

February 19, 2026

Neelima Gadicherla
Schmitz and Associates
28320 Agoura Road, Suite 200
Agoura Hills, CA 91301

PROJECT NO. PRJ2024-002859-(3)
MINOR CONDITIONAL USE PERMIT NO. RPPL2024004254
23629 ZUNIGA ROAD, TOPANGA (APNS 4455-007-003 & 4455-007-007)

Dear Applicant:

Hearing Officer Mark Herwick, by his action of **February 17, 2026**, 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 **March 3, 2026**. 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. Shane Swerdlow
February 19, 2026
Page 2

For questions or for additional information, please contact Jerry Hittleman of the Coastal Development Services Section at (213) 647-2473, or JHittleman@planning.lacounty.gov.

Sincerely,

AMY J. BODEK, AICP
Director of Regional Planning



for

Robert Glaser, Supervising Regional Planner
Coastal Development Services Section

RG:TM:JH

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

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

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING
FINDINGS OF THE HEARING OFFICER
AND ORDER
PROJECT NO. PRJ2024-002859
MINOR CONDITIONAL USE PERMIT NO. RPPL2024004254

RECITALS

1. **HEARING DATE(S).** The Los Angeles County (“County”) Hearing Officer conducted a duly noticed public hearing in the matter of Minor Conditional Use Permit No. **RPPL2024004254** (“MCUP”) on February 17, 2026.
2. **PROCEEDINGS.** A duly noticed public hearing was held before the Hearing Officer on February 17, 2026. LA County Planning staff (“Staff”) gave a brief presentation recommending approval of the MCUP. The applicant’s representative spoke in favor of the MCUP. The Hearing Officer subsequently closed the public hearing and approved the MCUP.
3. **ENTITLEMENT REQUESTED.** The applicant, Paul Janicki and Anne Trompeter, requests the MCUP to retroactively authorize exploratory testing consisting of drilling up to ten test holes and four trenches for use in preparation of a geology report and onsite wastewater treatment system (“OWTS”) report for a proposed single-family residence located at 23629 Zuniga Road (“Project”). The Project also includes backfilling the disturbed areas where the surface is to be restored. The exploratory testing occurred entirely on Assessor Parcel Numbers (“APNs”) 4455-007-003 and 4455-007-007 in the A-1-10 (Light Agricultural – 10 Acre Minimum Required Lot Area) Zone in the unincorporated community of Malibu (“Project Site”).
4. **ENTITLEMENT REQUIRED.** The MCUP is required to retroactively authorize test drilling for geological conditions and percolation testing, and to authorize backfilling the disturbed areas, pursuant to County Code Section 22.336.070.G. The Project Site is located within the Santa Monica Mountains North Area Community Standards District (“SMMNA CSD”).
5. **LOCATION.** The Project is located at APNs 4455-007-003 and 4455-007-007 within the Malibu Zoned District.
6. **PREVIOUS ENTITLEMENT(S).** Certificate of Compliance No. RPPL2022004889 legalized APN 4455-007-003. Certificate of Compliance No. 2022004874 authorized APNs 4455-007-004 and 4455-007-005 to be held as one parcel, resulting in the creation of APN 4455-007-007.
7. **LAND USE DESIGNATION.** The Project Site is located within the RL 10 (Rural Land 10 - One dwelling unit per 10 acres maximum density) land use designation of the Santa Monica Mountains North Area (“SMMNA”) Land Use Plan. The principal permitted use in the RL 10 designation is low-density single-family detached homes.

8. **ZONING.** The Project Site is in the Malibu Zoned District and is currently zoned A-1-10. Pursuant to County Code Section 22.336.070.G, an MCUP is required for hydrologic exploratory testing.

9. SURROUNDING LAND USES AND ZONING

LOCATION	LAND USE POLICY	ZONING	EXISTING USES
NORTH	RL10 (Rural Land 10 – One dwelling unit per 10 acres maximum density)	A-1-10 (Light Agricultural – 10 Acre Minimum Required Lot Area)	Single-family residence
EAST	RL10	A-1-10	Single-family residence
SOUTH	RL10	A-1-10	Vacant land
WEST	RL10	A-1-10	Single-family residence

10. PROJECT AND SITE PLAN DESCRIPTION.

A. Existing Site Conditions

The Project Site is 1.55 acres in size. The Project Site is irregular in shape with terrain typically found in the Santa Monica Mountains consisting of ridges, gullies, and relatively flat areas. There is an existing dirt road and building pad on site.

B. Site Access

The Project Site is accessible from Zuniga Road via a private dirt driveway. The existing right-of-way width for Zuniga Road is approximately 20 feet.

C. Site Plan

The site plan depicts the Project Site with 10 drilling test sites and four trenches in various locations on the site. The site plan also depicts the future proposed driveway and single-family residence.

11. **PUBLIC COMMENTS.** Prior to the publication of the Report to the Hearing Officer, County Department of Regional Planning ("LA County Planning") staff ("Staff") received no public comments regarding the request.

12. AGENCY RECOMMENDATIONS.

A. The County Department of Parks and Recreation, in a memorandum dated October 22, 2024, stated that they do not have any further comments.

B. The County Department of Public Works, in a letter dated November 25, 2024, recommended that the Project proceed to public hearing with recommended conditions of approval. These conditions of approval have been incorporated into the Project's conditions of approval.

- C. The County Fire Department, in a memorandum dated October 23, 2024, recommended that the Project proceed to public hearing and do not have any further comments.
- D. The County Waterworks Districts, in a memorandum dated October 10, 2024, did not specify any conditions for the exploratory geologic drilling phase of the Project.

13. **CEQA DETERMINATION.** Prior to the Hearing Officer’s public hearing on the Project, Staff determined that the Project qualifies for a Class 4 (Minor Alterations to Land) Categorical Exemption from 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, because the Project is exploratory drilling for a geologic report and percolation testing for a future single-family residence. The Project consists of no alterations to vegetation and does not involve removal of healthy, mature, or scenic trees. Additionally, the Project consists of backfilling disturbed areas where the surface is to be restored.

The Project does not qualify for an exception to the CEQA exemptions because the Project Site is not mapped as a critical habitat as identified by the California Fish and Wildlife Service. The Project Site is in a mapped Significant Ecological Area. However, the Project does not propose any removal of native vegetation, and the initial environmental assessment submitted as part of the application does not indicate the presence of sensitive biological resources that would be impacted by implementation and operation of the Project. Furthermore, the environmental assessment included a spring survey to ensure no critical habitat was present during the exploratory drilling activities. The Staff Biologist conducted a site inspection and reviewed the environmental assessment for accuracy.

The Project does not contain, and is not visible from, any officially designated scenic resources such as trees, rock outcroppings, historic buildings, or other similar resources. The Project does not result in damage to scenic resources, such as a designated state scenic highway, because it has incorporated the above-referenced project features. The Project is not expected to have a cumulative impact or significant effect. The Project is also not included on any hazardous waste site or historical resources list.

GENERAL PLAN CONSISTENCY FINDINGS

14. **LAND USE POLICY.** The Hearing Officer finds that the Project is consistent with the goals and policies of the SMMNA Land Use Plan because the overall plan goal is to maximize preservation of the area’s natural environment, recognize the opportunities and constraints that the land imposes, accommodate new uses that minimize impacts on the natural environment, and ensure that new development is compatible with and enhances the quality of existing communities. The Project is also consistent with the goals and policies of the SMMNA Land Use Plan because authorizing the exploratory testing is consistent with the RL10 land use designation. Exploratory testing is permitted in any zone in this land use designation and the Project is appropriately designed and consistent with all development standards.

15. **GOALS AND POLICIES.** The Hearing Officer finds that the Project is consistent with SMMNA Land Use Plan Policy CO-52, which states that access for geologic testing shall use existing roads or truck-mounted drill rigs where feasible. The Project uses existing access roads and a truck mounted drill rig.

ZONING CODE CONSISTENCY FINDINGS

16. **PERMITTED USE IN ZONE.** The Hearing Officer finds that the Project is consistent with the SMMNA CSD because exploratory testing is permitted with a MCUP pursuant to County Code Section 22.336.070.G, provided that the MCUP findings are met.

MINOR CONDITIONAL USE PERMIT FINDINGS

17. **The Hearing Officer finds that the proposed use at the site will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.** As proposed, the Project would comply with all applicable development standards for exploratory testing listed in the SMMNA Land Use Plan and the SMMNA CSD. In addition, conditions recommended by the County Department of Public Works, the County Fire Department, and the County Waterworks Districts have been incorporated into the approval.
18. **The Hearing Officer finds that the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.** As proposed, the Project does not entail permanent development, only exploratory testing for the future single-family residence and OWTS. No grading is required; the existing access road is adequate to accommodate a heavy-duty pickup with the attached drilling apparatus to access the proposed drilling trench sites.
19. **The Hearing Officer finds that the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.** As proposed, the Project requires one heavy-duty pickup truck with a mounted drilling apparatus. The Project Site is accessible via Zuniga Road, which is adequately designed to accommodate the heavy-duty pickup truck with a mounted drilling apparatus.

ENVIRONMENTAL FINDINGS

20. The Hearing Officer finds that the Project is categorically exempt (Class 4, Minor Alterations to Land, Categorical Exemption) from CEQA pursuant to State CEQA Guidelines section 15304. The Project is exploratory drilling for preparation of a geology report and percolation report for a future single-family residence. The Project consists of minor alterations to vegetation and does not involve removal of healthy,

mature, or scenic trees. Additionally, the Project consists of backfilling disturbed areas where the surface is to be restored.

The Project does not qualify for an exception to the CEQA exemptions because the Project Site is not mapped as a critical habitat as identified by the California Fish and Wildlife Service. The Project Site is in a mapped Significant Ecological Area. However, the Project does not propose any removal of native vegetation, and the initial environmental assessment submitted as part of the application does not indicate the presence of sensitive biological resources that would be impacted by implementation and operation of the Project. Furthermore, the environmental assessment included a spring survey to ensure no critical habitat was present during the exploratory drilling activities. The Staff Biologist conducted a site inspection and reviewed the environmental assessment for accuracy.

The Project does not contain, and is not visible from, any officially designated scenic resources such as trees, rock outcroppings, historic buildings, or other similar resources. The Project does not result in damage to scenic resources, such as a designated state scenic highway, because it has incorporated the above-referenced project features. The Project is not expected to have a cumulative impact or significant effect. The Project is also not included on any hazardous waste site or historical resources list. Therefore, the Hearing Officer finds that the Project is categorically exempt from CEQA.

ADMINISTRATIVE FINDINGS

21. LEGAL NOTIFICATION. The Hearing Officer finds that pursuant to County Code Sections 22.222.150, 22.222.160, and 22.222.180, the community was properly notified of the public hearing by mail and newspaper (*Malibu Times*). Additionally, the Project was noticed, and case materials were available on LA County Planning's website. On September 11, 2025, a total of nine Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 700-foot radius from the Project Site, as well as to those on the courtesy mailing list for the Malibu Zoned District and to any additional interested parties.

22. 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 use with the attached conditions will be consistent with the adopted SMMNA Land Use Plan.
- B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare or persons residing or working in the surrounding area, will not materially detrimental to the use, enjoyment or valuation of property or other persons located in

the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

THEREFORE, THE HEARING OFFICER:

- 1. Finds that the Project is exempt from CEQA (Class 4, Minor Alterations to Land, Categorical Exemption) pursuant to State CEQA Guidelines section 15304; and
- 2. Approves **MINOR CONDITIONAL USE PERMIT NO. RPPL2024004254**, subject to the attached conditions.

ACTION DATE: February 17, 2026

MG:RG:WC:JH
02/23/26

c: Zoning Enforcement, Building and Safety

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING

CONDITIONS OF APPROVAL
PROJECT NO. PRJ2024-002859
MINOR CONDITIONAL USE PERMIT NO. RPPL2024004254

PROJECT DESCRIPTION

The project is a Minor CUP to retroactively authorize exploratory drilling, testing, and backfilling for preparation of a geology report for the proposed future development to include a single-family residence and onsite wastewater treatment system (OWTS) on a property located at Assessor's Parcel Number 4455-007-003 and 4455-007-007 in the Santa Monica Mountains North Area 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 the conditions of this grant. Notwithstanding the foregoing, Condition No. 2 and Condition Nos. 4, 5, and 8 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to County Code Section 22.222.230.
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 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).

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 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 Chapter 22.238 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 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 LA County Planning ("Director").

PERMIT-SPECIFIC CONDITIONS – EXPLORATORY TESTING

13. Access for exploratory testing shall use existing roads, or track-mounted drill rigs where feasible.
14. Any disturbance incurred to soil or locally indigenous vegetation (including S1, S2, and/or S3 habitat) as a result of exploratory testing shall be mitigated and restored according to requirements herein and according to any requirements of Public Works.
15. Within 30 days after completion of exploratory testing, or immediately if heavy rain is forecasted, all disturbed areas shall be stabilized with temporary erosion control measures and seeded with locally indigenous grass species to prevent erosion and instability. If further development of the disturbed site in conjunction with an approved project has not occurred within one year after the date of the issuance of this Minor Conditional Use Permit, full remediation of disturbed soil or locally indigenous vegetation shall commence immediately.
16. Vegetation removal activities shall be conducted in a manner that protects existing vegetation root stock to facilitate revegetation of the disturbed areas.
17. All required restoration shall be completed to the satisfaction of the Director.
18. Documents must be provided showing legal access across existing roads to this parcel.

PROJECT SITE-SPECIFIC CONDITIONS

19. No grading is permitted with this approval. Access to the site shall utilize existing fire roads.
20. Testing is permitted in only those areas depicted on the Exhibit "A."
21. The permittee shall backfill using a tremie pipe or equivalent, proceeding upward from the bottom of the boring.

**PROJECT NO. PRJ2024-002859
MINOR CONDITIONAL USE PERMIT NO.
RPPL2024004254**

**EXHIBIT D
CONDITIONS OF APPROVAL
PAGE 4 OF 4**

MG:RG:TM:JH
02/23/26