

February 4, 2026

Shane Swerdlow
8675 Washington Blvd., Suite 204
Culver City, CA 90232

PROJECT NO. PRJ2025-001608-(3)
MINOR CONDITIONAL USE PERMIT NO. RPPL2025001770
3582 TRIUNFO CANYON ROAD, AGOURA (APN 2063-001-016)

Dear Applicant:

Hearing Officer Gina Natoli, by her action of **February 3, 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 **February 17, 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 4, 2026
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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, 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. PRJ2025-001608-(3)
MINOR CONDITIONAL USE PERMIT NO. RPPL2025001770

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. **RPPL2025001770** (“MCUP”) on January 20, 2026 and February 3, 2026.
2. **HEARING PROCEEDINGS.** A duly noticed public hearing was held before the Hearing Officer on January 20, 2026. The MCUP was continued to February 3, 2026 without the hearing being opened. At the continued public hearing date, LA County Planning staff gave a brief presentation recommending approval. The applicant was sworn in and testified in favor of the MCUP. After some questions and answers, the Hearing Officer closed the public hearing and approved the MCUP.
3. **ENTITLEMENT(S) REQUESTED.** The permittee, Malibu Creek California LLC (“Permittee”), requests the MCUP to authorize exploratory testing consisting of digging and drilling up to sixteen test holes, resulting in no oak tree impacts, for use in preparation of a geology report for a future residential substance abuse recovery center located at 3582 Triunfo Canyon Road (“Project”). The work would be accomplished by hand and through use of a drilling rig attached to a truck and would be followed by backfill and site restoration. The exploratory testing would occur entirely on Assessor Parcel Number (“APN”) 2063-001-016 in the unincorporated community of Santa Monica Mountains North Area (“Project Site”) in the R-R-20 (Resort and Recreation—20 Acre Minimum Required Lot Area) Zone and in the Santa Monica Mountains North Area Community Standards District (“CSD”) pursuant to County Code Section 22.160.020.
4. **LOCATION.** The Project is located at 3582 Triunfo Canyon Road (APN 2063-001-016) within The Malibu Zoned District and the Santa Monica Mountains Planning Area.
5. **PREVIOUS ENTITLEMENT(S).** Certificate of Compliance CC-7124, which confirmed the legality of the underlying parcel, was recorded on December 31, 1985.

Plot Plan PP-40706 approved the existing equestrian facility on the Project Site, including accessory structures and grading. The original approval was issued on January 29, 1991, with amendments approved on September 22, 1992 and March 12, 2001.

6. **LAND USE DESIGNATION.** The Project Site is located within the RL20 (Rural Land 20 - One dwelling unit per 20 acres maximum density) land use designation of the Santa Monica Mountains North Area Land Use Plan (“LUP”) Land Use Policy Map.

7. **ZONING.** The Project Site is in The Malibu Zoned District and is currently zoned R-R-20. Pursuant to County Code Section 22.336.070.G, a MCUP is required for hydrologic exploratory testing.

8. SURROUNDING LAND USES AND ZONING

LOCATION	SANTA MONICA MOUNTAINS NORTH AREA PLAN LAND USE POLICY	ZONING	EXISTING USES
SUBJECT PROPERTY	RL20	R-R-20	Equestrian Facility
NORTH	OS-C (Open Space – Conservation)	O-S (Open Space)	Triunfo Canyon Open Space
EAST	RL20	R-R-20	Former religious retreat center and various residential estate uses
SOUTH	OS-PR (Open Space Parks)	O-S	Triunfo Creek Park
WEST	OS-PR	O-S	Triunfo Canyon Open Space

9. PROJECT AND SITE PLAN DESCRIPTION.

A. Existing Site Conditions

The Project Site is 24.05 acres in size. The Project Site is shaped as a parallelogram with mixed topography ranging from moderately sloping to steep mountainous terrain. There is an existing equestrian facility on site.

B. Site Access

The Project Site is accessible from Triunfo Canyon Road via a private driveway. The existing right-of-way width for Triunfo Canyon Road is approximately 50 feet.

C. Site Plan

The site plan depicts the Project Site with sixteen digging and drilling test sites in various locations. None of the drilling test sites would encroach into the protected zone of any oak tree.

10. **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 for a future substance abuse recovery facility. The Project consists of no alterations to vegetation and does

not involve removal of healthy, mature, or scenic trees. Additionally, the Project consists of minor digging, drilling and backfilling 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 United States 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.

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, Staff recommends that the Hearing Officer determine that the Project is categorically exempt from CEQA. An environmental determination (Exhibit F – Environmental Determination) was issued for the Project.

11. **COMMUNITY OUTREACH.** Prior to the public hearing notification, no community outreach was attempted by the Permittee.
12. **PUBLIC COMMENTS.** Prior to the publication of the Report to the Hearing Officer, the Department of Regional Planning ("LA County Planning") staff ("Staff") received no public comments regarding the request.
13. **AGENCY RECOMMENDATIONS.**
No comments were solicited or received from other County Departments for this Project.
14. **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 December 11, 2025, a total of 24 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.

GENERAL PLAN CONSISTENCY FINDINGS

15. **LAND USE POLICY.** The Hearing Officer finds that the Project is consistent with the goals and policies of the Santa Monica Mountains North Area Plan ("NAP") as 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 Hearing Officer finds that the Project is consistent with the goals and policies of the NAP because authorizing the exploratory testing is consistent with the RL20 land use designation. The Hearing Officer finds that the Project is consistent with the underlying RL20 land use designation because exploratory testing is permitted in any zone in this land use designation and the Project is appropriately designed and consistent with all development standards.

16. **GOALS AND POLICIES.** The Hearing Officer finds that the Project is consistent with NAP Policy CO-52, which states that access for geologic testing shall use existing roads or truck-mounted drill rigs where feasible. The Project proposes to utilize existing access roads and a truck mounted drill rig. There will be no encroachment into oak protection zones or removal of any oak trees.

ZONING CODE CONSISTENCY FINDINGS

17. **PERMITTED USE IN ZONE.** The Hearing Officer finds that the Project is consistent with the SMMNA CSD as exploratory testing is permitted with a MCUP pursuant to County Code Section 22.336.070.G.1.a, 22.336.070.G.1.b, 22.336.070.G.1.c, and 22.336.070.G.1.d, provided that the MCUP findings are met.
18. **BIOLOGICAL RESOURCES.** No biological review of the Project was required by the Significant Ecological Area Technical Advisory Committee (“SEATAC”), as all development is proposed within S3 or S4 vegetation. Per the CSD (Section 22.336.060.A.2.f of the County Code), the single test hole proposed within mapped S1 vegetation is on an existing driveway and is therefore automatically reclassified as S3 vegetation. Development in S3-classified vegetation requires review of a biological inventory by the LA County Staff Biologist, who reviewed a biological inventory of the area and determined that no further biological review was required (County Code Section 22.336.050.B).

MINOR CONDITIONAL USE PERMIT FINDINGS

19. **The Hearing Officer finds that the proposed use will be consistent with the adopted General Plan for the area.** The Project is consistent with the goals and policies of the NAP because authorizing the exploratory testing is consistent with the RL20 land use designation.
20. **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 Santa Monica Mountains NAP and CSD.
21. **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 a possible future substance abuse recovery facility. No additional 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 sites.

22. **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, at maximum, one heavy-duty pickup truck with a attached drilling apparatus. The Project Site is accessible via Triunfo Canyon Road which is adequately designed to accommodate this equipment.

ENVIRONMENTAL FINDINGS

23. The Hearing Officer finds that the Project is exempt (Class 4, Minor Alterations to Land, Categorical Exemption) from CEQA pursuant to State CEQA Guidelines section 15304. The Project is to allow exploratory drilling for geologic testing associated with a substance abuse treatment center. The testing would be for determining the appropriateness of various location on the Project Site for structures and a new OWTS. The Project consists of minor alterations to vegetation and does not involve removal of healthy, mature, or scenic trees. Additionally, the Project consists of minor digging, drilling and backfilling 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 USFWS. 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 biological inventory submitted by the Permittee included a spring survey to ensure no critical habitat will be present during the exploratory drilling activities.

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

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 the Coastal Development Services Section, 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 General Plan and the Santa Monica Mountains North Area 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. RPPL2025001770**, subject to the attached conditions.

ACTION DATE: February 3, 2026

KF:RG:TM:JH
02/04/26

c: Zoning Enforcement, Building and Safety

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING

CONDITIONS OF APPROVAL
PROJECT NO. PRJ2025-001608-(3)
MINOR CONDITIONAL USE PERMIT NO. RPPL2025001770

PROJECT DESCRIPTION

The project is a Minor CUP to authorize exploratory geotechnical soils testing for preparation of a geologic report on a property located at 3582 Triunfo Canyon Road (Assessor's Parcel Number 2063-001-016) in the Santa Monica Mountains North Area subject to the following conditions of approval:

GENERAL CONDITIONS

1. **Permittee.** 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. **Affidavit of Acceptance.** 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 Conditions No. 4, 5, and 8 shall be effective immediately upon the date of final approval of this grant by the County.
3. **Date of Final Approval.** 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. **Indemnification.** 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. **Litigation Deposit.** 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. **Invalidation.** 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. **Transfer of Grant.** 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. **Expiration.** 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. **Inspections.** 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. The Permittee shall deposit with the County the sum **\$912.00** which shall be placed in a performance fund and be used exclusively to reimburse LA County Planning for all expenses incurred while inspecting the premises to determine the Permittee's compliance with the conditions of this grant. The fund provides for **two** inspections.

Inspections may be unannounced. Inspections 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. **Revocation.** 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 (Modifications and Revocations) of the County Code.
11. **County Fire Code.** 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”).
12. **County Public Works Requirements.** 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.
13. **Exhibit “A.”** 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”).
14. **Revisions to the Exhibit “A.”** 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 **April 3, 2026**.
15. **Subsequent Revisions to the Exhibit “A.”** 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.

PERMIT-SPECIFIC CONDITIONS – EXPLORATORY TESTING

16. **Equipment Access.** Access for exploratory testing shall use existing roads, or truck-mounted drill rigs, where feasible.
17. **Site Disturbance.** Any disturbance incurred to soil or locally indigenous vegetation as a result of exploratory testing shall be mitigated and restored to the satisfaction of the Director and according to any requirements of Public Works.
18. **Erosion Control.** 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.

19. **Grading During Rainy Season.** 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.
20. **Vegetation Removal.** Vegetation removal activities shall be conducted in a manner that protects existing vegetation root stock to facilitate revegetation of the disturbed areas.
21. **Oak Tree Fencing.** Prior to commencement of drilling, the Permittee shall install temporary fencing around the protected zones of all oak trees within 50 feet of test locations.
22. **Restoration.** All required restoration shall be completed to the satisfaction of the Director in consultation with the LA County Planning Staff Biologist. Restoration shall consist of backfilling test holes and restoration of surfaces to previous conditions or similar.
23. **Building, Grading, and Drainage Plans.** Submit building/grading/drainage plans to Public Works, Building and Safety Division, (Calabasas/Malibu District Office), for review and approval. The grading plans must show and call out the construction of all access roads, typically limited to 8-10 feet wide and provide a restoration plan to restore the access road and test drilling holes back to original condition.

PROJECT SITE-SPECIFIC CONDITIONS

24. **Additional Grading.** No additional grading is permitted with this approval. Access to the site shall utilize existing driveways and fire roads.
25. **Testing locations.** Testing is permitted in only those areas depicted on the Exhibit "A."
26. **Casings Spacers.** Casings spacers shall be used within the interval(s) to be sealed to separate well casing, gravel tube, sounding tube, or other tubes/casings from one another in a borehole.
27. **Backfill.** The permittee shall backfill using a tremie pipe or equivalent, proceeding upward from the bottom of the boring.