

**SUPPLEMENTAL
REPORT TO THE HEARING OFFICER**

DATE ISSUED: January 15, 2026

HEARING DATE: January 20, 2026 AGENDA ITEM: 9

PROJECT NUMBER: PRJ2025-001608-(3)

PERMIT NUMBER(S): Minor Conditional Use Permit RPPL2025001770

SUPERVISORIAL DISTRICT: 3

PROJECT LOCATION: 3582 Triunfo Canyon Road, Agoura

OWNER: Malibu Creek California LLC

APPLICANT: Navin Phulesar, Urbacon Development Management Limited

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

BACKGROUND

This agenda item is a Minor Conditional Use Permit (“MCUP”) to authorize exploratory geotechnical soils testing for preparation of a geologic report (“Project”) in the R-R-20 (Resort and Recreation—20 Acre Minimum Required Lot Area) Zone and within the Santa Monica Mountains North Area Community Standards District (“CSD”) pursuant to County Code Section 22.336.070.G.

ADDITIONAL INFORMATION

On January 15, 2026, LA County Planning staff (“Staff”) received a letter of opposition to the Project from the Triunfo-Lobo Community Association. The letter states that the CEQA determination is inappropriate for the Project and that the Project does not meet the required burden of proof for an MCUP. This letter is attached as Exhibit A-1.

Staff’s recommendation for Project approval remains unchanged. If you have any questions or need additional information, please contact Tyler Montgomery of the Coastal Development Services Section at tmontgomery@planning.lacounty.gov.

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

Report
Approved By: *Carmen Sainz for Mitch Glaser*
Mitch Glaser, Assistant Administrator

LIST OF ATTACHED EXHIBITS	
EXHIBIT A-1	Letter of Opposition (01/15/26)

TRIUNFO-LOBO COMMUNITY ASSOCIATION

January 15, 2026

RE: Objection to Project No. PRJ2025-001608-(3)
3852 Triunfo Canyon Road – Minor Conditional Use Permit for Exploratory Testing
Hearing Date: January 20, 2026

Dear Hearing Officer:

This public comment is submitted by the Triunfo-Lobo Community Association with respect to Project No. PRJ2025-001608-(3), which seeks approval of a Minor Conditional Use Permit authorizing up to sixteen exploratory test holes at 3852 Triunfo Canyon Road, Agoura Hills, CA 91301 (unincorporated LA County).

The project site sits within the North Area Community Standards District, and is located within a Significant Ecological Area (SEA) and designated High Fire Hazard Severity Zone (FHSZ). For the reasons set forth below, the application should be denied as it runs afoul of both CEQA and Title 22 of the Los Angeles County Code.

I. Granting The Permit Would Violate CEQA's Prohibition Against Improper Segmentation And Piecemealing

The proposed “exploratory testing” is not an isolated activity. By the Applicant’s own description, the testing is being conducted “in preparation of a geology report.” As such, the Applicant has acknowledged that the drilling is merely a single component of a larger development proposal. Therefore, the County must evaluate whether this testing is part of the “whole of the action” rather than treating it as a stand-alone activity.

Public agencies may not approve incremental steps of a larger project where those steps advance, commit, or materially facilitate future development prior to environmental review of the whole project. (*East Sacramento Partnerships for a Livable City v. City of Sacramento* (2016) 5 Cal.App.5th 218, 293.) Improper piecemealing fails to consider the entire project's impact on the environment. (*Ibid.*)

II. The Project Is Discretionary and Not Exempt From CEQA

The project requires approval of a Minor Conditional Use Permit, confirming that it is not ministerial. Discretionary approvals trigger CEQA review unless a categorical exemption clearly applies and no exceptions are present.

The site is located within the Santa Monica Mountains, an area recognized for environmental sensitivity, including wildlife and wildlife migration, plant habitat, wildfire risk, and watershed concerns. In this context, subsurface disturbance involving the digging and drilling of up to sixteen test holes is not insignificant.

Accordingly, reliance on a categorical exemption without further analysis is inappropriate.

III. The Claimed Class 4 Exemption Is Inapposite

The Applicant asserts that the proposed activity qualifies for a Class 4 Categorical Exemption for Minor Alterations to Land.

This is incorrect.

Class 4 exemptions apply only to minor alterations in the condition of land that result in no significant effects on the environment and are not functionally tied to a broader development project. (CEQA §15304.)

Here, the proposed activity involves digging and drilling up to sixteen test holes for the express purpose of preparing a geology report in anticipation of future discretionary development approvals. This constitutes meaningful physical disturbance, not merely de minimis activity.

Moreover, the project site lies within the Santa Monica Mountains, a sensitive environmental area (SEA). Ground disturbance in such an area raises legitimate concerns regarding erosion, wildfire risk, biological resources, and watershed impacts, defeating the premise that the activity will have no potential for significant environmental effects. This is particularly true with respect to activity in and around Triunfo Creek, a year-round designated S-1 habitat.

Finally, Class 4 cannot be used where the activity is functionally connected to a larger development proposal. The County's own project description confirms that the testing is not independent, but instead a necessary precursor to future discretionary approvals.

Moreover, even if Class 4 were applicable (which they are not), its use is barred by CEQA §15300.2, et seq. including:

A. Sensitive Environment Exception

The project site is located within a planning area established to protect sensitive environmental resources. Subsurface disturbance in this context raises a reasonable possibility of significant environmental effects.

B. Cumulative Impacts Exception

The testing cannot be viewed in isolation. When considered together with anticipated future grading, construction, access improvements, and use intensification, the cumulative impacts may be significant.

C. Unusual Circumstances Exception

Authorizing up to sixteen test holes via a discretionary permit in a sensitive mountain area, expressly to facilitate future development approvals, constitutes unusual circumstances creating a reasonable possibility of significant environmental effects.

IV. The Proposed Project Fails to Comply with Los Angeles County Code Title 22, Section 22.336.070.G (Community-Wide Development Standards – Exploratory Testing)

In addition to CEQA deficiencies, the project fails to demonstrate compliance with Los Angeles County Code section 22.336, which governs exploratory testing within the Santa Monica Mountains.

The Code permits exploratory testing only where findings can be made that such activity is strictly limited, minimally intrusive, and protective of public safety, environmental resources, and community character.

Based on the notice and project description, the required findings cannot be made.

A. Insufficient Information to Establish Minimal Site Disturbance

The proposal provides no information regarding 1) precise location of test holes; 2) depth and diameter of drilling; 3) the extent of equipment access, grading, or vegetation removal; 4) Measures to avoid sensitive site features and 5) details regarding restoration, monitoring, or bonding requirements.

Without this information, the County cannot determine whether the testing represents the least intrusive means reasonably feasible, as required by the Code.

B. Inadequate Public Safety and Environmental Safeguards

The project materials fail to identify erosion control measures, slope stabilization methods, wildfire-season limitations, equipment access routes, traffic controls, or restoration and monitoring protocols. Approval without such safeguards would be inconsistent with the intent of Title 22.

C. Failure to Justify the Scope of Testing

Authorizing up to sixteen test holes without explanation or justification exceeds what can reasonably be characterized as limited exploratory testing. The proposal does not demonstrate why fewer test locations would be insufficient or whether testing could be phased or deferred.

D. Risk of Prejudicing Future Discretionary Review

Approval of extensive exploratory testing prior to a defined project description and environmental review risks prejudicing future Conditional Use Permit proceedings by creating sunk costs and an appearance of project endorsement, contrary to the intent of Title 22.

V. Conclusion

For the reasons stated above, we respectfully request that the County 1) Deny the Minor Conditional Use Permit; or 2) Continue the hearing pending appropriate CEQA review.

Please include this letter in the official record for Project No. PRJ2025-001608-(3).

Thank you for your consideration.

Sincerely,

Triunfo-Lobo Community Association