

June 3, 2025

Green Convergence
c/o Mark Figearo
28476 Westinghouse Place
Valencia, CA 91355

**PROJECT NO. 2022-000782-(3)
ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT NO. RPPL2022002209
25044 MULHOLLAND HIGHWAY, CALABASAS (APN: 4455-018-029)**

Dear Applicant:

Hearing Officer Gina Natoli, by her action of **June 3, 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 **June 17, 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 or 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.

For questions or for additional information, please contact Shawn Skeries of the Coastal Development Services Section at (213) 893-7042, or sseries@planning.lacounty.gov.

Mark Figearo
June 3, 2025
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Sincerely,

AMY J. BODEK, AICP
Director of Regional Planning

A handwritten signature in black ink that reads "Rob Glaser". The signature is written in a cursive, flowing style.

Robert Glaser, Supervising Regional Planner
Coastal Development Services Section

RG: SS

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

c: Zoning Enforcement, Building and Safety, California Coastal Commission, Hearing Officer

**LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING
FINDINGS OF THE HEARING OFFICER
AND ORDER
PROJECT NO. PRJ2022-000782-(3)
ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT NO. RPPL2022002209**

RECITALS

1. **HEARING DATE(S).** The Los Angeles County ("County") Hearing Officer ("Hearing Officer") conducted a duly noticed public hearing on June 3, 2025, which was continued from February 7, April 4, July 18, August 1, December 5, 2023, as well as July 2, 2024, in the matter of Project No. PRJ2022-000782-(3), Administrative Coastal Development Permit ("ACDP") No. **RPPL2022002209**.
2. **ENTITLEMENT(S) REQUESTED.** The permittee, Green Convergence ("permittee"), requests the ACDP to authorize fifty-two (52) roof-mounted Panasonic solar modules, appurtenant equipment including junction boxes, and associated wiring affixed to an existing single-family residence ("Project") on a property located at 25044 Mulholland Highway in the unincorporated community of Calabasas ("Project Site") in the R-C-40 (Rural Coastal - 40 Acre Minimum Required Lot Area) Zone pursuant to Los Angeles County Code ("County Code") Sections 22.44.940, 22.44.1560, and 22.44.1750.
3. **ENTITLEMENT(S) REQUIRED.** The ACDP with a public hearing is required to authorize the placement and maintenance of fifty-two (52) roof-mounted Panasonic solar modules, twenty-nine (29) of which are in an area where ACDPs can be appealed to the California Coastal Commission ("Coastal Commission"), appurtenant equipment including junction boxes, and associated wiring affixed to an existing single-family residence in the R-C-40 Zone, pursuant to County Code Sections 22.44.810, 22.44.1560, and 22.44.1750. County Code Section 22.44.1560 allows for roof-mounted solar energy arrays that are accessory to a principal use/structure in all zones. County Code Section 22.44.1750 specifies that a roof-mounted solar energy array accessory to the principal permitted use (single-family residence) can be authorized with an ACDP. However, portions of the proposed project are located within an area where ACDPs can be appealed to the Coastal Commission and County Code Sections 22.44.940.B.2 and 22.44.940.E require that ACDPs that are appealable to the Coastal Commission be scheduled for a public hearing before the Hearing Officer. Accordingly, the Project requires an ACDP with a public hearing before the Hearing Officer.
4. **LOCATION.** The Project is located at 25044 Mulholland Highway (Assessor's Parcel Number 4455-018-029) within The Malibu Zoned District.
5. **PREVIOUS ENTITLEMENT(S).** Site Plan Review No. RPP200400646 was issued in 2005 for a new single-family residence.

Site Plan Review No. RPP200800462 was issued in 2008 for a new single-family residence.

Coastal Development Permit No. 4-05-149 was issued by the Coastal Commission on April 3, 2008, for a single-family residence with an attached garage and a swimming pool.

6. **LAND USE DESIGNATION.** The Project Site is located within the RL40 (Rural Lands 40 - 1 dwelling unit per 40 acres) land use designation of the Santa Monica Mountains Local Coastal Program ("LCP") Land Use Plan. The principal permitted use in the RL40 land use designation is low-density single-family detached homes.
7. **ZONING.** The Project Site is in The Malibu Zoned District and is currently zoned R-C-40. Pursuant to County Code Sections 22.44.1750.A.2 and 22.44.1560.B.2, solar energy arrays/devices are an accessory use to the principal permitted use and require an ACDP.

8. SURROUNDING LAND USES AND ZONING

LOCATION	LAND USE POLICY	ZONING	EXISTING USES
SUBJECT PROPERTY	RL40 (Rural Lands 40 – 1 dwelling unit per 40 acres)	R-C-40 (Rural Coastal 40 – 40 acre required minimum lot area)	Single-family residences
NORTH	RL20 (Rural Lands 20 – 1 dwelling unit per 20 acres), IT (Institutional)	R-C-20 (Rural Coastal 20 – 20 acre required minimum lot area), IT	Single-family residences, vacant land
EAST	RL20, RL40	R-C-20, R-C-40	Single-family residences, vacant land
SOUTH	RL20, RL40, Open-Space	R-C-20, R-C-40, O-S (Open Space)	Vacant Land
WEST	RL20, RL40	R-C-20, R-C-40	Single-family residences, vacant land

9. PROJECT AND SITE PLAN DESCRIPTION.

A. Existing Site Conditions

The Project Site is approximately 2.75 acres in size and consists of one developed legal lot. The Project Site is rectangular in shape and steeply sloped downwards towards the south with the existing single-family residence sited in a relatively flat area of the lot.

B. Site Access

The Project Site is accessible from Mulholland Highway. The existing pavement for Mulholland Highway is approximately 24 feet wide with a right-of-way of 80 feet.

C. Site Plan

The site plan for the Project depicts an existing single-family residence with an attached garage. The proposed roof-mounted solar modules are shown on top of the existing single-family residence. The solar arrays cover 1,084 square feet of the total existing roof area. The modules are shown to project approximately six inches off the existing roof. The Project is within the existing building site area of the residence. Because the modules are mounted to the roof of the existing residence and do not require new fuel modification or increase the existing fuel modification zone of the residence, they do not require review by either the Department of Regional Planning ("LA County Planning") Staff Biologist or the Environmental Review Board (ERB), as determined by the Director of Regional Planning pursuant to County Code Section 22.44.1860.C.2.c. The Project is located entirely within H3 Habitat, which are significantly disturbed and/or developed areas. Twenty-nine (29) of the proposed fifty-two (52) panels are located within an area where ACDPs can be appealed to the Coastal Commission. Therefore, an ACDP with a public hearing is the appropriate entitlement.

10. PUBLIC COMMENTS. Staff had not received any comments at the time that the Report to the Hearing Officer was prepared.

11. CEQA DETERMINATION. Prior to the Hearing Officer's public hearing on the Project, LA County Planning Staff determined that the Project qualified for a Class 3 (New Construction or Conversion of Small Structures) Categorical Exemption from the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project involves the installation of new small equipment on the rooftop of an existing single-family residence. According to the Santa Monica Mountains Local Implementation Program ("LIP"), H3 Habitat includes native vegetation communities that have been significantly disturbed or removed as part of a lawfully established development and fuel modification areas around existing development. The Project is located within H3 Habitat and the proposed development is located on the roof of an existing structure. Accordingly, the Project is in an area that does not contain environmental resources of hazardous or critical concern and is not considered a particularly sensitive environment. The Project is also not expected to impact scenic resources because the Project consists of roof-mounted solar modules extending a maximum of six inches above the existing roof line that are considered appurtenant equipment to an existing single-family residence. The Project Site is also not on any hazardous waste site list and no historic resources were identified. Therefore, the proposed project is not subject to an exception to the CEQA exemptions, and the Class 3 Categorical Exemption may be applied. An environmental determination (Exhibit F - Environmental Determination) was issued for the Project.

SANTA MONICA MOUNTAINS LOCAL COASTAL PROGRAM CONSISTENCY FINDINGS

12. **LAND USE POLICY.** The Hearing Officer finds that the Project is consistent with the goals and policies of the Santa Monica Mountains LCP Land Use Plan because construction of a roof-mounted solar energy array is consistent with the RL40 land use designation. The Hearing Officer finds that the Project is consistent with the underlying RL40 land use designation because the proposed roof-mounted solar panel array is a permitted accessory use and integrally related to the principal permitted use (single-family residence), is appropriately designed, is located on top of existing development, and is consistent with all development standards.
13. **GOALS AND POLICES.** The Hearing Officer finds that the Project is consistent with Policy CO-76 Regarding New Development, which requires new development to minimize grading, alteration of physical features, and vegetation clearance to prevent soil erosion. The Project is proposing a roof-mounted design that eliminates the need for any grading or brush clearance activities.
14. **GOALS AND POLICES.** The Hearing Officer finds that the Project is consistent with Scenic Resources Policy CO-128, which states that new development shall be subordinate to the character of its setting. The roof-mounted solar array is proposed on a Project Site developed with a single-family residence. Other developed parcels containing single-family residences are in the immediate vicinity of the Project Site. The panels will extend a maximum of six inches above the roof surface, which is consistent with the allowance of six feet above the maximum allowable height of the structure the panels are placed upon.
15. **GOALS AND POLICIES.** The Hearing Officer finds that the Project is consistent with Scenic Resources Policy CO-145, which requires that solar energy devices/panels be sited on the rooftops of permitted structures, where feasible, to minimize site disturbance and the removal of native vegetation.

ZONING CODE CONSISTENCY FINDINGS

16. **PERMITTED USE IN ZONE.** The Hearing Officer finds that the Project is consistent with the R-C-40 zoning classification because roof-mounted solar energy arrays/devices are permitted as an accessory use to a principal permitted use (single-family residence) in this zone with an ACDP pursuant to County Code Sections 22.44.1750 and 22.44.1560. The Project qualifies for the ACDP because the development does not require review by the ERB per County Code Section 22.44.1860, is an improvement to a property containing existing development approved pursuant to Coastal Development Permit Number 4-05-149 and a valid County building permit, is mounted to the roof of the existing residence, occurs only in H3 Habitat, and does not result in any development or impacts within H1 or H2 Habitats. The Project complies with all other applicable standards of the County Code.
17. **HEIGHT.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.44.1560.B.2, limiting the height of the panels to

six feet above the maximum allowable height of the structure the panels are placed upon. The site plan depicts the roof-mounted solar array projecting approximately six inches off the existing roof surface.

18. **ALTERNATIVE ENERGY.** The Hearing Officer finds that the Project is consistent with the standards identified for solar energy devices identified in County Code Section 22.44.1560. The Project meets these requirements, including the requirement that solar energy devices be roof-mounted instead of ground-mounted, where feasible.

COASTAL DEVELOPMENT PERMIT FINDINGS

19. **The Hearing Officer finds that the proposed development is in conformity with the certified local coastal program.** The Project Site is entirely within H3 Habitat and no fuel modification is required for the Project. The Project is integrated with the existing development and minimizes the amount of disturbance that will occur on the Project Site. The Project is consistent with the applicable policies of the Santa Monica Mountains LCP Land Use Plan, the R-C Zone development standards, and the Santa Monica Mountains LIP Community-Wide Development Standards and Area-Specific Development Standards.
20. **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 is not located between the nearest road near the shoreline or the shorelines of any body of water in the coastal zone, nor is the site used for public access or public trails in the vicinity. Therefore, the Project does not need to meet the requirements of Chapter 3 of Division 20 of the Public Resources Code.

ENVIRONMENTAL FINDINGS

21. The Hearing Officer finds that the Project is exempt from CEQA pursuant to State CEQA Guidelines sections 15303 and 15304 (Class 3 [New Construction or Conversion of Small Structures] Categorical Exemption). The Project involves the construction and maintenance of roof-mounted solar modules and appurtenant equipment on an existing single-family residence. The Project does not qualify as an exception to exemption because it is not located in an environmentally sensitive area and the Project Site does not contain any scenic or historic resources. Therefore, the Project is not expected to have any significant effects on the environment.

ADMINISTRATIVE FINDINGS

22. **HEARING PROCEEDINGS** A duly noticed public hearing was held on June 3, 2025, before the Hearing Officer. Staff provided a presentation and recommendation for approval, subject to attached findings and conditions. The agent for the applicant, Alicia Bartley, provided testimony and made herself available for questions. There were no other public comments. The Hearing Officer subsequently then closed the public hearing and found the project was categorically exempt from CEQA and approved the Administrative CDP.

23. LEGAL NOTIFICATION. The Hearing Officer finds that pursuant to County Code Section 22.44.940.F, the community was properly notified of the public hearing by mail, newspaper (*The Malibu Times*) and property posting. Additionally, the Project was noticed and case materials were available on LA County Planning's website. On January 5, 2023, 27 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 1000-foot radius from the Project Site, as well as 23 notices to those on the courtesy mailing list for The Malibu Zoned District and to any additional interested parties.

24. 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, LA County Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- A. The proposed development is in conformity with the LCP; and
- B. The proposed development is in conformity with the public access and public recreation policies of Chapter 3 of Division 20 of the Public Resources Code.

THEREFORE, THE HEARING OFFICER:

- 1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to section 15303 of the State CEQA Guidelines (Class 3 [New Construction or Conversion of Small Structures] Categorical Exemption); and
- 2. Approves **ACDP NO. RPPL2022002209**, subject to the attached conditions.

ACTION DATE: June 3, 2025

RG: SS

June 3, 2025

c: Zoning Enforcement, Building and Safety
California Coastal Commission, Hearing Officer

**LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING**

**CONDITIONS OF APPROVAL
PROJECT NO. PRJ2022-000782-(3)
ADMINISTRATIVE COASTAL DEVELOPMENT PERMIT NO. RPPL2022002209**

PROJECT DESCRIPTION

The Project is the construction of fifty-two (52) roof-mounted Panasonic solar modules, appurtenant equipment including junction boxes, and associated wiring affixed to an existing single-family residence on a property located at 25044 Mulholland Highway in the unincorporated area of Calabasas in the Santa Monica Mountains 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. 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 22.44.1020 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 ten 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. 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. Inspections may 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.

Inspections may be unannounced and may be conducted utilizing any available technologies, including but not limited to, unmanned aircraft systems (UAS). Use of a UAS requires the consent 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 inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse LA County Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$456.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

10. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the 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 Section 22.44.1140 of the County Code.

11. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the County Fire Department.
12. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
13. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning.

PROJECT SITE-SPECIFIC CONDITIONS

14. The roof-mounted solar panel modules, appurtenant equipment including junction boxes, and associated wiring shall be entirely affixed to the existing single-family residence.
15. Final building permits shall not be issued until Minor Coastal Development Permit Number RPPL2024003391 has been approved and all appeals have been exhausted.

MG: RG: SS

June 3, 2025