

**SUPPLEMENTAL
REPORT TO THE HEARING OFFICER**

DATE ISSUED: October 3, 2024

HEARING DATE: October 15, 2024 **AGENDA ITEM:** 4

PROJECT NUMBER: 2019-000010

PERMIT NUMBER(S): Minor Coastal Development Permit (“Minor CDP”)
Nos. RPPL2019000016, RPPL2019000017,
RPPL2019000018, RPPL2019000019
Environmental Assessment No. RPPL2023001199

SUPERVISORIAL DISTRICT: 3

PROJECT LOCATION: 24937 Mulholland Highway, Calabasas

OWNER: Green Hills Associates, Inc.

APPLICANT: Isaac Zachary

CASE PLANNER: Tyler Montgomery, Principal Regional Planner
TMontgomery@planning.lacounty.gov

This agenda item is a request to construct four new single-family residences on four lots, which were created by Parcel Map 10857 in 1981 (“Project”).

On September 13, 2024, LA County Planning staff (“Staff”) received a letter from Elisa Paster, an attorney representing the applicant (attached as Exhibit A-1). The letter states that, in response to concerns expressed by the Cold Creek Community Council, the applicant will redesign the single-family residences proposed on Lot 3 and Lot 4 (Minor CDP Nos. RPPL2019000018 and RPPL2019000019). The footprint and square footage of the residence on Lot 3 will be reduced by 20 percent, from 4,114 square feet to 3,291 square feet, while the residence on Lot 4 will be moved approximately 20 feet to the south. These actions will reduce the proposed fuel modification within H2 Habitat by 4,264 square feet on Lot 3 and by 5,717 square feet on Lot 4. The letter also includes conceptual site plans for both redesigns as well as an analysis of how the resulting Project would be consistent with numerous goals and policies of the Santa Monica Mountains Local Coastal Program.

Although Staff is in favor of these design changes, Staff needs full sets of revised plans for both residences to issue a full report and recommendation.

Staff recommends that the public hearing for this Project not be opened and that the Project be continued to January 21, 2025. The Project will be considered by the Hearing Officer assigned to that date.

If you have any questions or need additional information, please contact Tyler Montgomery of the Coastal Development Services Section at tmontgomery@planning.lacounty.gov.

Staff recommends the following motion:

I MOVE THAT THE HEARING OFFICER CONTINUE THE PUBLIC HEARING FOR PROJECT NUMBER 2019-000010 TO JANUARY 21, 2025.

Report Reviewed By: Rob Glaser
Robert Glaser, Supervising Regional Planner

Report Approved By: M. Glaser
Mitch Glaser, Assistant Administrator

LIST OF ATTACHED EXHIBITS

EXHIBIT A-1	Letter from Elisa Paster (09/13/24)
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Suite 5880
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Elisa Paster
213.557.7223
Elisa@rpnllp.com

September 13, 2024

VIA EMAIL

Dylan Sittig
Regional Planning Deputy for Chair Horvath
DSittig@bos.lacounty.gov

Tyler Montgomery, AICP
Principal Planner, Coastal Development Services
tmontgomery@planning.lacounty.gov

**Re: Response Letter to Cold Creek Community Council (CCCC) to LA County Regional Planning Department
Project No. 2019-000010-(3)**

Dear Mr. Sittig and Mr. Montgomery:

We represent Green Hills Associates, Inc. (the "Applicant"), the applicant for a proposed development consisting of four new single-family residences on four contiguous and independently subdivided parcels along Mulholland Highway consisting of Assessor Parcel Numbers (APN's): 4455-019-044, 4455-019-045, 4455-019-046 and 4455-019-047 (the "Project") on a site located in the County of Los Angeles ("County").

This letter is submitted in response to concerns raised by the Cold Creek Community Council ("CCCC") and the correspondence you submitted to the County Regional Planning Department on June 11, 2024 with the subject "PROJECT NO. 2019-000010-(3), MINOR COASTAL DEVELOPMENT PERMIT NO. RPPL2019000016, RPPL2019000017, RPPL2019000018, RPPL2019000019" ("CCC Letter"). The CCC Letter raises questions about (a) the legality of the subdivision and verification from the County (b) consistency with the Santa Monica Mountains Local Coastal Plan ("LCP") and Land Use Plan Goals and Policies and (c) provides redesign suggestions for lots 2 (APN: 4455-019-045) and 4 (4455-019-047) that the Applicant has responded to below. The Applicant has also provided proposed redesigned project plans for lots 3 (APN: 4455-019-046) and 4 as further discussed below in Section III.

As discussed herein, the Applicant has taken those concerns seriously and has proposed certain changes to the Project. While the previous design is consistent with all applicable plans and policies, including the LCP, additional changes have been proposed to improve the Project. Note, our client has also reached out to the CCC multiple times to set up a meeting to discuss your concerns face-to-face. We have not received any response to our request to meet, though we remain open to doing so.

Please put this letter into the administrative record for the Project.

I. Legality of Subdivision

In response to the CCCC concerns that the Project was legally subdivided via Parcel Map 10857 in 1981 and was not approved during any illegal actions taken by a former County Employee, the County confirmed via email dated September 3, 2024, from Tyler Montgomery that “the subdivision is legal”. Further the County provided additional background about the illegal actions conducted by the ex-County employee. Specifically, one former employee was involved in issuing of illegal certificates of compliance between 1990 and 2000, all of which have been identified. The four lots in question were created by a Parcel Map in 1981. Parcel Maps constitute a subdivision and require a public review and hearing, which occurred at that time. We understand that Mr. Montgomery has also provided this information to the CCCC. Therefore, the development of four new single-family residences on four contiguous parcels is allowed and compliant with the County and State Subdivision Laws.

II. Consistency with LCP/LUP

The Applicant, like the CCCC, is committed to ensuring that the Project is compliant with the LUP’s guiding principle that “resource protection taking priority over development,” and has designed the Project accordingly. The Project complies with the four LUP policies noted in the CCCC letter to the County (Policies-CO 4, CO 5 CO 6, and CO 10) and are further described below:

Water Quality Goals and Policies

- **CO-4** Minimize impervious surfaces in new development, especially directly-connected impervious areas. Require redevelopment projects to increase the area of pervious surfaces, where feasible.
 - *All of the sites incorporate minimal grading and building pads that are designed in order to minimize the amount of impervious surface area. Each of the residences’ footprints incorporate pervious planters to recapture some of the pervious surface area and aid in stormwater runoff. In addition, on-grade landscape areas have been designed at the perimeter of the building sites to aid in the increase of pervious surface areas. Lastly, the location of the residences are situated as close to the existing shared driveway and access to the site in order to limit the driveway (impervious) surface area to each site.*
- **CO-5** Infiltrate development runoff on-site, where feasible, to preserve or restore the natural hydrologic cycle and minimize increases in stormwater or dry weather flows.
 - *All of the sites have been designed with numerous area drains primarily located at the perimeter of the building pads near the base of the natural grade and run-off areas on site that helps minimize stormwater or dry weather flows.*
- **CO-6** Require development to protect the absorption, purification, and retention functions of natural drainage systems that exist on the site. Where feasible, site and design development, including drainage, to complement and utilize existing drainage patterns and

systems, conveying drainage from the developed area of the site in a non-erosive manner. Disturbed or degraded natural drainage systems should be restored where feasible.

- *All of the sites have been designed with 24" x 36" catch basins to help with stormwater flow that utilize the existing drainage pattern and consistent with the grade and slope of the sites to minimize stormwater run-off. Additionally, each of the sites have been designed with rain flow tanks (rainwater capture) re-use systems to help with onsite drainage in a non-erosive manner.*
- CO-10 Limit grading, soil compaction and removal of locally-indigenous vegetation to the minimum footprint needed to create a building site, allow access, and provide fire protection for the proposed development. Monitor grading projects to ensure that grading conforms to approved plans.
 - *Configuration of residences was thoughtfully designed to step gently with the sloping topography, thus minimizing grading. The location of all the residences have been situated as close to the existing shared driveway and access to the site in order to further limit the amount of grading and removal of indigenous vegetation, allowing access and providing fire protection for the site.*

Moreover, the Project also complies with the additional policies which are further described below:

Land Use Plan Policies

- **LU-4** Maintain areas of diverse natural topography which provide, through the preservation of large undeveloped areas, long-range vistas of open ridgelines and mountain slopes.
 - *Both lots 3 and 4 have been sited and designed to preserve the most high resource areas that maintain large undeveloped areas and ridgelines, as discussed in more detail below.*
- **LU -5** Prohibit development on Significant Ridgelines, following those LUP policies and standards designed to protect ridgeline resources.
 - *Lots 3 and 4 have significant ridgelines at far north end of the site and the residences are well outside of a designated secondary ridgeline protecting the ridgeline resources.*
- **LU-29** Maintain low densities within Rural Lands and Rural Residential areas and protect the features that contribute to rural character and rural lifestyles by:
 - Retaining the natural terrain and vegetation in hillside areas, rather than creating large, flat pads;
 - Protecting natural vegetation, natural environmental features, and streams;
 - Sizing houses and flat pad areas to be consistent with the natural setting; limiting features such as tennis courts and paved areas;
 - Protecting hilltops and ridgelines by prohibiting structures in those areas where feasible;
 - *The configuration and location of the residences are designed to step up gently with the topography thereby retaining the natural terrain and vegetation in the*

steeper portions of the lots. The sizing of the residences and useable outdoor areas are consistent with the natural setting in that they are terraced with the existing grade with minimal amounts of cut and fill. This design creates a pattern of land use that preserves the environmental resources and unique character of the land within the SM Mountains. In addition, the homes have been located to preserve open space buffers between each home reinforcing the rural character of the neighborhood and making the natural topography apparent surrounding each building site.

- **LU-34** Require that new development preserve views from public parks, trails, and designated Scenic Routes. This includes preserving and enhancing views from public roadways which are oriented toward existing or proposed natural community amenities such as parks, open space, or natural features.
 - *The site is situated along a portion of Mulholland Highway that is a designated scenic route. The project lots and proposed residences are sited in a manner that it is not visible from Mulholland and intends to preserve existing views from the roadway and does not impact community amenities or natural features. Additionally, the view of the properties from Mulholland Highway is substantially blocked by a steep and high berm along Mulholland with a thick cover of natural vegetation. This feature will be preserved as part of the proposed development.*
- **LU-38** Limit structure heights to ensure protection of scenic resources and compatibility with surrounding settings.
 - *The proposed residences are only one-story in height and do not exceed 18 feet in height ensuring protection of scenic resources and the surrounding settings. In some cases, and especially at Lot 4, the proposed height is less than that allowed by the current Zoning Code.*
- **LU-43** Limit exterior lighting, except when needed for safety. Require that new exterior lighting installations use best available Dark Skies technology to minimize sky glow and light trespass, thereby preserving the visibility of a natural night sky and stars and minimizing disruption of wild animal behavior, to the extent consistent with public safety.
 - *Exterior lighting has been designed to minimize impacts by providing light fixtures with shielded recess step lights, and recessed downlights in exterior soffits thereby preserving dark skies and natural night skies and stars.*

Biological Resources Goals and Policies

- **CO-51** Where new development is permitted in H2 habitat pursuant to this LCP, the maximum allowable building site area on parcels shall be 10,000 square feet, or 25 percent of the parcel size, whichever is less. Where new residential development is permitted in H3 habitat, the maximum allowable residential building site area shall be 10,000 square feet, or 25 percent of the parcel size, whichever is less.
 - *The lots in which are located within in the H2 and H3 habitat zones do not exceed the maximum allowable building site as indicated above.*

- **CO-70** A site-specific Biological Inventory shall accompany each application for all new development. A detailed Biological Assessment report shall be required in applications for new development located in, or within 200 feet of, H1, H2, or H2 “High Scrutiny” habitat, as mapped on the Biological Resources Map, or where an initial Biological Inventory indicates the presence or potential for sensitive species or habitat. The County Biologist shall conduct preliminary review of all development, regardless of whether the proposal must be considered by the Environmental Review Board (ERB).
 - *A Biological Assessment report and restoration plan was prepared for all four parcels. The Biological Assessment confirms that the Project is consistent with this policy and that it would not result in any significant impacts under the California Environmental Quality Act.*

- **CO-76** All new development shall be sited and designed so as to minimize grading, alteration of physical features, and vegetation clearance in order to prevent soil erosion, stream siltation, reduced water percolation, increased runoff, and adverse impacts on plant and animal life and prevent net increases in baseline flows for any receiving water body.
 - *The siting of the residences is designed to minimize grading with minimal amount of cut and fill and will be consistent with building site area of 10,000 square feet. All vegetation clearance will be minimal to the extent possible and be restored or mitigated in order to prevent soil erosion, increased runoff and adverse impacts on plant and animal life. Additionally, landscape restoration plans are a part of the application for these properties.*

Fuel Modification Policies

- **CO-96** All new development shall be sited and designed to minimize required fuel modification and brushing to the maximum extent feasible in order to minimize habitat disturbance or destruction, removal or modification of natural vegetation, and irrigation of natural areas, while providing for fire safety. Development shall utilize fire-resistant materials. Alternative fuel modification measures, including but not limited to landscaping techniques to preserve and protect habitat areas, buffers, designated open space, or public parkland areas, may be approved by the Fire Department only where such measures are necessary to protect public safety. All development shall be subject to applicable federal, State and County fire protection requirements.
 - *Both lots 3 and 4 building pads have been sited to minimize the least amount of disturbance to fuel modifications zones B and C. The design revisions proposed by the Applicant to Lots 3 and 4 (described below) will further reduce the impact due to Fuel Modification on both of these properties.*

III. Project Redesign of Lots 3 and 4 and Residential Building Area Study

In an effort to work with the CCCC, the Applicant has incorporated design changes to Lots 3 and 4 which ultimately reduce impacts to the high resource H2 habitat areas (Attachment A). The specific changes are further described below:

- Lot 3 (APN: 4455-019-046): The residence is proposed to be reduced in size by 20% in building footprint at the rear of the building pad, reducing the total size of the residence from 4,114 square feet (“Original Lot 3 Design”) to 3,291 square feet (“New Lot 3 Design”). The reduction in footprint greatly impacts the amount of H2 habitat that is preserved and to fuel modification zones B and C. The lot size is 442,134 sf (10.15 acres) and the existing H2 area on Lot 3 is 430,695 sf (9.89 acres).

	Original Lot 3 Design	New Lot 3 Design
House Size	4,114 sf	3,291 sf
H2 Habitat Total Affected (sf)	64,096 sf	59,832 sf (4,264 sf reduction)
% of H2 Area Impacted	14.5%	13.89%

Specifically, the New Lot 3 Design would preserve an additional 4,264 sf of H2 habitat.

- Lot 4 (APN: 4455-019-047): The residence is proposed to be relocated and shifted southward from its originally proposed location while maintaining the same size and therefore reducing impacts to fuel modification zones B and C and reducing the amount of disturbance in the H2 habitat area (5,717 sf differential) from 35 % to 29.5%. The relocation of the residence also minimized impacts to the existing floodplain/hazard area to the west and location and distance to the lot 3 residence. The lot size is 166,934 sf (3.83 acres) and the existing H2 area on Lot 4 is 104,729 sf (2.4 acres).

	Original Lot 4 Design	New Lot 4 Design
House Size	4,186 sf	4,186 sf
H2 Habitat Total Affected (sf)	36,663 sf	30,946 sf (5,717 sf reduction)
% of H2 Area Impacted	35%	29.5%

In response to the CCCC comment letter of the residence relocation on lot 4, the Applicant did not decide to pursue relocating the structure west of the existing floodplain/hazard area. If the residence was relocated to this area it would potentially have two negative impacts: (1) the area west of the flood hazard area is steeper than the proposed relocation area and would therefore require greater quantities of grading and higher retaining walls; and (2) relocating the home to the west side of the flood hazard area would place the home very close to the home on Lot 3. In such case the open space buffer zone between the homes on Lots 3 and 4 would not exist and the goal of achieving a rural character created by such a buffer zone would not be achieved.

Additionally, in response to the request to rotate the residence on lot 2 by 90 degrees so that it is aligned on a north-south axis, this was also not pursued as the Applicant in consultation with their project architect did not understand how this would have any meaningful impact on the residences relationship to any nearby drainage channel, or how this would further “enhance the oak woodland”. In contrast, it would require increased grading as the currently proposed design and location is stepped or terraced in a manner that works with the existing topography to minimize grading and retaining wall heights.

Lastly, based on data from the County Assessor, the Applicant prepared a study area map (Attachment B) of all existing residential building area within an approximate 600–700-foot radius of the immediate and surrounding area of the Project. The study identified 38 total sites and found that 28 of the sites have an existing building or residence, with the average or weighted building square footage being 4,224 square feet. In comparison to the Projects four sites the total size of building areas is less than the average square footage and are consistent and compatible with the surrounding area.

APN-Lot	Building Square Feet
4455-019-044-Lot 1	4,114 square feet
4455-019-045-Lot 2	4,138 square feet
4455-019-046-Lot 3	3,291 square feet (proposed reduced size)
4455-019-047-Lot 4	4,186 square feet

We look forward to our continued communication and dialogue as the Project progresses. Please do not hesitate to contact me if you have any questions regarding the contents of this letter.

Sincerely,

Elisa Paster

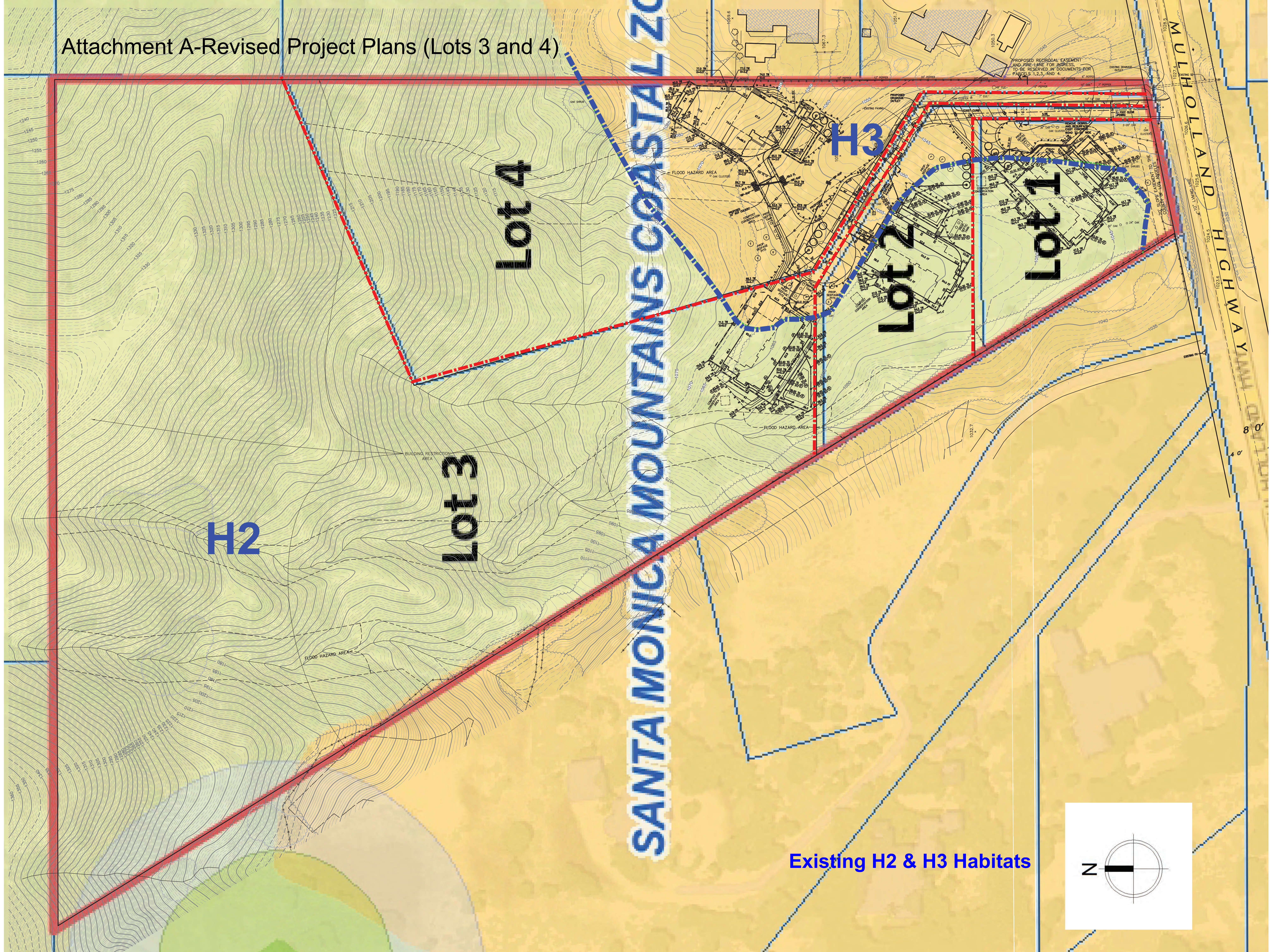
Elisa Paster
Managing Partner
of RAND PASTER & NELSON, LLP

Attachment:

- A. Revised Project Plans (Lots 3 and 4)
- B. Nearby Study Area Map of existing residential building SF

Attachment A-Revised Project Plans (Lots 3 and 4)

SANTA MONICA MOUNTAINS COASTAL ZONE



H2

Lot 3

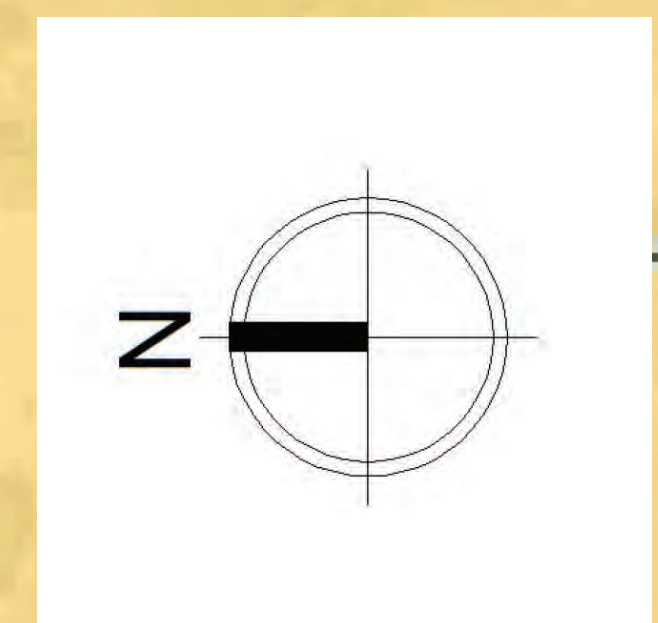
Lot 4

H3

Lot 2

Lot 1

Existing H2 & H3 Habitats



MULHOLLAND HIGHWAY

10' LIND. ARE. 1022.6 1024.6 1023.6 1030

8' 0" 4' 0"

PROPOSED RECREATIONAL EXEMPTION AND FIRE LANE FOR INGRESS, TO BE RESERVED IN DOCUMENTS FOR PARCELS 1, 2, 3, AND 4.

TO BE RESERVED TO THE COUNTY OF LOS ANGELES.

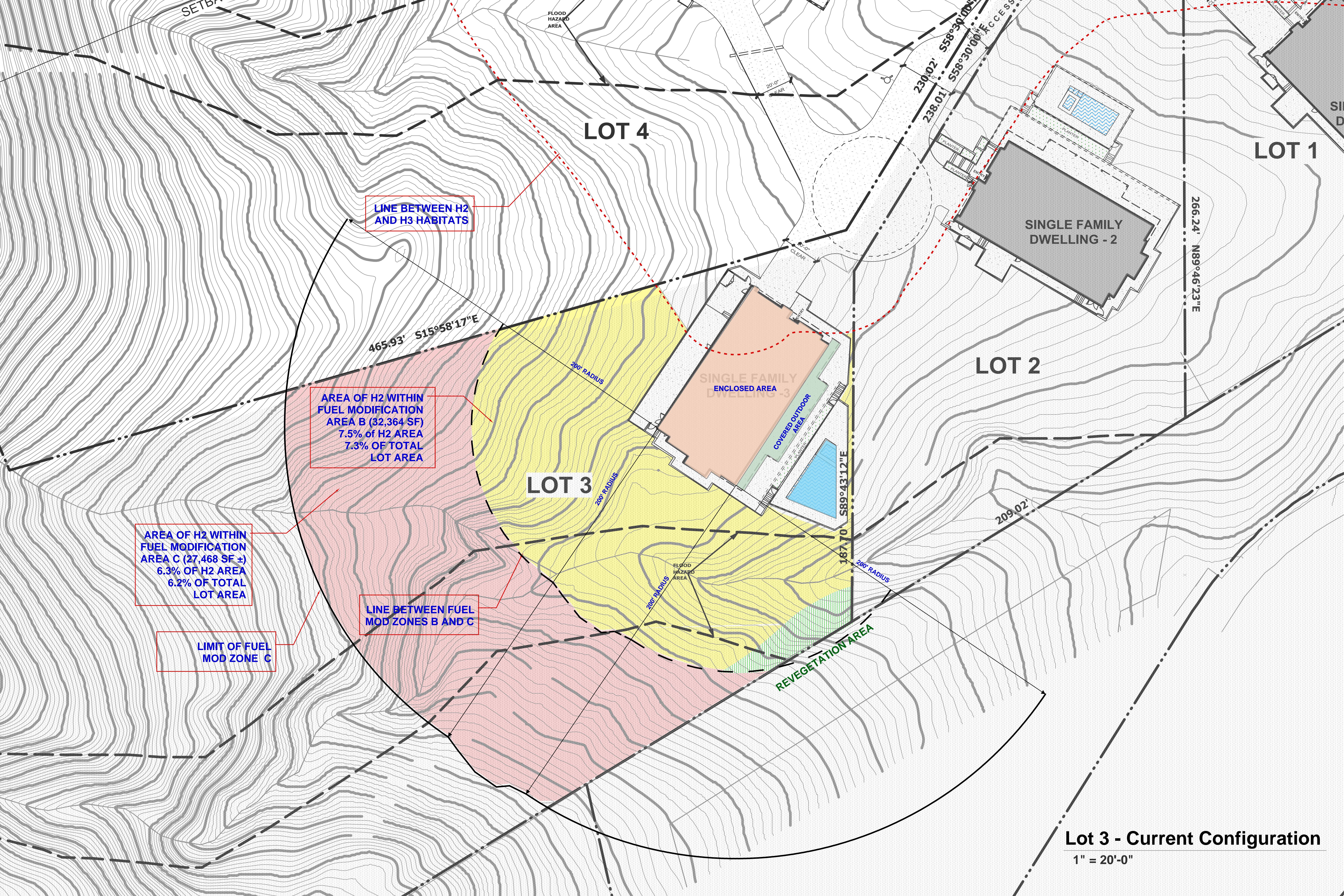
FLOOD HAZARD AREA

FLOOD HAZARD AREA

BUILDING RESTRICTION AREA

FLOOD HAZARD AREA

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SETBACK

FLOOD HAZARD AREA

LOT 4

LOT 1

LINE BETWEEN H2 AND H3 HABITATS

SINGLE FAMILY DWELLING - 2

AREA OF H2 WITHIN FUEL MODIFICATION AREA B (32,364 SF)
7.5% OF H2 AREA
7.3% OF TOTAL LOT AREA

LOT 2

SINGLE FAMILY DWELLING - 3

LOT 3

AREA OF H2 WITHIN FUEL MODIFICATION AREA C (27,468 SF ±)
6.3% OF H2 AREA
6.2% OF TOTAL LOT AREA

COVERED OUTDOOR AREA

LINE BETWEEN FUEL MOD ZONES B AND C

LIMIT OF FUEL MOD ZONE C

REVEGETATION AREA

FLOOD HAZARD AREA

Lot 3 - Current Configuration

1" = 20'-0"

465.93' S15°58'17"E

230.02' S58°30'00"
238.01' S58°30'00"

266.24' N89°46'23"E

167.70' S89°43'12"E

209.02'

200' RADIUS

200' RADIUS

200' RADIUS

200' RADIUS

20'-0" CLEAR

20'-0" CLEAR

20'-0" CLEAR

20'-0" CLEAR

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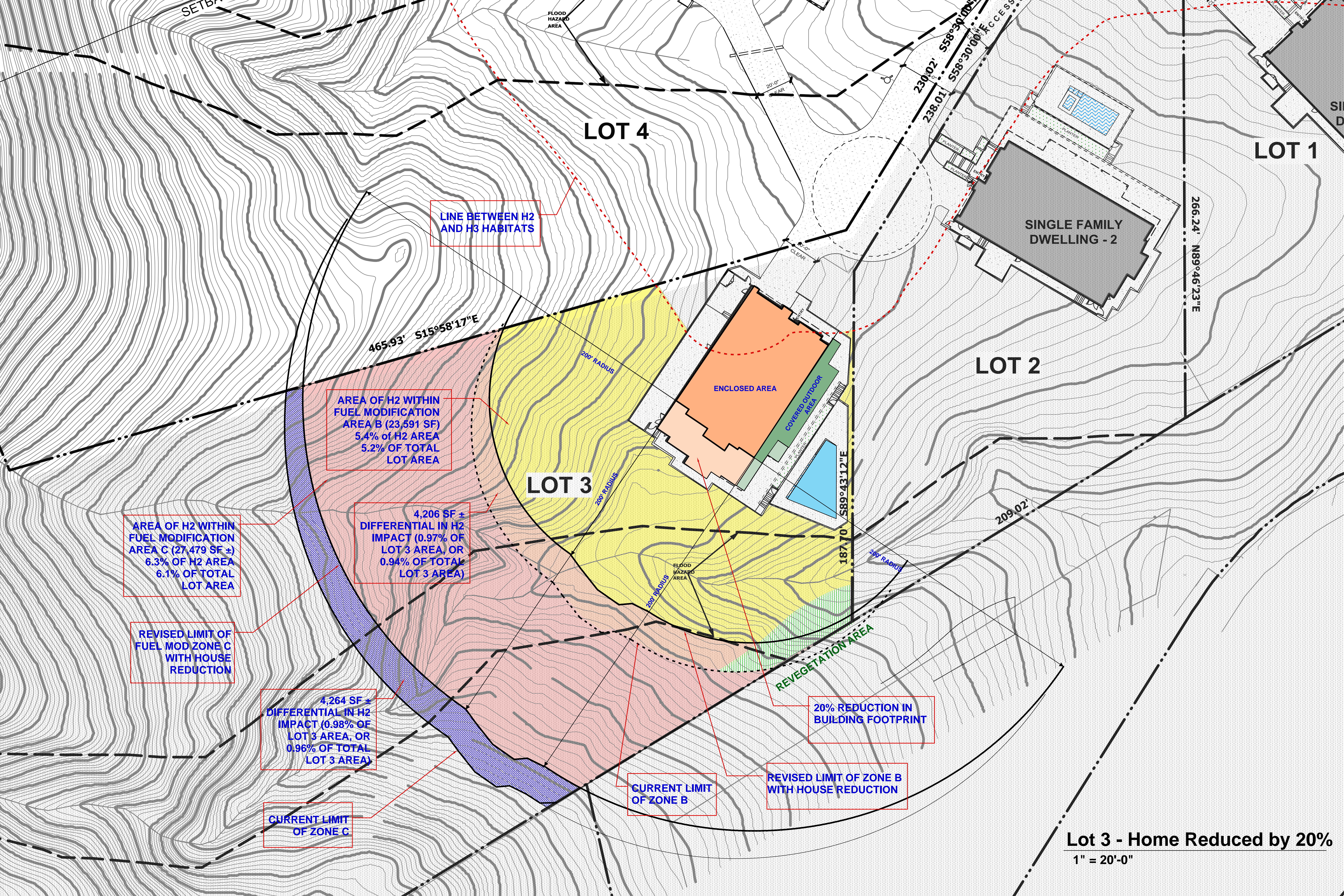
20'-0" CLEAR

20'-0" CLEAR

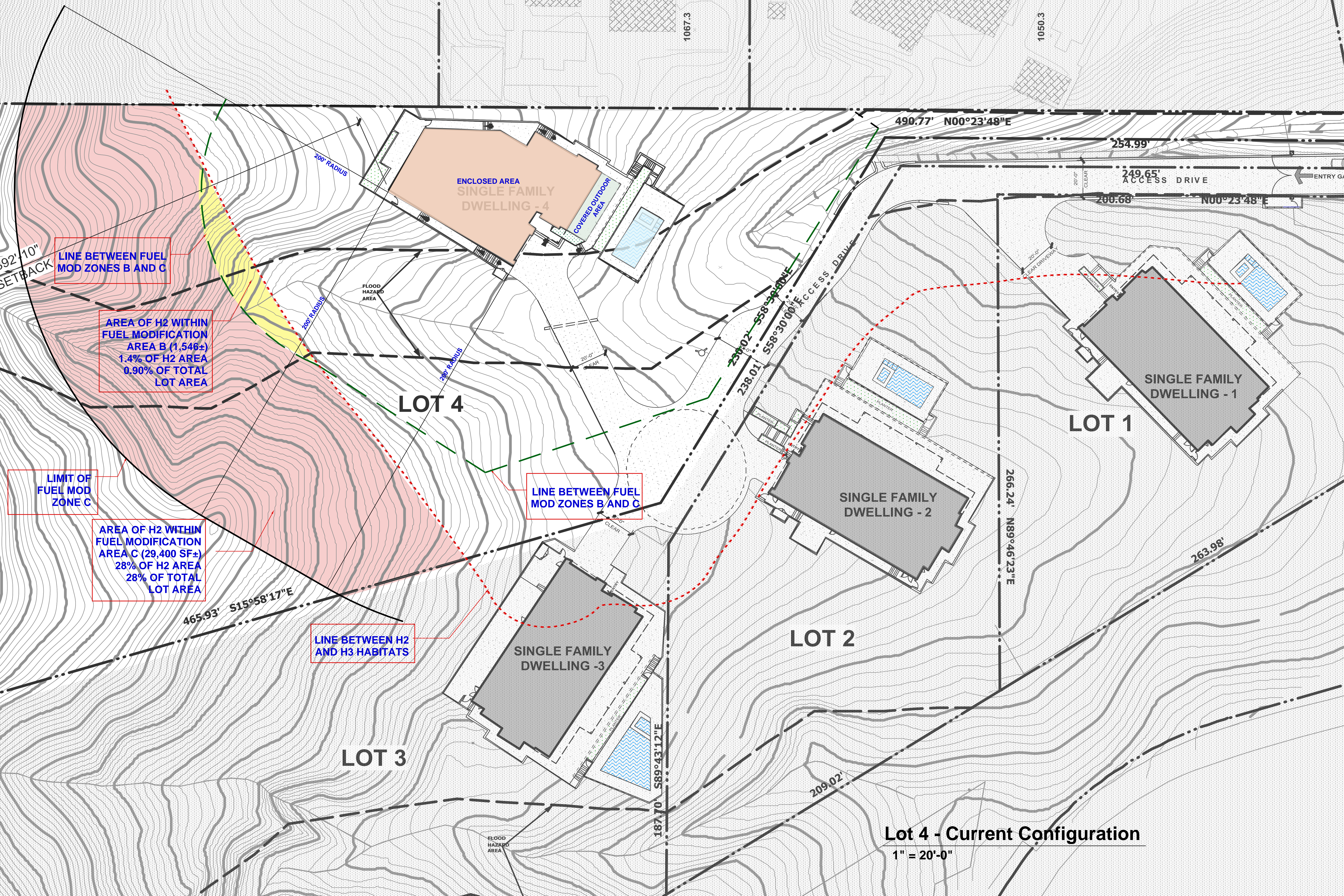
20'-0" CLEAR

20'-0" CLEAR

20'-0" CLEAR



Lot 3 - Home Reduced by 20%
 1" = 20'-0"



LINE BETWEEN FUEL MOD ZONES B AND C

AREA OF H2 WITHIN FUEL MODIFICATION AREA B (1,546±)
1.4% OF H2 AREA
0.90% OF TOTAL LOT AREA

LIMIT OF FUEL MOD ZONE C

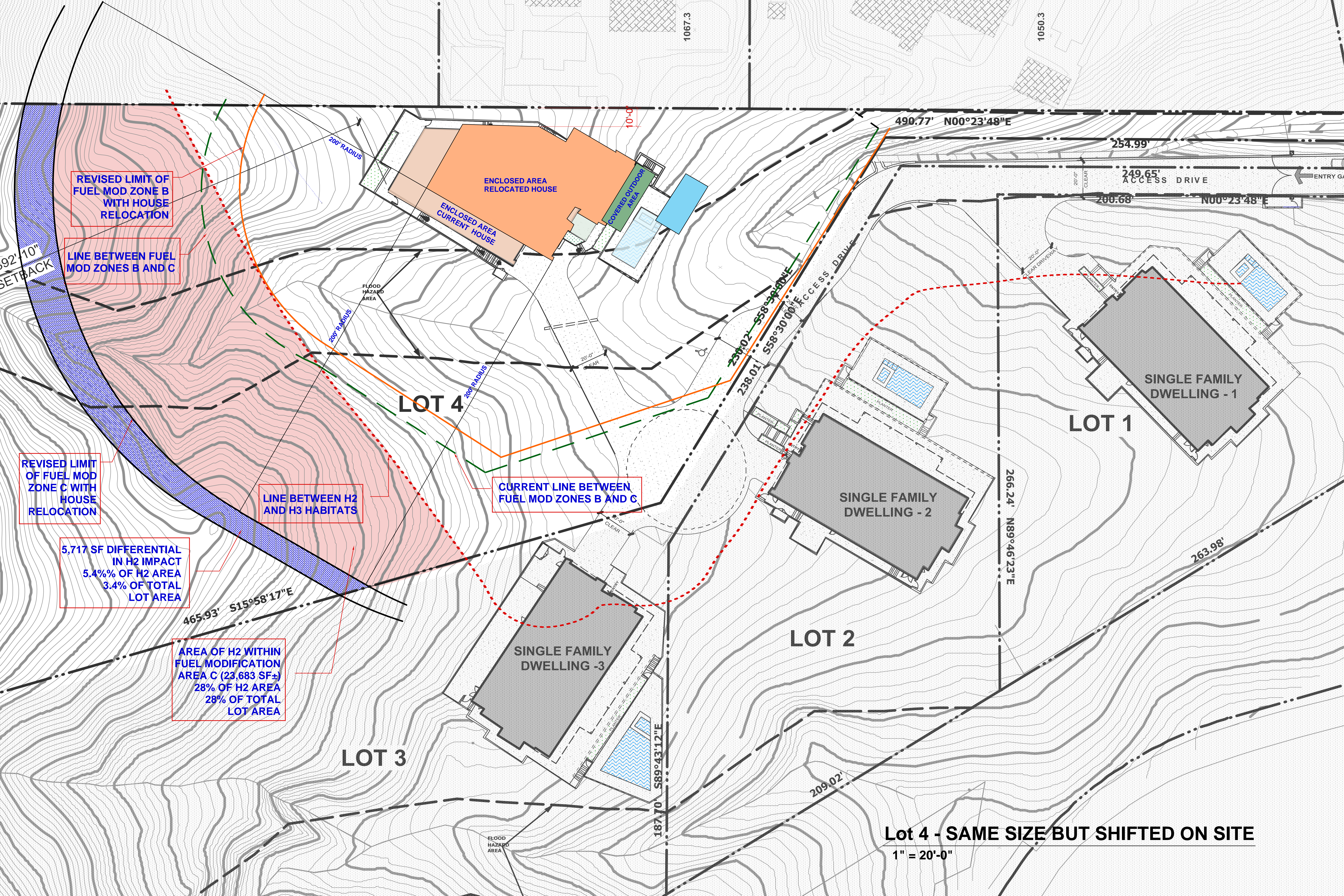
AREA OF H2 WITHIN FUEL MODIFICATION AREA C (29,400 SF±)
28% OF H2 AREA
28% OF TOTAL LOT AREA

LINE BETWEEN H2 AND H3 HABITATS

LINE BETWEEN FUEL MOD ZONES B AND C

Lot 4 - Current Configuration

1" = 20'-0"



REVISIED LIMIT OF FUEL MOD ZONE B WITH HOUSE RELOCATION

LINE BETWEEN FUEL MOD ZONES B AND C

REVISIED LIMIT OF FUEL MOD ZONE C WITH HOUSE RELOCATION

LINE BETWEEN H2 AND H3 HABITATS

CURRENT LINE BETWEEN FUEL MOD ZONES B AND C

5,717 SF DIFFERENTIAL IN H2 IMPACT
5.4% OF H2 AREA
3.4% OF TOTAL LOT AREA

AREA OF H2 WITHIN FUEL MODIFICATION AREA C (23,683 SF±)
28% OF H2 AREA
28% OF TOTAL LOT AREA

Lot 4 - SAME SIZE BUT SHIFTED ON SITE

1" = 20'-0"

Attachment B-Study Area Map

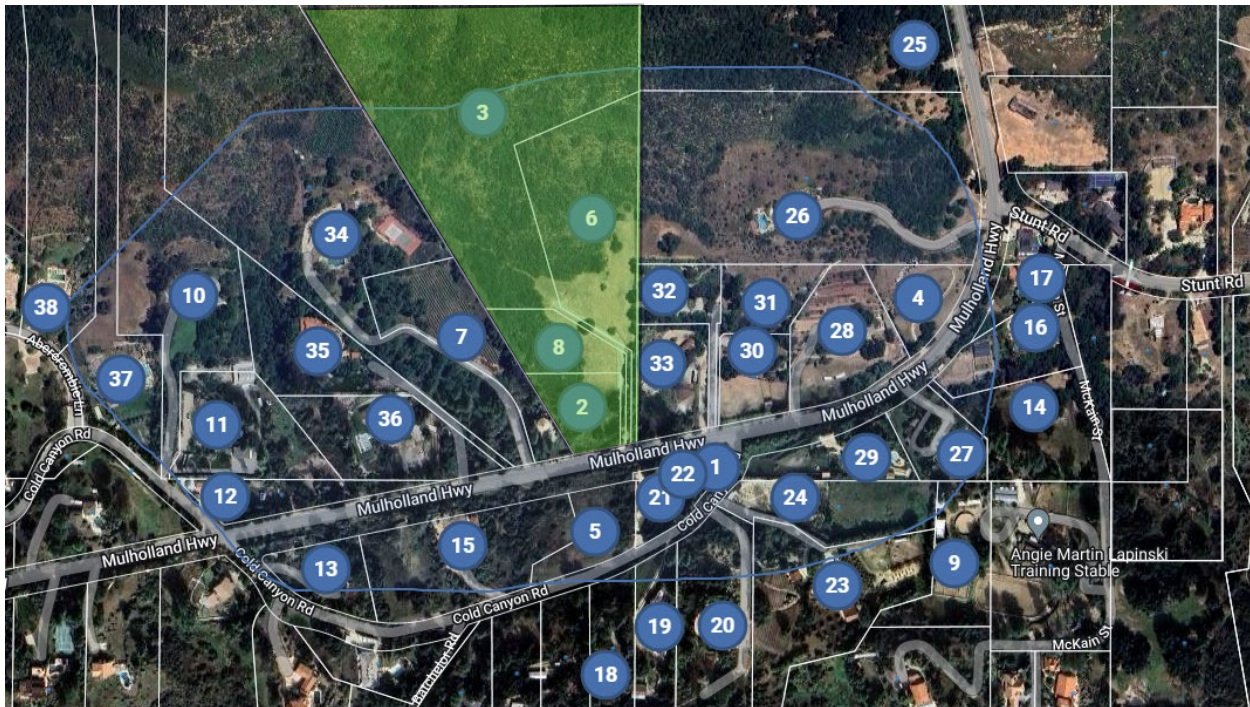


Table of Residential Building Area Square Footage

APN	Corresponding ID # on Study Area Map*	Building Square Feet
4455-019-015	25	1,008
4455-019-016	26	6,526
4455-019-025	28	2,777
4455-019-027	17	3,912
4455-019-028	29	3,060
4455-019-029	27	3,181
4455-019-030	14	2,240
4455-019-031	16	2,932
4455-019-034	30	3,343
4455-019-035	31	2,076
4455-019-036	32	3,852
4455-019-041	11	5,172
4455-019-042	35	8,368
4455-019-043	36	5,255
4455-019-049	33	5,200
4455-019-050	34	7,170
4455-020-003	21	4,473
4455-020-004	19	2,198
4455-020-005	20	2,556
4455-020-006	23	2,760
4455-020-035	18	2,533
4455-020-041	13	4,584
4455-020-042	15	4,008
4455-020-044	24	3,604
4455-060-029	38	6,772
4455-060-030	10	6,224
4455-060-031	37	8,259
		Average: 4,223.81 sf

* Following ID's removed from average due to vacant land or no single-family residence on site:

4, 9, 6, 8, 2, 3, 7, 5, 22, 1