effect, or shall otherwise provide mitigation through payment of a habitat impact in-lieu fee and/or restoration as mitigation pursuant to County Code Section 22.44.1950. If the RCP is valid and in effect at the time of implementation of this condition, the RCP may be utilized as mitigation instead of restoration. Pursuant to County Code Section 22.44.1950 A.3.f.i, the Habitat Impact Fee shall be calculated at the current updated in-lieu fee amount in effect at the time of, and shall be paid prior to, issuance of a grading or building permit. If mitigation as restoration is required, the permittee shall submit a restoration and/or enhancement plan consistent with the LIP for review and acceptance by the Director prior to issuance of grading or building permits. The habitat restoration or enhancement shall be completed prior to construction of the Project and in any case, the vegetation and irrigation installation for the restoration and/or enhancement shall be completed prior to issuance of a grading or building permit.

PROJECT NO. 2019-000010-(3)
MINOR COASTAL DEVELOPMENT PERMIT NO.
RPPL2019000019
ENVIRONMENTAL ASSESSMENT NO. RPPL2023001199

CONDITIONS OF APPROVAL
PAGE 12 OF 12

Attachments:

Exhibit 1 Public Works letter dated July 31, 2019

Exhibit 2 Habitat Restoration Plan dated October 8, 2020



MARK PESTRELLA, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE:

July 31, 2019

TO: Rob Glaser
Coastal Permits Section
Department of Regional Planning

Attention Tyler Montgomery

FROM: Art Vander Vis 
Land Development Division
Department of Public Works

RPPL2019000019 (CDP)
ASSESSOR'S MAP BOOK 4455, PAGE 019, PARCEL 047
UNINCORPORATED COUNTY COMMUNITY OF CALABASAS

Thank you for the opportunity to review the zoning permit application and plan associated with the subject project. The proposed project includes the construction of a single family residence.

- ☒ Public Works recommends that the conditions shown below be applied to the project if ultimately approved by the advisory agency.
- ☐ Public Works has comments on the submitted documents and therefore a Public Hearing shall NOT be scheduled until the following comments have been addressed:

1. Building and Safety

- 1.1. Submit a grading/drainage plan to Public Works, Building and Safety Division, Calabasas Office for review and approval. The grading plans must show and

call out the construction of at least all drainage devices and details, paved driveways, and elevation and drainage of all pads, retaining walls, the water quality devices, and Low Impact Development (LID) features, and all existing easements.

- 1.2. Comply with LID standards in accordance with the LID Standards Manual, which can be found at <http://dpw.lacounty.gov/idd/lib/fp/Hydrology/Low%20Impact%20Development%20Standards%20Manual.pdf>.
- 1.3. Provide a maintenance agreement/covenant for privately maintained drainage devices.
- 1.4. Obtain soil/geology approval of the grading plan by Public Works, Geotechnical and Materials Engineering Division.
- 1.5. Obtain Fire Department approval of the grading plan.
- 1.6. Provide permits and/or letters of non-jurisdiction from all applicable State and Federal agencies. These agencies may include but may not be limited to the State of California Regional Water Quality Control Board, State of California Department of Fish and Wildlife, State of California Department of Conservation, Division of Oil, Gas, and Geothermal Resources, and the Army Corps of Engineers.

For questions regarding the building and safety conditions, please contact Rachelle Taccone of Public Works, Building and Safety Division at (818) 880-4150 or rtaccone@pw.lacounty.gov.

If you have any other questions or require additional information, please contact Toan Duong of Public Works, Land Development Division at (626) 458-4945 or tduong@pw.lacounty.gov.

AM:

\\pw01\pwpublic\ldpub\SUBPCHECK\Plan Checking Files\CUP\RPPL2019000019 - APN 4455-019-047\RPPL2019000019\2019-07-08 SUBMITTAL\DPW_Cleared_2019-07-31_RPPL2019000019.docx

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
PROJECT NO. 2019-000010-(3) / PERMIT NO. RPPL2019000016, RPPL2019000017, RPPL2019000018, RPPL2019000019

#	Environmental Factor	Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
4.1	Biological Resources	BIOLOGICAL MONITOR --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 DRP. The monitor 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 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 the approved habitat restoration plan is implemented as required, and shall make monitoring reports available to DRP and CDFW at their request	Retain qualified biological monitor and maintain daily monitoring reports	Prior to issuance of grading permit and during construction & fuel modification	Applicant	DRP
4.2	Biological Resources	HABITAT RESTORATION PLAN --The applicant shall implement the habitat restoration plan approved by DRP as part of the stamped Exhibit "A." This restoration plan shall accomplish the planting of 12 mitigation coast live oak trees, the planting of up to 75 scrub oak seedlings, and the removal of non-native plant species across the Project Site. In addition, removal of all chain-link fencing on the Project Site shall be accomplished with hand tools, and existing fence posts shall be cut off at ground level. Restoration will entail physical removal of non-natives and the sowing/planting of species locally native to the site. Plant species within fuel modification Zone "C" shall require minimal mowing to achieve Fire Department approval. The restoration plan shall include provisions for delaying fuel modification and/or mowing activities until most seeds of native plants have matured, or the last day permitted by the Los Angeles County Fire Department--whichever comes first. All on-site oak trees shall be monitored for a period of 10 years following the completion of construction, with annual reports to be provided to DRP Zoning Enforcement. The arborist-of-record shall provide and maintain a four-foot-high fencing to protect trees during construction. For work in native tree protected zones, the arborist may take down fencing, supervise work, and reinstall fencing after work completion. All grading and construction work within a tree protection zone ("TPZ") shall be supervised by the arborist-of-record in conjunction with foremen. All work within TPZs shall be done with hand tools as supervised by the arborist-of-record. If any encroached tree dies or has deteriorating health during the monitoring, a total of 10 mitigation trees of that species shall be planted on the Project Site or in a satisfactory off-site location, as determined by the Director of the Department of Regional Planning. Reports on new mitigation trees shall be added to the annual reports. If any mitigation tree dies or deteriorates during monitoring, it shall be replaced by one mitigation tree of the same species and monitored to the end of the original monitoring period. Replacement trees shall be of the stock of the Santa Monica Mountains of Los Angeles and Ventura counties.	Submittal, approval, and implementation of Habitat Restoration Plan	Prior to issuance of grading permit and during construction & fuel modification	Applicant	DRP
4.3	Biological Resources	STAKING OF GRADING LIMITS --The Applicant's contractor 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 project biological monitor.	Implementation of staking			
4.4	Biological Resources	NESTING BIRD SURVEY --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: If initial grubbing, grading, and construction activities are scheduled to occur outside the CDFW 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 7 days prior to, and again within 3 days, of 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. 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 thirty 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 3 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 (within 500 feet for 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 below. If an active nest is found, regardless of time of year, project activities within 300 feet of the nest (within 500 feet for raptor nests) or as determined by a qualified biological monitor, must be postponed until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting. Flagging, stakes, or construction fencing shall be used to demarcate 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. The qualified biologist shall provide the Director of Regional Planning 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. If the qualified biologist determines that a narrower buffer between the project activities and observed active nests is warranted, he or she 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 Regional Planning and CDFW. Based on the submitted information, the Director of Regional Planning (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. 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. The biologist shall send weekly monitoring reports to the Director of Regional Planning and, upon request, to CDFW, documenting the status of monitored nests, and shall notify Regional Planning immediately if project activities damage active avian nests.	Implementation of nesting bird survey(s)	Prior to issuance of grading permit and during construction & fuel modification	Applicant and subsequent owner(s)	DRP

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)
PROJECT NO. 2019-000010-(3) / PERMIT NO. RPPL2019000016, RPPL2019000017, RPPL2019000018, RPPL2019000019

4.5	Biological Resources	TEMPORARY WILDLIFE FENCING -- 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 limits/approved development area and shall fence the area in its entirety with green screen before beginning removal of any vegetation. 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. 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. Laborers installing the fence shall remain within the cut areas and any paths leading to it. 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. The biological monitor must hold a CDFW Scientific Collectors Permit authorizing handling of invertebrates, reptiles, amphibians, and mammals. 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).	Implementation of temporary wildlife fencing	Prior to issuance of grading permit and during construction & fuel modification	Applicant and subsequent owner(s)	DRP
4.6	Biological Resources	PRE-CONSTRUCTION BIOLOGICAL RESOURCE SURVEY & SITE CLEARANCE —A pre-construction biological resources survey shall be conducted within the area that is screened and within areas adjacent the driveway the day after screening. The project proponent's contractor shall plan to remove vegetation from within the screened area no more than one day after completion of the Pre-Construction Biological Resources Survey. Laborers shall use hand held tools to remove the vegetation. Using hand-held tools will allow wildlife, including special-status species, a chance to escape and reduce the potential of them being crushed by heavy machinery. A biologist shall monitor vegetation removal so that they can capture and relocate wildlife as necessary. The biological monitor must hold a CDFW Scientific Collectors Permit authorizing handling of invertebrates, reptiles, amphibians, and mammals.	Preparation of a pre-construction biological resource survey and implementation of special vegetation removal methods	Prior to issuance of grading permit and during construction & fuel modification	Applicant and subsequent owner(s)	DRP
4.7	Biological Resources	INITIAL GRUBBING & GRADING —Initial grubbing and grading shall occur 3 to 7 days after vegetation has been cleared from the proposed development area/grading limits. The delay between vegetation clearance and the grubbing and grading activities will allow wildlife, including special-status species, a chance to escape and reduce the potential of them being crushed by heavy machinery. The biological monitor shall monitor initial grading and grubbing so that they can capture and relocate wildlife as necessary. The biological monitor must hold a CDFW Scientific Collectors Permit authorizing handling of invertebrates, reptiles, amphibians, and mammals	Implementation of special grubbing & grading methods	Prior to issuance of grading permit and during grubbing and grading	Applicant and subsequent owner(s)	DRP
4.8	Biological Resources	INITIAL FUEL MODIFICATION —The site shall only be fuel-modified after the construction phase of the proposed project has been completed or as otherwise directed by the Fire Department. A qualified biologist shall implement the Nesting Bird Survey & Protection Plan before fuel modification occurs. 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. The biological monitor 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.	Implementation of special fuel modification methods	Prior to certificate of occupancy and during fuel modification	Applicant and subsequent owner(s)	DRP
5.1	Cultural Resources, Tribal Cultural Resources	NATIVE AMERICAN MONITORS —The Project Applicant shall retain professional Native American monitors procured by the Fernandefio Tataviam Band of Mission Indians (FTBMI) to observe all ground-disturbing activities including, but not limited to, clearing, grading, excavating, digging, trenching, plowing, drilling, tunneling, quarrying, leveling, driving posts, auguring, blasting, stripping topsoil or any similar activity to occur within the proposed project area. One Native American Monitor shall be assigned by the FTBMI to each machine or work crew engaged in ground disturbing activity that is active more than 100 feet from any other earthwork machine or work crew. In the event that tribal cultural resources are discovered during project activities, all work in the immediate vicinity of the find (within a 60-foot buffer) shall cease and a qualified archaeologist meeting Secretary of Interior standards shall assess the find. The archaeologist and Tribal monitor will have the authority to request ground disturbing activities cease within the area of a discovery. Work on the other portions of the project outside of the buffered area may continue during this assessment period.	Hiring and retention of Native American monitors during ground disturbance activities	Prior to issuance of grading permit and during grading activities	Applicant and subsequent owner(s)	DRP
5.2	Cultural Resources, Tribal Cultural Resources	DISPOSITION OF TRIBAL RESOURCES —The Project Applicant shall, in good faith, consult with the FTBMI on the disposition and treatment of any Tribal Cultural Resource encountered during all ground disturbing activities.	Consultation with FTBMI regarding treatment of tribal cultural resources	Upon discovery of tribal cultural resources	Applicant and subsequent owner(s)	DRP
5.3	Cultural Resources, Tribal Cultural Resources	ARCHEOLOGICAL DOCUMENTS —Any and all archeological documents created as a part of the project (isolate records, site records, survey reports, testing reports and monitoring reports, etc.) shall be provided to the FTBMI.	Provision of archeological documents to FTBMI	Upon completion of archeological documents	Applicant and subsequent owner(s)	DRP
5.4	Cultural Resources, Tribal Cultural Resources	TREATMENT OF HUMAN REMAINS —If human remains or funerary objects are encountered during any activities associated with the project, work in the immediate vicinity (within a 100-foot buffer of the find) shall cease and the County Coroner shall be contacted pursuant to California Health and Safety Code §7050.5 and that code shall be enforced for the duration of the project. Inadvertent discoveries of human remains and/or funerary object(s) are subject to this code, and the subsequent disposition of those discoveries shall be decided by the Most Likely Descendant (MLD), as determined by the Native American Heritage Commission (NAHC), should those findings be determined as Native American in origin.	Compliance with Health and Safety Code §7050.5	Upon discovery of human remains or funerary objects	Applicant and subsequent owner(s)	DRP
19	Mitigation Compliance	MITIGATION COMPLIANCE --As a means of ensuring compliance of above mitigation measures, the applicant and subsequent owner(s) are responsible for submitting compliance report to the Department of Regional Planning for review, and for replenishing the mitigation monitoring account if necessary until such as all mitigation measures have been implemented and completed.	Submittal and approval of compliance report and replenishing mitigation monitoring account	Yearly and as required until all measures are completed.	Applicant and subsequent owner(s)	DRP



Restoration Plan

FINAL

Mulholland Highway
Calabasas, CA 91302

APNs: 4455-019-044, -045, -046, -047

Parcel Map: 10857

Permit numbers: RPPL2019000016, -17, -18, -19

Project number: R2019-000010

Prepared for:

Green Hills Associates, Inc.
3961 Bon Homme Rd.
Calabasas, CA 91302

Prepared by:

Courtney McCammon
CJ Biomonitoring, LLC
5120 E Livingston Drive
Long Beach, CA 90803

Report Date: October 8th, 2020

Table of Contents

INTRODUCTION	3
PURPOSE	3
OBJECTIVES	3
SITE SELECTION	4
PLANT PALETTE	4
PRE-CONSTRUCTION PLAN IMPLEMENTATION	6
POST-CONSTRUCTION PLAN IMPLEMENTATION	7
INITIAL MONITORING SCHEDULE	8
INITIAL MONITORING REPORT	9
MAINTENANCE PLAN	9
ANNUAL REPORTS	10
SUCCESS CRITERIA	11
ADAPTIVE MANAGEMENT	11

Exhibits

Exhibit A: Location
Exhibit B: Transect Locations
Exhibit C: Restoration Area
Exhibit D: Transect Data

Introduction

The subject property, located at along Mulholland Highway, Calabasas, CA 91302 (no address), includes four parcels with following APNs/acreages:

- APN 4455-019-044 (1 acre)
- APN 4455-019-045 (1 acre)
- APN 4455-019-046 (6 acres)
- APN 4455-019-047 (3 acres)

The building plans propose four single-family homes on each of the four parcels. The property is currently bordered by residential development on the west, east and south (across Mulholland Hwy.), and by undeveloped land to the north. The location of the property is depicted in Exhibit A while Exhibit B depicts the restoration area. A restoration plan was requested by the LA County Planning Department to restore native vegetation after the removal of fencing along the west and south property boundaries. The restoration area in question is approximately 1-acre. The fence length to be removed is approximately 0.35 mile, about 1900 ft. Fences on both sides of the driveway are on the project parcels and will need removal. Fencing and footings beyond Zone C of Lot 3 need to be removed.

Purpose

The purpose of this restoration plan is to provide a step-by-step guide on how to restore the areas where the property boundary fencing is to be removed. This plan includes performance standards to ensure that objectives are met and that restoration is successful and completed within a 5-year period. It also serves as a mechanism that assures that the restoration site is properly maintained and overseen by a restoration ecologist during the 5-year monitoring period.

Objectives

The objective of this restoration plan is to replace the predominantly non-native vegetated areas along the property boundary fencing and footing on the east, south, and west, and fencing bordering the driveway with an open, native vegetated wildlife corridor. The fence will be removed to allow for free movement of wildlife through the space. Property boundary fencing is required to be entirely removed, including Mulholland frontage, and including Zone C and beyond. Wildlife permeable fencing can be used instead, where fencing is needed. Fencing shall adhere to LIP §22.44.1310 requirements. Restoration of non-native areas shall be done at a minimum in all fuel modification zone non-native areas, including Zone C and beyond for Lot 3, where fencing installation has resulted in conversion to non-native plant cover. Fencing north of the gate on the west side of Lot 3, which has

adjacent natural habitat along the easternmost fence, should also have restoration, in the form of weeding following fence removal, and weeding will continue for the time of restoration.

Site Selection

The restoration sites were selected by the LA County Planning Department after the required biological assessment was reviewed. The area is in Zone B and Zone C of the required fuel modification zones for each of the proposed buildings.

Plant Palette

The plant palette was selected based on the species that occur at the project site and slightly augmented with additional native shrubs and herbaceous species in order to create multi-layered habitats. Table 1 lists the quantities of container material while Table 2 lists the species and quantities of hydroseed mix that will be used for restoration. Exhibit C depicts the conceptual plan.

Table 1. Plant Palette – Container Planting

Common Name	Scientific Name	Material	Quantity
laurel sumac	<i>Malosma laurina</i>	1 gallon	46
sugarbush	<i>Rhus ovata</i>	1 gallon	28
thick-leaf yerba santa	<i>Eriodictyon crassifolium</i>	1 gallon	30
chamise	<i>Adenostoma fasciculatum</i> var. <i>fasciculatum</i>	1 gallon	95
toyon	<i>Heteromeles arbutifolia</i>	1 gallon	56
thickleaf ceanothus	<i>Ceanothus crassifolius</i>	1 gallon	100
chaparral yucca	<i>Hesperoyucca whipplei</i>	1 gallon	10
chaparral bush-mallow	<i>Malacothamnus fasciculatus</i>	1 gallon	30
black sage	<i>Salvia mellifera</i>	1 gallon	17
scrub oak	<i>Quercus berberidifolia</i>	1 gallon	75
		Total	487

Table 2. Plant Palette – Hydroseed Mix

Common Name	Scientific Name	Life Form
deerweed	<i>Acmispon glaber</i>	Perennial Herb
coastal lotus	<i>Acmispon maritimus</i> var. <i>maritimus</i>	Annual Herb
California buckwheat	<i>Eriogonum fasciculatum</i>	Shrub
Purple Needlegrass	<i>Stipa pulchra</i>	Perennial Grass
fascicled tarweed	<i>Deinandra fasciculata</i>	Annual Herb
black sage	<i>Salvia mellifera</i>	Shrub
California everlasting	<i>Pseudognaphalium californicum</i>	Perennial Herb

cliff-aster	<i>Malacothrix saxatilis</i>	Perennial Herb
-------------	------------------------------	----------------

Plant Palette Notes

Zone B Planting: Scrub oaks are acceptable. Plants not to be used: Chamise, native sage (salvia) CA sagebrush (Artemisia), and Eriogonum. Substitute scrub oak, laurel sumac, and toyon for fire hazardous plants. Quercus berberidifolia (scrub oak), a dominant of the existing native chaparral, and not considered a fire hazard. Put scrub oak into fence footing removal holes, and use it in place of hazardous plants in Zone B. For 1200 ft. of fence post holes, planting a scrub oak at every other hole, the plan would need 75 Q.berberidifolia.

Zone C and beyond: May plant flammable plants, spaced 15ft. apart from other flammable plants, including existing plants remaining on site.

The general rule in California is to use 50 to 100 pounds of native seed per acre of land. For the purpose of this project, approximately 10 pounds of native seed will be applied across the three parcels. Native seed should be applied in all 5 years of the restoration in order to try to establish a seed bank. It may need to be broadcast seeding and not hydroseeding in subsequent years. Follow direction of restoration specialist on ground preparation and herbivory protection for seeding in years following the first hydroseeding and planting of container plants. Seeding and planting should follow weeding in fall to take advantage of seasonality and the rainy season. Add collection of acorns from the site.

Container stock and seed must originate from the region and shall be purchased from specialized vendors. Stock and seed must be certified weed and pest free. Do not use cultivars or varieties. Final locations and spacing of container material will be determined in the field at the time of planting, under the supervision of the restoration ecologist, with the goal of achieving a natural-appearing landscape. Species substitutions will not be allowed without consultation with the restoration ecologist. The projects restoration ecologist shall be provided a list of the species purchased for the restoration before this plan is implemented so that they can check that the species and quantities are consistent with the plant palette. Totals may be adjusted depending on availability at the time of planting. The projects restoration ecologist shall be provided a list of the species and quantities purchased for the restoration before this plan is implemented so that they can check it the species and quantities are consistent with the plant palette. The container stock and seed shall be inspected to ensure that it is free of non-native ants and other pests immediately before being transported to the site. The projects restoration ecologist shall inspect the stock again immediately upon arrival at the site. If non-native ants are found, delivery of the stock and/or seed in which they occur shall be refused and taken back to the nursery.

Pre-construction Plan Implementation

Weed Eradication

The restoration area is comprised mostly of tocolote and mustard, which are identified by Cal-IPC as being highly invasive. Mechanical control of the non-native plant is recommended for this particular project.

1. Equipment and vehicle cleaning previous to coming to the site; describe how (wheel wells, undercarriage, etc.); cleaning after leaving site before going to next project. Equipment and vehicles for fence removal, clearing, grading, restoration, non-native tree removal.
2. Coordination with fencing removal to create holes while removing footing adequate for planting container plants.
3. To ensure that non-native plants do not reestablish it is important to detach all above-ground stem material.
4. Plants shall be manually removed after the plants have bolted (late spring to early summer) but before they produce viable seed (early summer to late summer or fall).
5. A weed eradication effort will occur prior to any planting of native species.
6. The non-native species will be removed manually using hand pulling, hoeing, or string trimming.
7. Cut non-native plant parts shall be placed in closed containers and disposed of at a landfill.
8. Proper weed eradication and weed maintenance training will be conducted prior to removal activities.
9. It is essential to clean vehicles, the equipment, personnel clothing, and shoes of trapped soil and non-native propagules before bringing equipment to the property, at the end of each day of work, and before the equipment is removed from the property so that there is no further dissemination of non-native invasive plants.
10. Native chaparral vegetation removed should be chopped, saved, and used for mulch in the restoration planting. The grading plan should designate areas for saving this mulch for restoration.
11. Any removal of topsoil (the top 6-in. to 1-ft.) by grading should be saved for filling in fence footing holes and other holes with a restoration plant and replacement soil. The grading plan should designate areas for saving the topsoil and conditions for topsoil conservation in the holding area.
12. Fence footings should be removed in areas outside of tree protected zones. The holes should be left or further excavated as required by the restoration consultant for planting trees and shrubs for the restoration.

Post-construction Plan Implementation

Irrigation

While planting will be scheduled to take advantage of winter rainfall, irrigation may be necessary to ensure plant establishment. A temporary irrigation system should be installed where feasible to provide a bubbler/drip system for the container plants and seeded areas. The restoration ecologist will monitor the restoration area to ensure proper operation of the irrigation system and that the appropriate amount of water is being delivered to the plants. The irrigation system will be used in the early fall and late spring seasons for the first two growing seasons to help establish the plants such that they can survive on their own from seasonal rainfall. Additional watering events will occur at the discretion of the restoration ecologist based on need. Irrigation shall be phased out per the direction the projects restoration ecologist (Years 2 - 3) and shall be completely removed after they determine that the restoration has been successful.

Planting & Seeding Schedule

The restoration area should be planted between October 1 and February 1, in order to take advantage of winter rains. If restorative planting is not complete by February 1, the number of plants and the amount of hydro-seed identified in the plant palette should be increased by 25% to account for the likelihood of increased mortality.

Seed Preparation & Application

Hydroseeding typically consists of the application of wood fiber, seed, and stabilizing emulsion (binder) with hydro-mulch equipment, which temporarily protects exposed soils from erosion until the seeds germinate, grow, and become established.

1. The seed shall be mixed uniformly in slurry composed of water, certified weed-free wood fiber or cellulose mulch, and stabilizing emulsion or other suitable mix as recommended by the projects restoration ecologist.
2. The hydroseed mix shall be applied using hydro-mulching equipment or other method as recommended by the projects restoration ecologist. Do not apply hydroseed within 24 hours of a forecast rain event.

Container Stock Planting

1. Laborers shall dig holes approximately twice the width and depth of the root balls of the container stock.
2. The holes shall be randomly spaced in a manner that appears natural.
3. Laborers shall fill the holes with water and allow them to drain before installing the container stock.

4. Laborers shall then install and set the container stock so that the crown of their root balls are approximately 0.25 inch above grade, and backfill them.
5. After planting, laborers shall create 18-24 inch wide water basins around the container stock and shall fill each with water, allow to drain, and repeat.
6. After the area has been planted and hydroseeded it shall be initially irrigated per the manufacturers hydroseeding instructions and per the direction of the projects restoration ecologist Year 1 through 3.
7. All planting activities shall be conducted under the direct supervision of the projects restoration ecologist.

Herbivory Control

1. To prevent herbivory from deer that frequent the site, all container plants to be installed will have wire around them.
2. Cylinders should be made of non-galvanized, welded mesh wire with ½ inch squares.
3. All wire cylinders will be installed at the time of planting so that they can be buried at least 6 inches below ground to ensure the wire does not get pulled out or otherwise trampled.
4. All wire cylinders will be removed from the plants once they have been properly established (Year 3).

Trash Removal

1. All removed fencing and non-native plant material shall be taken to a landfill in closed containers.

Initial Monitoring Schedule

The restoration ecologist will visit the restoration area twice per month (or as necessary) during the first 120-days, after planting and seeding, to monitor site conditions. The report will include data of the reference distribution such as raw data, showing progression to formulation of Reference Distribution in an appendix. A map of the location of transects for the Reference Distributions will be included along with the grid plan for transects in the restoration for the annual reports. They will determine if the container stock are becoming adequately established, verify that seed application and germination has been successful, check that irrigation is adequate, and identify any problems or potential problems with regards to plan implementation. During this period, the restoration ecologist will provide recommendations in writing to the applicant's contractor regarding any necessary remedial actions. The applicant's contractor shall be responsible for ensuring that all remedial actions are taken and completed in a timely manner.

Initial Monitoring Report

The restoration ecologist will provide an Initial Report to the Los Angeles County Planning Department within 30 days of completion of the 120-day monitoring period. The report will include details and maps as necessary with regards to site preparation, irrigation, the species names and amount of container stock used, the species names and amount of seed applied, and any deviations from the plant palette.

Maintenance Plan

Annual Monitoring & Data Collection

Annual report copies should go to both the applicant/owners and the Dept. of Regional Planning. Title page should have Project No., Permit No., Address of restoration site, APNs, Applicant/owner addresses and contact information, Restoration Specialist responsible for report--contact information and address, Date of Report. The primary content of the reports is to be quantitative, transect measurement of species and cover and comparison to the Reference Distribution. Transects should be randomly positioned within the grid rectangles of restoration areas. Photos from the two ends of transects should be included. Map of the transect locations should be included. Description of all restoration activity and methods should be included. Adaptive management changes to be done in the next fall monitoring should be included. Oak mitigation checks should be included--tree characteristic table and map.

1. The restoration ecologist will visit the restoration area once during May and again in September for a period of 5 years or until the success criteria are met.
2. Measurement of species and cover using continuous transects, 50m, randomly placed and oriented within grid rectangles and in the restoration area of each lot, to judge approach to the success criterion. The measurement by transects is done in spring previous to weeding and in fall previous to weeding.
3. Transect locations shall not be static, but randomly placed each season of measurement.
4. Photographs viewing along transect tape from start and end of each transect.
5. A map of transect locations will be provided showing lots of the project for each annual report. Transect locations should be different in each report using techniques for randomization.
6. For each alliance in each lot, analyze transect average distribution of species and cover items and percentage cover and then compared to Reference Distribution.
7. Annual reports will be due on or before September 1, in order to provide plans for adaptive management activities during the fall measurement, weeding, and planting period.

8. The restoration ecologist will establish photo points at 3 locations, one at each of the parcel lots, for comparative analysis between years.
9. The restoration ecologist will determine percentage survival of container stock used in the restoration (Year 1 – 5), relative cover of native species and non-native species (Year 1 – 5), and will identify and mark non-native species so that they can be removed by the contractors maintenance crew.
10. The data will be used to determine if the performance standards are being met and shall be included in the annual reports. The focus of all efforts shall be the eradication of species identified by Cal-IPC as being moderately to highly invasive.

Weed Control

1. It is essential to clean vehicles, the equipment, and personnel clothing and shoes of trapped soil and non-native propagules before bringing equipment to the property, and at the end of each day of work, and before the equipment is removed from the property, so that there is no further dissemination of non-native invasive plants.
2. Weeds shall be removed during late winter through early summer, as necessary, before they set seed and/or before they reach approximately 12 inches in height under the direction and on-site supervision by the projects restoration ecologist. Weeding shall be done in the spring following transect measurements and in the fall following transect measurements.
3. Weeding should be twice a year in all years of restoration during the rainy season. (There should not be a restriction based on rainfall amount).
4. Weed control shall mainly employ hand pulling and mechanical methods.
5. All weed control activities shall be conducted with on-site supervision provided by the projects restoration ecologist.

Annual Reports

A final report when the success criterion is achieved, and 2 years have passed with only weeding as maintenance (no irrigation or other restoration process) will be provided. Comparison of transects done in spring, previous to weeding, to the Reference Distribution for species and cover items and percentage cover shall be shown and should be 90% of absolute cover like the Reference Distribution. The restoration ecologist will provide annual reports to the LA County Planning Department on or before September 1, beginning the year after the restoration is complete for a period of 5 years or until the restoration is determined a success. The reports will include data regarding survival of container stock used, percent cover, height, and other pertinent data. The reports will also detail necessary maintenance activities including the use of replacement container stock and methods used for control of non-native species and will also include recommendations for remedial action; necessary to ensure the success of the restoration. The property owner shall

be responsible for ensuring that all remedial actions are taken and completed in a timely manner. Annual Report content is described under “Maintenance Plan”, pp.8-9.” Notification in writing to property owner and to County Dept. of Regional Planning (DRP) will be given when performance standards are not being met. This is described on p.10 under “success criteria.” The notification may be in the annual report to DRP.

Success Criteria

The restoration/revegetation projects in the Santa Monica Mountains Coastal Zone all have an overriding Success Criterion, specified in §22.44.1240.B.5:

“Landscaping or revegetation shall provide 90 percent coverage within five years, or that percentage of ground cover demonstrated locally appropriate for a healthy stand of the particular native vegetation type chosen for revegetation.”

The restoration ecologist will take photographs during every scheduled monitoring visit from permanent stations. Quantitative data regarding the general health, growth rate, and mortality of plants will be recorded and compared to the reference distribution. The monitoring biologist will also collect data during site visits using transect methods. This data will be used to determine if the success criteria set for the restoration are being met and to identify any necessary remedial actions as they arise. No woody invasive species shall be present. No temporary irrigation or maintenance (other than weeding) for 2 years’ time. If performance standards are not being met, the restoration ecologist shall provide recommendations in writing to the property owner or their representative regarding necessary remedial action. At the end of 5 years of restoration, in the case when the restoration criteria have not been met, the monitoring plan shall be extended until the standards are met or for 5 additional years. If success criteria are not met within 10 years, the applicant shall submit an amendment proposing alternative restoration (SMM LIP §22.44.1920.L). The applicant’s contractor shall be responsible for ensuring that all remedial action is taken and completed in a timely manner.

Adaptive Management

An inherent part of any restoration plan is the ability to detect problems regarding the success of the restoration, to determine the cause of the problem, and to take corrective measures. The restoration ecologist will ensure that the property owner corrects minor problems, such as isolated instances of plant mortality, or small-scale weed or pest infestations during routine site visits. If more than 50% of the plants used for the restoration die, the monitoring biologist will make recommendations to correct the problem.

Appendices

Exhibit A. Location Map

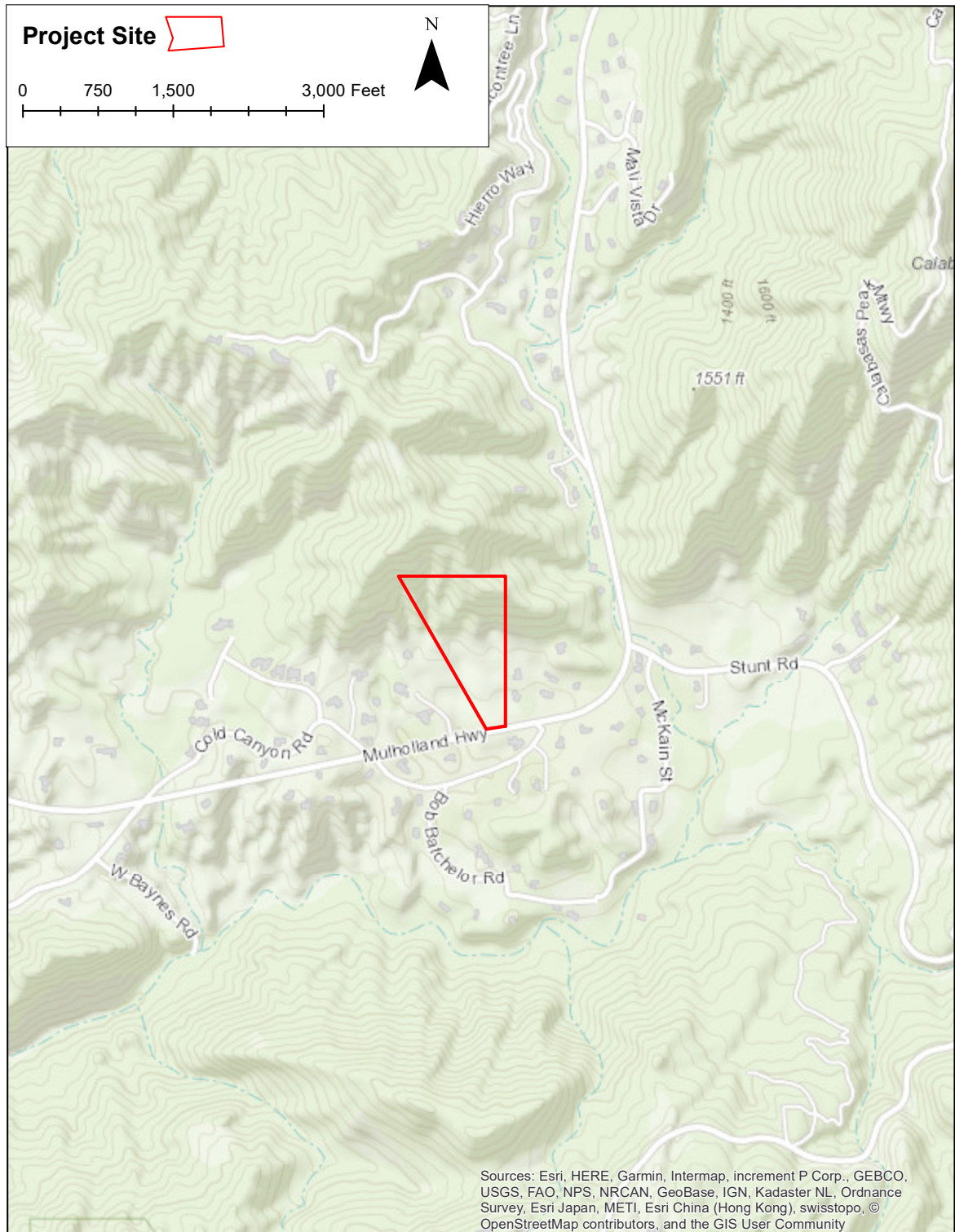
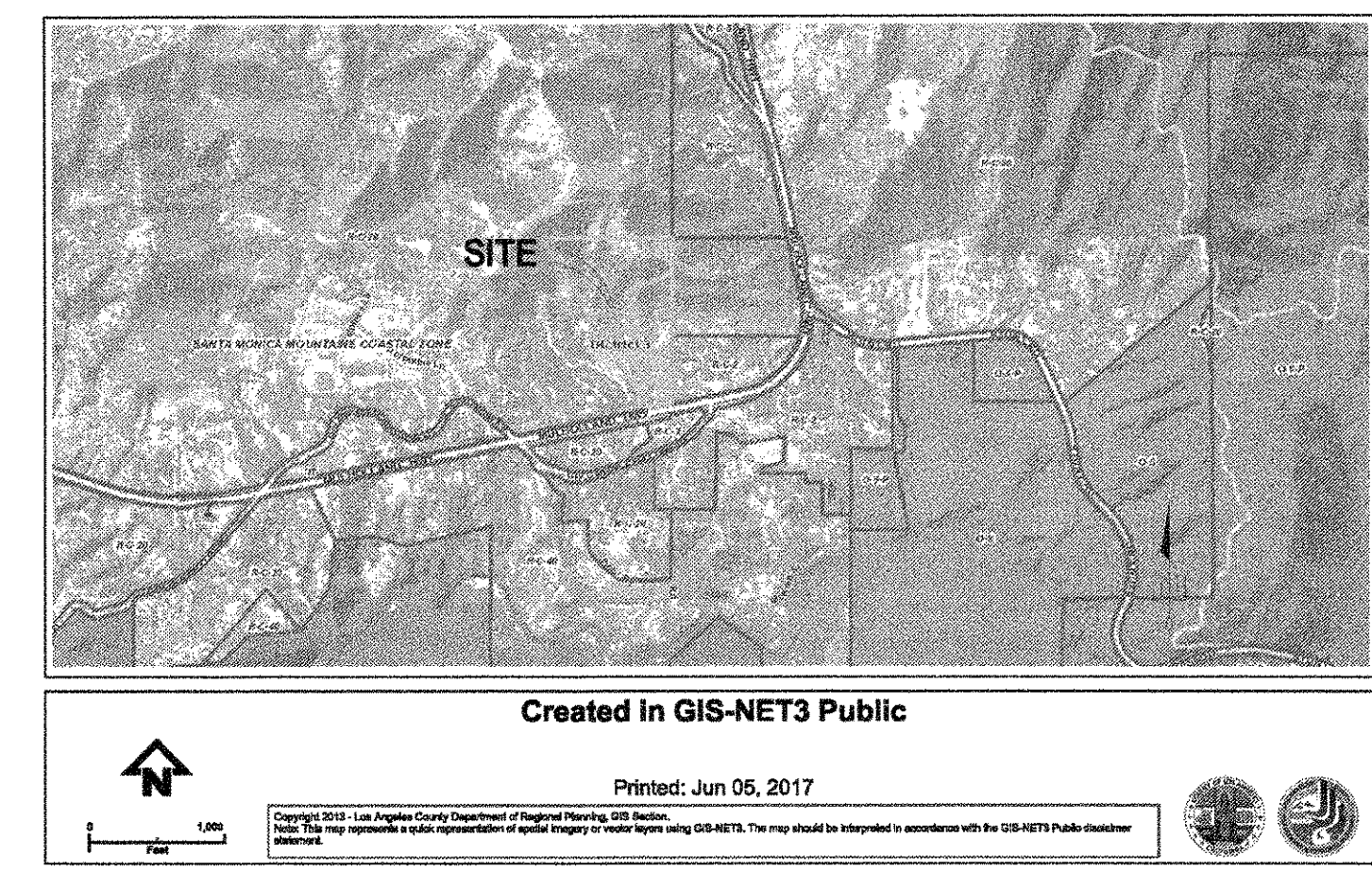


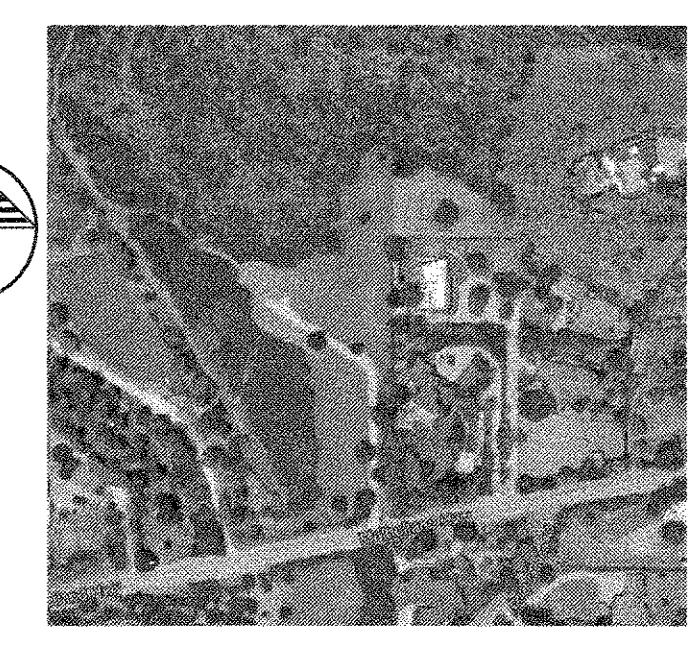
Exhibit B. Transect Locations



Exhibit C. Restoration Map



VICINITY MAP



Project Site

BRUCE MALINOWSKI
108 LAKE HELEN DRIVE
WEST PALM BEACH, FLORIDA 33411
310-924-6109 brucemalinowski3@gmail.com
LANDSCAPE ARCHITECT LIC.#4774

Harmony Gardens, Inc.
Shelley Sparks, RLA #2896
12224 Addison Street
Valley Village, CA 91607
(818) 505-9783
Shelley@HarmonyGardens.net

REVISION LOG:

10/11/2018	
10/23/2018	
12/03/2018	
12/11/2018	
02/13/2019	
03/18/2019	
09/30/2019	
SUBMITTAL:	
NO:	DATE:

PROJECT ADDRESS:
Mulholland Homes
Parcels 1-4
Parcel Map 10857
Calabasas, CA 91302

OWNER ADDRESS:
Green Hills Associates, Inc.
3961 Bon Homme Road
Calabasas, CA 91302

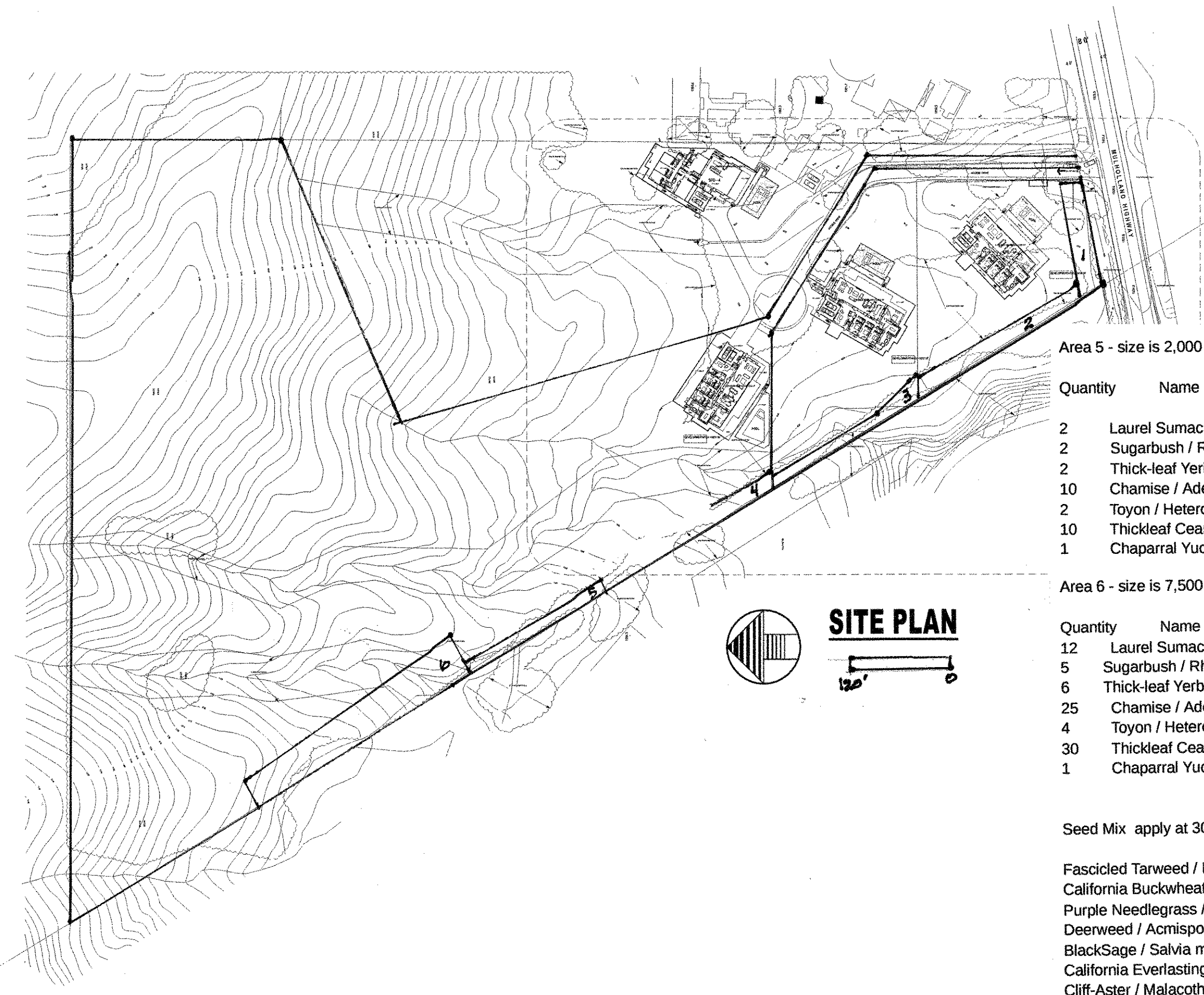
INDEX
SHEET

Date: 09/25/2018
Scale: NTS

Sheet No.
LO
1 of 4

LOT 1 SHEET INDEX

- L0 INDEX SHEET
- L1 LOT 1 NATIVE VEGETATION REMOVAL PLAN
- L2 LOT 1 LANDSCAPE PLAN
- L3 LOT 1 IRRIGATION PLAN



SITE PLAN

Area 5 - size is 2,000 square feet

Quantity	Name	size
2	Laurel Sumac / Malosma laurina	1 gallon
2	Sugarbush / Rhus ovata	1 gallon
2	Thick-leaf Yerba Santa / Eriodictyon crassifolium	1 gallon
10	Chamise / Adenostoma fasciculatum var. Fasciculatum	1 gallon
2	Toyon / Heteromeles arbutifolia	1 gallon
10	Thickleaf Ceanothus	1 gallon
1	Chaparral Yucca / Hesperoyucca whipplei	1 gallon

Area 6 - size is 7,500 square feet

Quantity	Name	size
12	Laurel Sumac / Malosma laurina	1 gallon
5	Sugarbush / Rhus ovata	1 gallon
6	Thick-leaf Yerba Santa / Eriodictyon crassifolium	1 gallon
25	Chamise / Adenostoma fasciculatum var. Fasciculatum	1 gallon
4	Toyon / Heteromeles arbutifolia	1 gallon
30	Thickleaf Ceanothus	1 gallon
1	Chaparral Yucca / Hesperoyucca whipplei	1 gallon

Seed Mix apply at 30 pounds per acre

Fascicled Tarweed / Deinandra fasciculata
California Buckwheat / Eriogonum fasciculatum
Purple Needlegrass / Stipa pulchra
Deerweed / Acnison glaber
BlackSage / Salvia mellifera
California Everlasting / Pseudognaphalium californicum
Cliff-Aster / Malacothrix saxatilis

Site Total Size is 25,000 square feet

Quantity	Name	size	percent of overall site
23	Laurel Sumac / Malosma laurina	1 gallon	10%
14	Sugarbush / Rhus ovata	1 gallon	5%
15	Thick-leaf Yerba Santa / Eriodictyon crassifolium	1 gallon	5%
60	Chamise / Adenostoma fasciculatum var. Fasciculatum	1 gallon	30%
28	Toyon / Heteromeles arbutifolia	1 gallon	5%
50	Thickleaf Ceanothus	1 gallon	44%
5	Chaparral Yucca / Hesperoyucca whipplei	1 gallon	1%
15	Chaparral Bush-Mallow / Malacothamnus fasciculatus	1 gallon	NA

Area 1 - size is 3,500 square feet

Quantity	Name	size
3	Toyon / Heteromeles arbutifolia	1 gallon
15	Chaparral Bush-Mallow / Malacothamnus fasciculatus	1 gallon

Area 2 - size is 5,700 square feet

Quantity	Name	size
4	Laurel Sumac / Malosma laurina	1 gallon
3	Sugarbush / Rhus ovata	1 gallon
3	Thick-leaf Yerba Santa / Eriodictyon crassifolium	1 gallon
17	Blacksage / Salvia mellifera	1 gallon
10	Toyon / Heteromeles arbutifolia	1 gallon
1	Chaparral Yucca / Hesperoyucca whipplei	1 gallon

Area 3 - size is 3,300 square feet

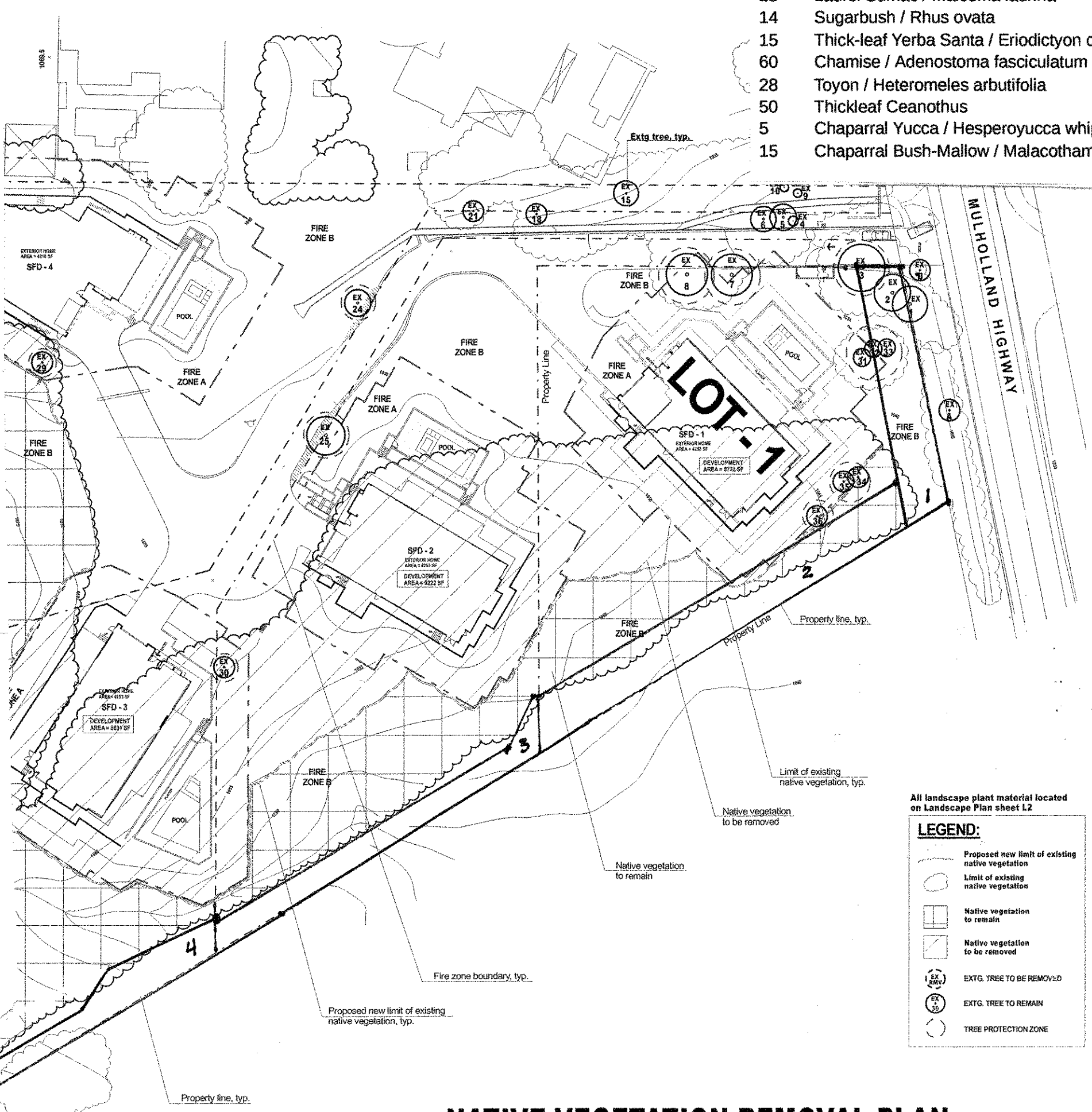
Quantity	Name	size
3	Laurel Sumac / Malosma laurina	1 gallon
2	Sugarbush / Rhus ovata	1 gallon
2	Thick-leaf Yerba Santa / Eriodictyon crassifolium	1 gallon
15	Chamise / Adenostoma fasciculatum var. Fasciculatum	1 gallon
7	Toyon / Heteromeles arbutifolia	1 gallon
1	Chaparral Yucca / Hesperoyucca whipplei	1 gallon

Area 4 - size is 3,000 square feet

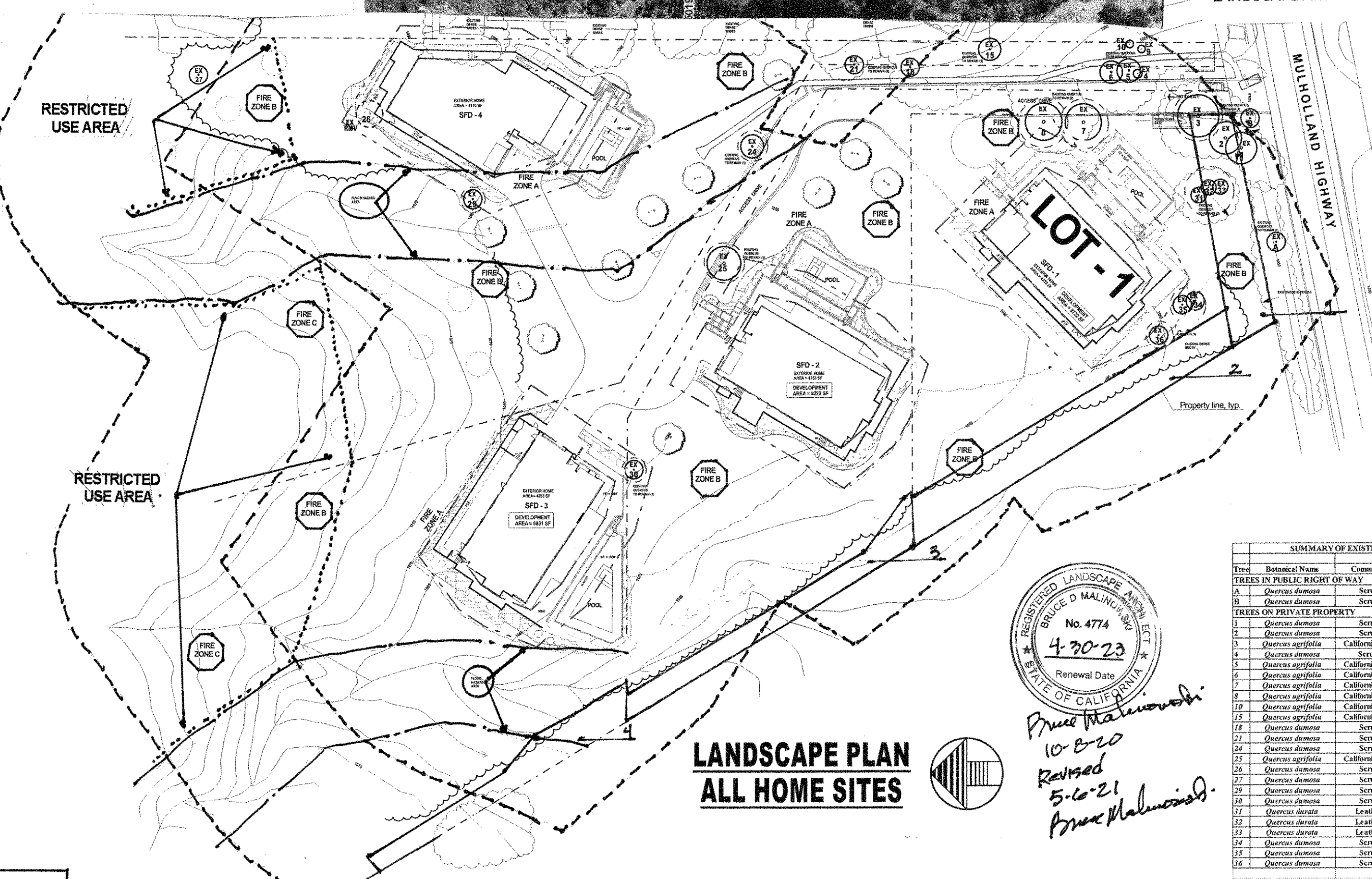
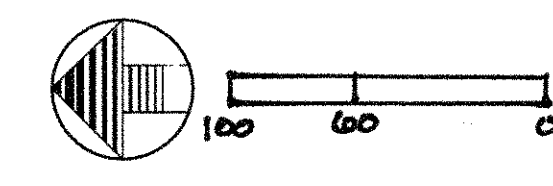
Quantity	Name	size
2	Laurel Sumac / Malosma laurina	1 gallon
2	Sugarbush / Rhus ovata	1 gallon
2	Thick-leaf Yerba Santa / Eriodictyon crassifolium	1 gallon
10	Chamise / Adenostoma fasciculatum var. Fasciculatum	1 gallon
2	Toyon / Heteromeles arbutifolia	1 gallon
10	Thickleaf Ceanothus	1 gallon
1	Chaparral Yucca / Hesperoyucca whipplei	1 gallon

Seed Mix apply at 30 pounds per acre

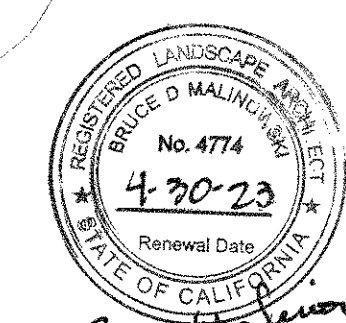
Fascicled Tarweed / Deinandra fasciculata
California Buckwheat / Eriogonum fasciculatum (not in fuel mod zone B)
Purple Needlegrass / Stipa pulchra
Deerweed / Acnison glaber
BlackSage / Salvia mellifera
California Everlasting / Pseudognaphalium californicum
Cliff-Aster / Malacothrix saxatilis



NATIVE VEGETATION REMOVAL PLAN
ALL HOME SITES



LANDSCAPE PLAN
ALL HOME SITES

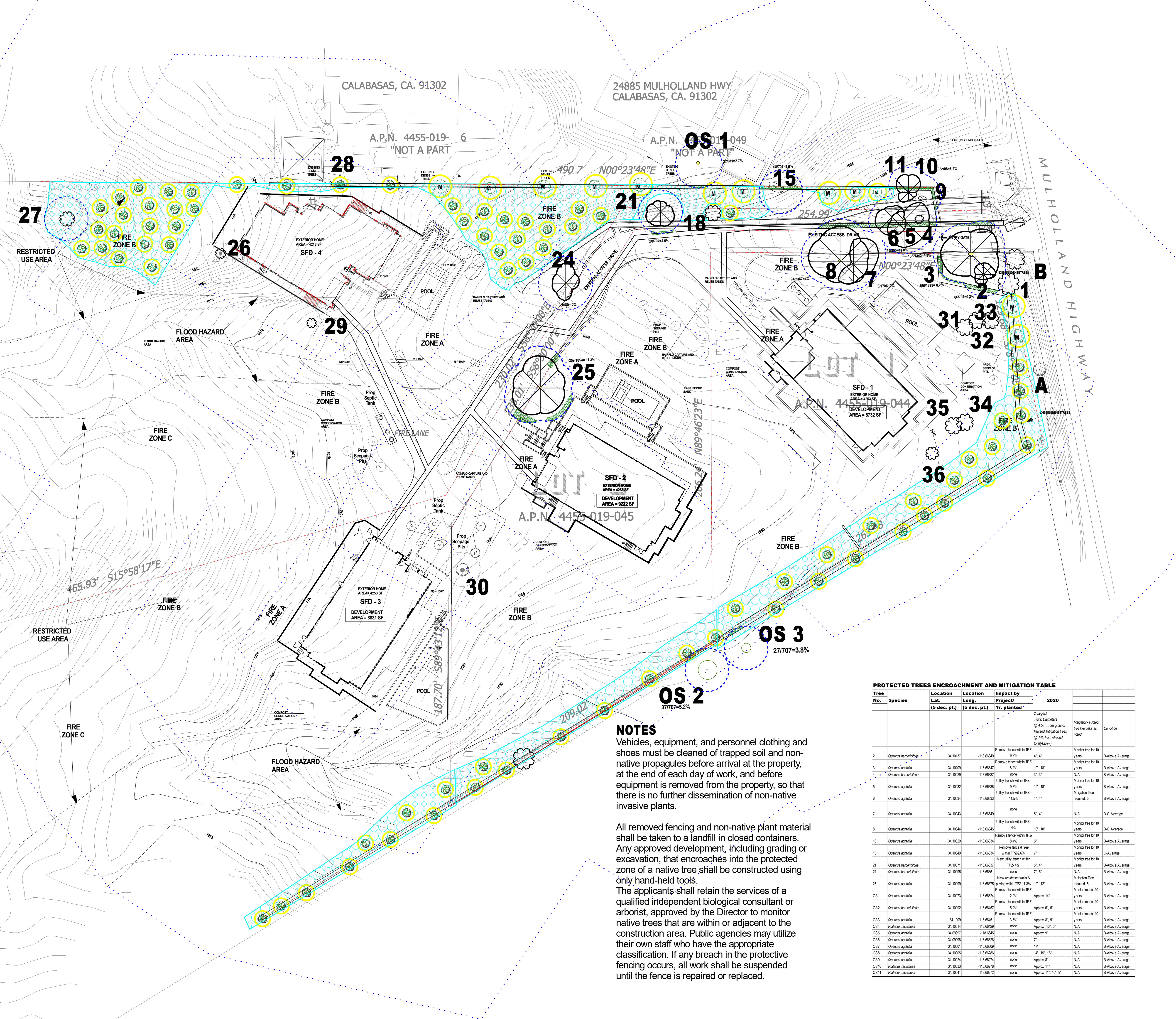


Bruce Malinowski
10-8-20
Revised
5-6-21
Bruce Malinowski

SUMMARY OF EXISTING PROTECTED TREES

Tree	Botanical Name	Common Name	Protected	Remarks
TREES IN PUBLIC RIGHT OF WAY				
1	Quercus dumosa	Scrub Oak	Yes	No
2	Quercus dumosa	Scrub Oak	Yes	No
TREES ON PRIVATE PROPERTY				
3	Quercus dumosa	Scrub Oak	Yes	No
4	Quercus agrifolia	California Live Oak	Yes	No
5	Quercus dumosa	Scrub Oak	Yes	No
6	Quercus agrifolia	California Live Oak	Yes	No
7	Quercus agrifolia	California Live Oak	Yes	No
8	Quercus agrifolia	California Live Oak	Yes	No
9	Quercus agrifolia	California Live Oak	Yes	No
10	Quercus agrifolia	California Live Oak	Yes	No
11	Quercus dumosa	Scrub Oak	Yes	No
12	Quercus dumosa	Scrub Oak	Yes	No
13	Quercus dumosa	Scrub Oak	Yes	No
14	Quercus dumosa	Scrub Oak	Yes	No
15	Quercus dumosa	Scrub Oak	Yes	No
16	Quercus dumosa	Scrub Oak	Yes	No
17	Quercus dumosa	Scrub Oak	Yes	No
18	Quercus dumosa	Scrub Oak	Yes	No
19	Quercus dumosa	Scrub Oak	Yes	No
20	Quercus dumosa	Scrub Oak	Yes	No
21	Quercus dumosa	Scrub Oak	Yes	No
22	Quercus dumosa	Scrub Oak	Yes	No
23	Quercus dumosa	Scrub Oak	Yes	No
24	Quercus dumosa	Scrub Oak	Yes	No
25	Quercus dumosa	Scrub Oak	Yes	No

NOTE: Mitigation for removal of this tree requires the planting of two (2) gal seedlings of the same species upon the lot from which it was removed.



LEGEND

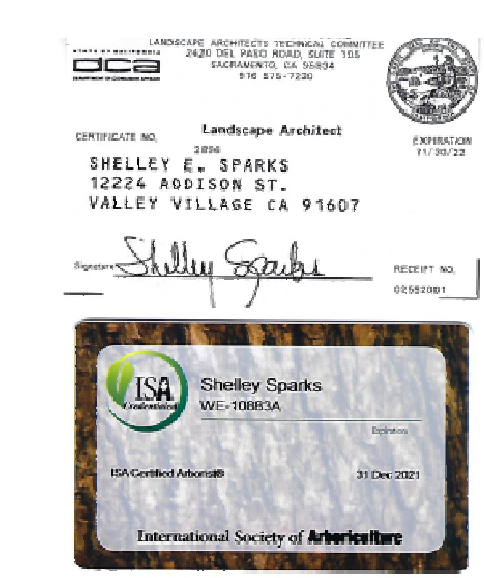
- = **Quercus agrifolia**
- = **Quercus berberidifolia**
- = **Undersized Quercus agrifolia**
- = **Undersized Quercus berberidifolia**
- = **Schinus molle**
- = **Eucalyptus cinerea**
- = **Tree protection zone -- greater distance (before pruning) of canopy drip line + 5-ft. outside canopy or 15-ft from trunk**
- = **Remove invasive tree**
- = **potential Mitigation Tree location and tree protection zone**
- = **Quercus encroachment area**
- = **Inlet cap**
- = **Future dedication**
- = **Septic tank**
- = **Quercus agrifolia mitigation tree**
- = **Quercus berberidifolia mitigation tree**

OS = Offsite protected tree directly adjacent to property line
Note = exact locations & specs. are imprecise due to physical barriers to measurement

NOTES
Vehicles, equipment, and personnel clothing and shoes must be cleaned of trapped soil and non-native propagules before arrival at the property, at the end of each day of work, and before equipment is removed from the property, so that there is no further dissemination of non-native invasive plants.

All removed fencing and non-native plant material shall be taken to a landfill in closed containers. Any approved development, including grading or excavation, that encroaches into the protected zone of a native tree shall be constructed using only hand-held tools. The applicants shall retain the services of a qualified independent biological consultant or arborist, approved by the Director to monitor native trees that are within or adjacent to the construction area. Public agencies may utilize their own staff who have the appropriate classification. If any breach in the protective fencing occurs, all work shall be suspended until the fence is repaired or replaced.

PROTECTED TREES ENCROACHMENT AND MITIGATION TABLE									
Tree No.	Species	Location Lat. (5 dec. pt.)	Location Long. (5 dec. pt.)	Impact by Project Yr. planted	2020				
2	Quercus berberidifolia	34.10137	-118.63349	Remove fence within TP2 9.3%	4", 4"	Monitor tree for 10 years	B-Above Average		
3	Quercus agrifolia	34.10259	-118.63347	Remove fence within TP2 8.2%	19", 18"	Monitor tree for 10 years	B-Above Average		
4	Quercus berberidifolia	34.10029	-118.63337	none	3", 3"	N/A	B-Above Average		
5	Quercus agrifolia	34.10032	-118.63338	Utility trench within TP2 9.3%	19", 18"	Monitor tree for 10 years	B-Above Average		
6	Quercus agrifolia	34.10034	-118.63333	Utility trench within TP2 11.5%	4", 4"	Mitigation Tree required 5 years	B-Above Average		
7	Quercus agrifolia	34.10043	-118.63349	none	5", 4"	N/A	B-C Average		
8	Quercus agrifolia	34.10044	-118.63345	Utility trench within TP2 4%	10", 10"	Monitor tree for 10 years	B-C Average		
10	Quercus agrifolia	34.10029	-118.63334	Remove fence within TP2 8.4%	9"	Monitor tree for 10 years	B-Above Average		
15	Quercus agrifolia	34.10049	-118.63334	Remove fence & tree within TP2 8.6%	7"	Monitor tree for 10 years	C-Average		
21	Quercus berberidifolia	34.10071	-118.63337	New utility trench within TP2 4%	5", 4"	Monitor tree for 10 years	B-Above Average		
24	Quercus berberidifolia	34.10056	-118.63351	none	7", 6"	N/A	B-Above Average		
25	Quercus agrifolia	34.10059	-118.63379	New residence walls & swing within TP2 11.3%	12", 12"	Mitigation Tree required 5 years	B-Above Average		
OS1	Quercus agrifolia	34.10073	-118.63334	Remove fence within TP2 2.2%	Approx 14"	Monitor tree for 10 years	B-Above Average		
OS2	Quercus berberidifolia	34.10032	-118.63407	Remove fence within TP2 5.2%	Approx 6", 5"	Monitor tree for 10 years	B-Above Average		
OS3	Quercus agrifolia	34.10001	-118.64451	3.8%	Approx 8", 9"	years	B-Above Average		
OS4	Platanus racemosa	34.10014	-118.64429	none	Approx 10", 5"	N/A	B-Above Average		
OS5	Quercus agrifolia	34.09997	-118.64465	none	Approx 9"	N/A	B-Above Average		
OS6	Quercus agrifolia	34.09996	-118.63326	none	7"	N/A	B-Above Average		
OS7	Quercus agrifolia	34.10001	-118.63309	none	17"	N/A	B-Above Average		
OS8	Quercus agrifolia	34.10005	-118.62696	none	14", 15", 16"	N/A	B-Above Average		
OS9	Quercus agrifolia	34.10024	-118.62674	none	Approx 8"	N/A	B-Above Average		
OS10	Platanus racemosa	34.10033	-118.62678	none	Approx 14"	N/A	B-Above Average		
OS11	Platanus racemosa	34.10041	-118.62672	none	Approx 11", 10", 9"	N/A	B-Above Average		



REVISION LOG:

09/30/2019
04/02/2020
11/12/2020

SUBMITTAL:

NO:	DATE:
-----	-------

PROJECT ADDRESS:

Mulholland Homes, Parcels 1-4,
Mulholland Highway, Parcel Map 10857,
Calabasas, CA 91302

OWNER ADDRESS:

Green Hills Associates, Inc
3961 Bon Homme Rd
Calabasas, CA 91302

TREE ENCROACHMENT & MITIGATION PLAN

4/29/2021

Scale: 1"=30'

Sheet No. **T2**

2 of 3

Exhibit D. Transect Data

RAW DATA, TRANSECT A				
50m transects				
Chaparral (CSS)				
	Latitude	Longitude	Error (ft.)	
Start:	34.100122	-118.663872	15	
South end				
Tape	Cover Type	Tape distance		
0	<i>Schinus molle</i>	6		
6	<i>Malosma laurina, duff</i>	17		
23	<i>Quercus berberidifolia, duff</i>	12		
35	<i>Ceanothus cuneatus</i>	22		
57	<i>Adenostoma fasciculata</i>	19		
76	<i>Ceanothus cuneatus</i>	8		
84	<i>Adenostoma fasciculata</i>	17		
101	<i>Ceanothus cuneatus</i>	21		
122	<i>Malosma laurina</i>	42		
164	<i>Ceanothus cuneatus</i>	0		
	<i>Understory Species list</i>			
	<i>Eriophyllum confertiflorum</i>			
	<i>Asclepias fascicularis</i>			
	<i>Centaurea melitensis</i>			
	<i>Hirschfeldia incana</i>			
	<i>Acemisson glaber</i>			
	<i>Stipa</i> sp.			
	<i>Avena</i> sp.			
	<i>Duff</i>		PG 17	

SPECIES COVER, TRANSECT A					
50m transects					
Chaparral (CSS)					
	Latitude	Longitude	Error (ft.)		
Start:	34.100122	-118.663872	15		
South end					
Tape	Cover Type	Tape distance	Sum	%cover	
0	<i>Schinus molle</i>	6	6	3.7%	96.3%
6	<i>Malosma laurina</i> , duff	17			shrubs
23	<i>Quercus berberidifolia</i> , duff	12	12	7.3%	
35	<i>Ceanothus cuneatus</i>	22			
57	<i>Adenostoma fasciculata</i>	19			
76	<i>Ceanothus cuneatus</i>	8			
84	<i>Adenostoma fasciculata</i>	17	36	22.0%	
101	<i>Ceanothus cuneatus</i>	21			
122	<i>Malosma laurina</i>	42	59	36.0%	
164	<i>Ceanothus cuneatus</i>	0	51	31.1%	
		Sum	164	100.0%	
					PG 18

RAW DATA, TRANSECT B			
50m transects			
Chaparral (CSS)			
	Latitude	Longitude	Error (ft.)
Start:	34.100708	-118.664244	15
South end			
Tape	Cover Type	Tape distance	
0	<i>Ceanothus cuneatus</i>	11	
11	<i>Adenostoma fasciculata</i>	9	
20	<i>Malosma laurina</i>	15	
35	<i>Ceanothus cuneatus</i>	22	
57	<i>Salvia mellifera</i>	44	
101	<i>Eriogonum fasciculatum</i>	8	
109	<i>Salvia mellifera</i>	6	
115	<i>Salvia mellifera</i>	49	
164	<i>Salvia mellifera</i>	0	
	<i>Understory Species list</i>		
	<i>Eriophyllum confertiflorum</i>		
	<i>Asclepias fascicularis</i>		
	<i>Centaurea melitensis</i>		
	<i>Hirschfeldia incana</i>		
	<i>Acmispon glaber</i>		
	<i>Stipa</i> sp.		
	<i>Avena</i> sp.		
	<i>Duff</i>		PG 19

SPECIES COVER, TRANSECT B					
50m transects					
Chaparral (CSS)					
	Latitude	Longitude	Error (ft.)		
Start:	34.100708	-118.664244	15		
South end					
Tape	Cover Type	Tape distance	Sum	%cover	
0	<i>Ceanothus cuneatus</i>	11			100.0%
11	<i>Adenostoma fasciculata</i>	9	9	5.5%	shrubs
20	<i>Malosma laurina</i>	15	15	9.1%	
35	<i>Ceanothus cuneatus</i>	22	33	20.1%	
57	<i>Salvia mellifera</i>	44			
101	<i>Eriogonum fasciculatum</i>	8	8	4.9%	
109	<i>Salvia mellifera</i>	6			
115	<i>Salvia mellifera</i>	49			
164	<i>Salvia mellifera</i>	0	99	60.4%	
		Sum	164	100.0%	
					PG 20

RAW DATA, TRANSECT C			
50m transects			
Chaparral (CSS)			
	Latitude	Longitude	Error (ft.)
Start:	34.101272	-118.664631	15
South end			
Tape	Cover Type	Tape distance	
0	<i>Salvia mellifera</i>	9	
9	<i>Eriodictyon crassifolium</i>	6	
15	<i>Salvia mellifera</i>	18	
33	<i>Eriodictyon crassifolium</i>	7	
40	<i>Salvia mellifera</i>	10	
50	<i>Quercus berberidifolia</i>	10	
60	<i>Heteromeles arbutifolia</i>	15	
75	<i>Ceanothus cuneatus</i>	15	
90	<i>Adenostoma fasciculata</i>	25	
115	<i>Ceanothus cuneatus</i>	14	
129	<i>Adenostoma fasciculata</i>	35	
164	<i>Adenostoma fasciculata</i>	0	
	<i>Understory Species list</i>		
	<i>Eriophyllum confertiflorum</i>		
	<i>Asclepias fascicularis</i>		
	<i>Centaurea melitensis</i>		
	<i>Hirschfeldia incana</i>		
	<i>Acmispon glaber</i>		
	<i>Stipa</i> sp.		
	<i>Avena</i> sp.		
	<i>Duff</i>		PG 21

SPECIES COVER, TRANSECT C					
50m transects					
Chaparral (CSS)					
	Latitude	Longitude	Error (ft.)		
Start:	34.101272	-118.664631	15		
South end					
Tape	Cover Type	Tape distance	Sum	Cover%	
0	<i>Salvia mellifera</i>	9			100.0%
9	<i>Eriodictyon crassifolium</i>	6			shrubs
15	<i>Salvia mellifera</i>	18			
33	<i>Eriodictyon crassifolium</i>	7	13	7.9%	
40	<i>Salvia mellifera</i>	10	37	22.6%	
50	<i>Quercus berberidifolia</i>	10	10	6.1%	
60	<i>Heteromeles arbutifolia</i>	15	15	9.1%	
75	<i>Ceanothus cuneatus</i>	15			
90	<i>Adenostoma fasciculata</i>	25			
115	<i>Ceanothus cuneatus</i>	14	29	17.7%	
129	<i>Adenostoma fasciculata</i>	35			
164	<i>Adenostoma fasciculata</i>	0	60	36.6%	
		Sum	164	100.0%	
					PG 22

SPECIES COVER SUMMARY

Native species							Zone B Mean	Performance	Performance	
	A	B	C		Mean	Range		Zone C & beyond	Zone B	Substitute
										<i>Quercus berberidifolia</i>
<i>Adenostoma fasciculata</i>	21.7	4.2	35		20.3	4.2 35	8.2	18%	18%	
<i>Heteromeles arbutifolia</i>	0	0	9.4		3.1	0 9.4	1.0	3%	3%	
<i>Ceanothus cuneatus</i>	43	15.5	18.1		25.5	15.5 43	13.7	23.00%	23.00%	
<i>Quercus berberidifolia</i>	4	0	6.3		3.4	0 6.3	1.1	3%	3%	
<i>Malosma laurina</i>	19.7	7	0		8.9	0 19.7	3.0	8%	8%	
										<i>Malosma</i>
<i>Salvia mellifera</i>	0	69.5	23.1		30.9	0 69.5	10.3	28%	28%	<i>laurina</i>
										<i>Heteromeles</i>
<i>Eriogonum fasciculatum</i>	0	3.8	0		1.3	0 3.8	0.4	1%	1%	<i>arbutifolia</i>
<i>Eriodictyon crassifolium</i>	0	0	8.1		2.7	0 8.1	0.9	2%	2%	
Bare Ground & Non-native								11%	11%	
<i>Schinus molle</i>	4	0	0		1.3	0 4	1.3			
Sum native and non-native					97.5	19.7 198.8		97%		
Native relative cover					98.70	1.00 0.98				
Non-native relative cover					0.01	0.00 0.02				
Native absolute					98.7					
Non-native absolute					1.3					
	Native Relative Cover	Non-native Relative Cover	Native Absolute Cover	Non-native Absolute Cover						
Transect data, natural area	99	1	96	1						