



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

May 28, 2013

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**PROJECT NO. R2010-01071-(3)
CONDITIONAL USE PERMIT NO. 201100012
ENVIRONMENTAL ASSESSMENT NO. 201100019
OAK TREE PERMIT NO. 201100011
APPLICANT: DONALD HASKIN
29153 CRAGS DRIVE
MALIBOU LAKE, CA 91301
MALIBU ZONED DISTRICT
(THIRD SUPERVISORIAL DISTRICT) (3-VOTES)**

SUBJECT

Patricia Henkel, a Malibou Lake resident, has appealed the decision of the Regional Planning Commission on the subject project. The project is a request for two new single-family homes located on two existing legal lots zoned R-R-1 (Resort and Recreation, one acre required area) in the unincorporated Malibou Lake area and in the Santa Monica Mountains North Area Community Standards District (CSD).

IT IS RECOMMENDED THAT YOUR BOARD, AFTER THE PUBLIC HEARING:

1. Consider the attached Mitigated Negative Declaration for this project and certify that it is consistent with the finding by the State Secretary for Resources or by local guidelines that the project and/or suggested conditions will adequately mitigate these impacts to a level of no significance.
2. Instruct County Counsel to prepare the necessary findings to affirm the Regional Planning Commission's (RPC) approval of Conditional Use Permit (CUP) No. 201100012 and Oak Tree Permit No. 201100011.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The project location consists of two parcels located at 29153 Craggs Drive, in the Santa Monica Mountains North Area Community Standards District, and within the Malibou Lake neighborhood. The western parcel is 2.25 gross acres and the eastern parcel is 2.40 gross acres. The lots were previously developed by a private club but are currently vacant with small slopes of less than 25%. There is a seasonal drainage course on the west end and oak trees, pines, and sycamores in various locations.

The lots are zoned R-R-1 (Resort and Recreation, one acre required area) and depicted in the Rural Residential land use category of the Santa Monica Mountains North Area (SMMNA) Plan. Surrounding properties are zoned R-1 (single-family) and A-1 (light agriculture), and either vacant or developed with single-family homes.

The residence on the western parcel is proposed to be a maximum 2-story, 5,900-square-foot residence with attached 3-car garage, swimming pool, 1,800 cubic yards of grading, and private sewage disposal system. Removal of one oak tree is requested for the driveway. The non-heritage oak tree removed will be replaced by two 15-gallon oak trees. The residence on the eastern parcel is proposed to be a maximum 2-story, 5,900 square foot single-family residence with attached 3-car garage, swimming pool, 1,350 cubic yards of grading, and private sewage disposal system.

The RPC determined that the CUP and Oak Tree Permit Burden of Proof requirements for this project have been met and that it is in compliance with the zoning requirements, and goals and policies of the Santa Monica Mountains North Area CSD and Plan.

COMMUNITY OPPOSITION

Staff has received numerous correspondences from members of the Malibou Lake community who are opposed to the proposed project. A summary of the communities concerns include the following: Proposed size and design of the residences, inadequate environmental review, increased fire danger, street parking, infeasible septic systems, increased drainage, requests that the land remains open space and loss of recreational opportunities. All of these issues were thoroughly discussed during the RPC hearings.

Implementation of Strategic Plan Goals

The CUP and Oak Tree Permit promotes Goal Three of the County's Strategic Plan pertaining to "Community and Municipal Services" by balancing the developers right to develop the properties while at the same time protecting the interests of the Malibou Lake community through project design and environmental mitigation.

FISCAL IMPACT/FINANCING

Implementation of the proposed CUP and Oak Tree Permit should not result in any new significant costs to the County or to the Department of Regional Planning as the proposed project is a private development. Construction costs and operating cost will be borne by the applicant. Existing infrastructure and public services are adequate to accommodate the proposed project, as confirmed by the Los Angeles County departments of Public Works, Fire, and Public Health.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

RPC held public hearings regarding this project on December 5, 2012, January 9, 2013, and February 13, 2013. After testimony and discussion, the Commission voted 5-0 to approve the CUP and Oak Tree Permit.

A public hearing is required pursuant to Section 22.16.200 of the County Code and Section 65856 of the Government Code. Required notice must be given pursuant to the procedures and requirements set forth in Section 22.60.174 of the County Code. These procedures exceed the minimum standards of Section 6061, 65090, and 65856 of the Government Code relating to notice of public hearing.

ENVIRONMENTAL DOCUMENTATION

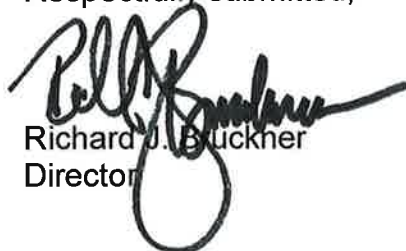
An Initial Study and Mitigated Negative Declaration was prepared in compliance with the California Environmental Quality Act and the environmental document reporting procedures and guidelines of the County of Los Angeles. Based on the attached Mitigated Negative Declaration, required conditions, modifications to the project, and mitigation measures will adequately mitigate any potential impacts to a level of less than significant.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the proposed project will not significantly impact County services.

Should you have any questions regarding this project, please contact Jarod Nygren at (818) 880-3799 or by e-mail at jnygren@planning.lacounty.gov.

Respectfully submitted,



Richard J. Bluckner
Director

The Honorable Board of Supervisors
May 28, 2013
Page 4

RJB:SA:AL:jn:lm

Attachments:

- 1) Project Summary
- 2) Summary of Regional Planning Commission proceedings
- 3) Factual
- 4) Vicinity map
- 5) Hearing package
- 6) Environmental documentation
- 7) Correspondence
- 8) Pictures
- 9) Speaker cards

c: Executive Office, Board of Supervisors
 Assessor
 Auditor-Controller
 Chief Executive Office (Rita Robinson)
 County Counsel
 Public Works

LOS ANGELES COUNTY BOARD OF SUPERVISORS

AGENDA ENTRY

DATE OF MEETING:	May 28, 2013
DEPARTMENT NAME:	REGIONAL PLANNING
BOARD LETTERHEAD:	DEPARTMENT
SUPERVISORIAL DISTRICT AFFECTED	3 rd DISTRICT
VOTES REQUIRED	3-VOTE
CHIEF INFORMATION OFFICER'S RECOMMENDATION	NONE

***** ENTRY MUST BE IN MICROSOFT WORD *****

Instructions: To comply with the Brown Act requirement the reader should fully understand what the department is asking the Board to approve. The recommendation must describe what the action is for; with whom the action is being taken; fiscal impact, including money amounts, funding sources, and effective dates. Also, include an instruction for the Chair(man) or Director to sign when such signature is required on a document.

Project No. R2010-01071-(3)

PUBLIC HEARING

BOARD AGENDA TEXT:

1. De novo hearing on Project No. R2010-01071-(3), Conditional Use Permit No. 201100012, Oak Tree Permit 201100011 and Mitigated Negative Declaration associated with Environmental Assessment No. 201100019, to authorize the construction of two single-family homes on two lots in the R-R (Resort and Recreation) zone located at 29153 Crags Drive, in the Malibu Zoned District and within the Santa Monica Mountains North Area Community Standards District, applied for by Don Haskin. (Appeal from Regional Planning Commission's approval)

**COUNTY OF LOS ANGELES
DEPARTMENT OF REGIONAL PLANNING**

PROJECT SUMMARY

PROJECT DESCRIPTION: Applicant is proposing two new single-family residences located on vacant Assessor's Parcel Numbers 4462-005-022 and 4462-005-023. The single-family residence located on Assessor's Parcel Number 4462-005-022 will consist of a new 32 feet high, 2-story, 5,900 square feet residence with attached 3-car garage, swimming pool, 1,800 cubic yards of grading, 4 feet retaining wall, attached patios, driveway, entry gate, and private sewage disposal system. The construction activity requires the removal of one oak tree for the driveway on this parcel. The oak tree being removed will be replaced by the planting of two fifteen (15) gallon oak trees. Assessor's Parcel Number 4462-005-023 will also consist of a new 32 feet high, 2-story, 5,900 square feet single-family residence with attached 3-car garage, swimming pool, 1,350 cubic yards of grading, attached patios, driveway, entry gate, and private sewage disposal system.

REQUEST: The applicant is requesting a Conditional Use Permit to authorize the construction of two single-family residences on two lots pursuant to County Code Section 22.44.133.E.5. The applicant is also requesting an Oak Tree Permit to authorize the removal of one non-heritage oak tree for the residence on APN 4462-055-022.

LOCATION: 29153 Crags Drive, Malibou Lake area of the unincorporated Los Angeles County.

APPLICANT OR SOURCE: Patricia Henkel, Malibou Lake Community constituent, has made an appeal on the decision of the Regional Planning Commission for the subject case.

STAFF CONTACT: Mr. Jarod Nygren at (818) 880-3799.

RPC HEARING DATE: February 13, 2013

RPC RECOMMENDATION: On February 13, 2013, the Regional Planning Commission held a public hearing regarding this

project. After testimony and discussion, the Commission voted 5-0 approving the Conditional Use Permit and Oak Tree Permit.

MEMBERS VOTING AYE: Commissioners Valadez, Louie, Helsley, Pedersen and Modugno.

MEMBERS VOTING NAY: None

MEMBERS ABSENT: None

MEMBERS ABSTAINING: None

KEY ISSUES: The Regional Planning Commission, by its action of February 13, 2013, approved the above referenced project subject to findings and conditions. The appellate, Patricia Henkel, filed an appeal of the Commission's approval with the Executive Office of the Board of Supervisors within the designated appeal period. It is staff's recommendation that the Regional Planning Commission's decision be upheld by approving the Conditional Use Permit and Oak Tree Permit.

MAJOR POINTS FOR: The Conditional Use Permit and Oak Tree Permit applications were unanimously approved by the Regional Planning Commission 5-0 on February 13, 2013 after multiple duly noticed public hearings where testimony was presented. Prior to the Regional Planning Commission approving the project the Los Angeles County Fire Department, Health Department, Public Works and Forestry Department all recommended approval of the Conditional Use Permit and Oak Tree Permit applications subject to conditions. The Mitigated Negative Declaration for the project has been reviewed by multiple County, State and National agencies. All of the agencies that reviewed the Mitigated Negative Declaration concluded that it is the appropriate environmental documentation for this project. The Planning Commission certified that the Mitigated Negative Declaration was completed in compliance with the California Environmental Quality Act and the State and County Guidelines related thereto; certified that it independently reviewed and considered the Mitigated

Negative Declaration along with any comments received during the public review process and that it reflects the independent judgment and analysis of the county as to the environmental consequences of the Project.; and found on the basis of the whole record before the Commission that the required conditions, modifications to the project, and mitigation measures will adequately mitigate any potential impacts to a level of less than significant. In view of the findings of fact the Regional Planning Commission is of the opinion that findings have been made and the Conditional Use Permit and Oak Tree Permit Burden of Proof requirements for this project have been met and that it is in compliance with the zoning requirements goals and policies if the Santa Monica Mountains North Area Plan.

MAJOR POINTS AGAINST:

The appellants have alleged that information submitted to the Department of Regional Planning with respect to the septic system, oak tree report and fire safety includes inaccurate information. The appellant feels that the project has not had sufficient environmental review and that an Environmental Impact Report should be required. Some members of the Malibou Lake Community have expressed their displeasure with the size and architectural designs of the proposed single-family residences. The proposed residences are proposed on two vacant parcels where the local community clubhouse once resided. The clubhouse and the land that it occupied became an integral part of the community from the 1920's until the late 1980's when the clubhouse was demolished. Since the clubhouse demolition in the late 1980's the subject properties have been vacant for the neighborhood to enjoy and some members of the community feel that two single-family homes are not the intended use of the property. For those reasons, some members of the community want the subject properties to remain undeveloped parkland which would be permanently designated as open space through a deed restriction.

**REGIONAL PLANNING COMMISSION
SUMMARY OF PUBLIC HEARING PROCEEDINGS**

**PROJECT NO. R2010-01071-(3)
CONDITIONAL USE PERMIT NO. 201100012
ENVIRONMENTAL ASSESSMENT NO. 201100019
OAK TREE PERMIT NO. 201100011
APPLICANT: DONALD HASKIN
29153 CRAGS DRIVE
MALIBOU LAKE, CA 91301
MALIBU ZONED DISTRICT
(THIRD SUPERVISORIAL DISTRICT)**

HEARING DATE: February 13, 2013

PROCEEDINGS BEFORE THE PLANNING COMMISSION

Project No. R010-01071-(3), Conditional Use Permit No. 201100012 is a request for two new single-family homes located on two existing legal lots zoned R-R-1 in the unincorporated Malibou Lake area and in the Santa Monica Mountains North Area Community Standards District. Associated Oak Tree Permit No. 201100011 is a request to remove one oak tree on one of the lots.

After listening to testimony from those opposed and those in favor of the project on December 5, 2012, the Commission recommended that the applicant look into the possibility of locating the septic system leach fields on individual lots rather than using an easement and dedicating land on the subject properties to the Malibou Lake community for recreation purposes. The Commission motioned to continue the case until January 9, 2013.

Staff organized a meeting on December 19, 2012 with members of the Malibou Lake community and the applicant to discuss communities concerns and address the Commission's recommendations. As a result of the meeting, the following changes were incorporated as proposed conditions of approval:

- The permittee agreed to provide an irrevocable offer to dedicate an easement or other appropriate interest to the Malibou Lakeside Homeowner's Association for a minimum 9,500 square-foot area marked "A" on the Exhibit "A" to be available for community recreational access and uses in compliance with the R-R Zone. The irrevocable offer to dedicate shall be recorded on the subject property as mutually agreed upon by the applicant and Malibou Lakeside Homeowner's Association within three (3) months of the date of final approval of this grant. The irrevocable offer to dedicate shall be valid for three years from the date of final approval of this grant.

- The permittee shall be prohibited from cutting any tree with a diameter of eight (8) inches or greater and no structures are permitted within the area depicted on the Exhibit "A" as "B."
- Subject to the Department of Public Works' approval and acceptance, the applicant offers to dedicate an easement to the County for the area depicted on the Exhibit "A" as "C" for an additional five (5) feet of road widening that can be used for community parking and additional access.
- The architecture shall be traditional in design in a Ranch, Craftsman, Spanish, or Mediterranean style compatible with surrounding residences. Building elevations and facades shall be varied, recessed, or articulated with use of balconies, porches, patios and/or bay windows. Modern architecture, flat roofs, predominantly glass walls and/or long unbroken building walls exceeding 30 feet in length shall be prohibited.
- The single-family residences shall be limited to two stories and maximum thirty two (32) feet in height. The floor area of the second floor shall be a maximum of 50% of the floor area of the first floor in order to provide varied building bulk and interest and ensure compatibility with surrounding residences.
- The single-family residences shall be painted and maintained in earth toned colors. Earth tone colors are defined as colors that draw from a palette of browns, tans, grays, and greens and are muted and flat in emulation of the natural colors found in dirt, rocks, and vegetation.
- The single-family residences shall be partially screened with native landscaping to provide visual interest, privacy, and ensure compatibility with surrounding residences. At least four native trees in addition to those required by Green Building shall be planted on each lot between the residences and right-of-way in areas that are open to view from the public or neighboring properties.

The applicant looked into the possibility of placing the septic system leach field on individual lots rather than using an easement. It was found that it's not feasible to place the leach field on the individual lots due to the Health Department's leach field size requirements, setback requirements, and limited area with percolation approved. Adjusting the lot line in order to put the leach field on individual lots splits the leach field in half and with the 5 feet setback requirements required by the Health Department, the applicant loses 10 feet of current leach field area. With that 10 feet being removed, the leach field would not meet the size requirements for the single-family homes. Since the applicant cannot place the leach fields on individual lots, the applicant has agreed to record a standard covenant used by the Health Department for this type of design.

A duly noticed public hearing was held before the Regional Planning Commission on February 13, 2013 after the previously scheduled January 9, 2013 hearing was continued. The Regional Planning Commission heard the staff presentation and testimony from the applicants, Mark Moskowitz and Don Haskin, who testified in favor of the request. Testimony was heard from 21 members of the public who were opposed to this project, followed by a rebuttal from the applicant's representative, Fred Gaines.

Commissioner Helsley asked if the applicant was agreeable to prohibiting accessory habitable structures such as guest houses and second units. The applicant accepted Commission Helsley's recommendation for a condition that no accessory habitable structures would be permitted on the subject properties. Commissioner Helsley was also interested in extending the offer to dedicate area to the east until it reached Seminole Drive. The applicant agreed to Commissioner Helsley's request and the irrevocable offer to dedicate area has been increased from 9,500 square feet to 13,000 square feet. The Department of Public Works expressed concerns regarding the bus stop on Seminole Road and recommended that additional widening would be needed to locate the existing bus stop completely within the public right-of-way. The applicant agreed to allow for additional road widening as needed to place the existing bus stop completely within the Seminole Road right-of-way up to a maximum of twenty (20) feet.

There being no further testimony, the Commission voted (5-0) to close the public hearing, approved the applicant's request with findings and conditions for approval with the modifications as discussed.



Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, California 90012
Telephone (213)

PROJECT NUMBER R2010-01071-(3)
CONDITIONAL USE PERMIT NO. 201100012
ENVIRONMENTAL ASSESSMENT NO. 201100019
OAK TREE PERMIT NO. 201100011

PUBLIC HEARING DATE
12/5/2012

AGENDA ITEM
TBD

RPC CONSENT DATE
N/A

CONTINUE TO
N/A

APPLICANT

Donald Haskin

OWNER

Leight Sales Inc.

REPRESENTATIVE

Donald Haskin

PROJECT DESCRIPTION

Applicant is proposing two new single-family residences located on vacant Assessor's Parcel Numbers 4462-005-022 and 4462-005-023. The single-family residence located on Assessor's Parcel Number 4462-005-022 will consist of a new 32 feet high, 2-story, 5,900 square feet residence with attached 3-car garage, swimming pool, 1,800 cubic yards of grading, 4 feet retaining wall, attached patios, driveway, entry gate, and private sewage disposal system. The construction activity requires the removal of one oak tree for the driveway on this parcel. The oak tree being removed will be replaced by the planting of two fifteen (15) gallon oak trees. Assessor's Parcel Number 4462-005-023 will also consist of a new 32 feet high, 2-story, 5,900 square feet single-family residence with attached 3-car garage, swimming pool, 1,350 cubic yards of grading, attached patios, driveway, entry gate, and private sewage disposal system.

REQUIRED ENTITLEMENTS

Conditional Use Permit: The applicant is requesting a Conditional Use Permit to authorize the construction of two single-family homes pursuant to County Code Section 22.44.133.E.5.

Oak Tree Permit: The applicant is requesting an oak tree permit to remove one oak tree identified as Oak Tree Number 25 in an oak tree report dated January 24, 2012. The oak tree being removed will be replaced by the planting of two fifteen (15) gallon oak trees.

LOCATION/ADDRESS

29153 Crags Drive, Agoura, Malibou Lake area of the unincorporated Los Angeles County.

SITE DESCRIPTION

The two subject properties are vacant irregularly shaped lots with small slopes of less than 25%. There is a seasonal drainage course on the west end of the properties and oak trees/sycamores located in various locations on the properties and natural vegetation. The site is currently disturbed because of previous development that included a clubhouse for the surrounding community. The only remnants of the clubhouse are the old tennis court that has not been used in many years and is dilapidated.

ACCESS

Crags Drive to the south and west with Paiute Drive to the north and Seminole Drive to the east.

ZONED DISTRICT

The Malibu

ASSESSORS PARCEL NUMBER

4462-005-022 and 023

COMMUNITY

Malibou Lake

SIZE

4.65 Gross Acres

COMMUNITY STANDARDS DISTRICT

Santa Monica Mountains North Area

	EXISTING LAND USE	EXISTING ZONING
Project Site	Vacant	R-R-1 (Resort Recreation; 1-acre min. lot size)
North	Single-family residences and vacant land	R-1-1 (Single-family; 1-acre min. lot size)
East	Single-family residences and vacant land	R-1-1 (Single-family; 1-acre min. lot size)
South	Single-family residences and vacant land	R-1-1 (Single-family; 1-acre min. lot size)
West	Single-family residences and vacant land	R-1-1 (Single-family; 1-acre min. lot size)

GENERAL PLAN/COMMUNITY PLAN

Santa Monica Mountains North Area

LAND USE DESIGNATION

Rural Residential (N1)

MAXIMUM DENSITY

1 unit/acre

ENVIRONMENTAL DETERMINATION

Pursuant to the provisions of the California Environmental Quality Act (CEQA), a Draft Mitigated Negative Declaration has been prepared for this project. The draft environmental document concludes that the project design and/or suggested conditions will adequately mitigate environmental impacts to a level of less than significant. Notice is hereby given that the County of Los Angeles will consider a recommendation to adopt a Mitigated Negative Declaration.

RPC LAST MEETING ACTION SUMMARY

LAST RPC MEETING DATE 1/9/2013	RPC ACTION CONTINUED WITHOUT DISCUSSION	NEEDED FOR NEXT MEETING N/A
MEMBERS VOTING AYE N/A	MEMBERS VOTING NO N/A	MEMBERS ABSTAINING/ABSENT N/A

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

STAFF CONTACT PERSON: Jarod Nygren

RPC HEARING DATE(S) 12/5/2012, 1/9/2013, 2/13/2013	RPC ACTION DATE 2/13/2013	RPC RECOMMENDATION APPROVAL
MEMBERS VOTING AYE 5	MEMBERS VOTING NO 0	MEMBERS ABSTAINING 0

STAFF RECOMMENDATION (PRIOR TO HEARING):

SPEAKERS* (O) 21 (F) 3	PETITIONS (O) (F)	LETTERS (O) (F)
----------------------------------	-----------------------------	---------------------------

*(O) = Opponents (F) = In Favor

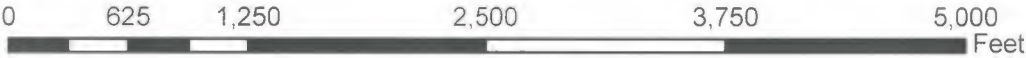
VICINITY MAP



Legend

- Freeways
- TB Streets
- Malibou Lake
- Unincorporated Area

PROJECT NUMBER R2010-01071-(3)
CONDITIONAL USE PERMIT NO. 201100012



1 inch = 1,000 feet





Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

February 13, 2013

Donald Haskin
2678 Thunderbird Drive
Thousand Oaks, CA 91362

REGARDING: Project Number R2010-01071-(3)
Conditional Use Permit No. 201100012
Environmental Assessment No. 201100019
Oak Tree Permit No. 201100011
APN: 4462-005-022 and 023

The Regional Planning Commission, by its action of **February 13, 2013**, has **APPROVED** the above-referenced project. Enclosed are the Commission'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 the Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

The applicant or any other interested persons may appeal the Regional Planning Commission's decision. The appeal period for this project will end at 5:00 p.m. on **February 27, 2013**. **Appeals must be delivered in person.**

Appeals:

To file an appeal, please contact:
Executive Office of the Board of Supervisors
Room 383, Kenneth Hahn Hall of Administration
500 West Temple Street, Los Angeles, CA 90012
(213) 974-1426

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.

For questions or for additional information, please contact Jarod Nygren of the Field Offices Section at (818) 880-3799, or by email at jnygren@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,
DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner

Annie Lin, Supervising Regional Planner
Field Offices Section

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

c: Board of Supervisors; DPW (Building and Safety); Zoning Enforcement;

AL:JN

FINDINGS AND ORDER OF PLANNING COMMISSION COUNTY OF LOS ANGELES

**PROJECT NUMBER R2010-01071
CONDITIONAL USE PERMIT NO. 201100012
OAK TREE PERMIT NO. 201100011
ENVIRONMENTAL ASSESSMENT NO. 201100019**

REQUEST:

The applicant is requesting a Conditional Use Permit to authorize the construction of two single-family residences on two lots pursuant to County Code Section 22.44.133.E.5. The applicant is also requesting an Oak Tree Permit to authorize the removal of one non-heritage oak tree for the residence on APN 4462-055-022.

HEARING DATE: February 13, 2013

PROCEEDINGS BEFORE THE PLANNING COMMISSION

February 13, 2013 Public Hearing

A duly noticed public hearing was held before the Regional Planning Commission on February 13, 2013. The Regional Planning Commission heard the staff presentation and testimony from the applicants, Mark Moskowitz and Don Haskin, who testified in favor of the request. Testimony was heard from 21 members of the public who were opposed to this project, followed by a rebuttal from the applicant's representative, Fred Gaines.

Commissioner Helsley asked if the applicant was agreeable to prohibiting accessory habitable structures such as guest houses and second units. The applicant accepted Commissioner Helsley's recommendation for a condition that no accessory habitable structures would be permitted on the subject properties. Commissioner Helsley was also interested in extending the offer to dedicate area to the east until it reached Seminole Drive. The applicant expressed concerns regarding Commissioner Helsley's request because existing drainage devices are located within the proposed easement expansion area. After a brief discussion, the applicant agreed that they could extend the offer to dedicate area subject to being able to maintain the drainage devices. The applicant's representative concluded that they could put language into the irrevocable offer to dedicate that would allow the use and maintenance of the existing drainage devices if no other alternatives could be found. The Department of Public Works expressed concerns regarding the bus stop on Seminole Road and recommended additional widening would be needed to locate the existing bus stop completely within the public right-of-way. The applicant agreed to allow for additional road widening as needed to place the existing bus stop completely within the Seminole Road right-of-way up to a maximum of twenty (20) feet.

There being no further testimony, the Commission voted (5-0) to close the public hearing, approved the applicant's request with findings and conditions for approval with the modifications as discussed.

Findings

1. The applicant has requested a Conditional Use Permit to authorize the construction and maintenance of two single-family residences on two existing lots in the R-R (Resort and Recreation) Zone.
2. The applicant has requested an Oak Tree Permit to authorize the removal of one non-heritage oak tree for the construction and maintenance of one single-family residence on APN 4462-055-022. A total of 42 oak trees will remain on the subject properties. Pursuant to the provisions of Section 22.56.2150 when an application for a Conditional Use Permit is filed concurrently with an application for an Oak Tree Permit as provided by this Title 22, the Regional Planning Commission shall consider and approve such application for an oak tree permit concurrently with such other approvals.
3. The property is located at 29153 Crags Drive, Malibou Lake, within the Malibu Zoned District and the Santa Monica Mountains North Area Community Standards District (CSD).
4. The applicant is proposing two new single-family residences on two existing, vacant legal lots, Assessor's Parcel Numbers (APN) 4462-005-022 and 4462-005-023. The single-family residence on APN 4462-005-022 will consist of a new maximum 2-story, 5,900 square feet residence with attached 3-car garage, swimming pool, 1,800 cubic yards (cut and fill combined) of grading, 4-feet retaining wall, attached patios, driveway, entry gate, and private sewage disposal system. The residence will have minimum setbacks of 37 feet to the north, 95 feet to the east, 234 feet to the west and 61 feet to the south. The maximum lot coverage for the single-family residence, including the swimming pool and patio covers is 8,087 square feet, or 8.2 percent of the 2.25 acre lot area. APN 4462-005-023 will also consist of a new maximum 2-story, 5,900 square feet single-family residence with attached 3-car garage, swimming pool, 1,350 cubic yards (cut and fill combined) of grading, attached patios, driveway, entry gate, and private sewage disposal system. The residence will have minimum setbacks of 227 feet to the north, 104 feet to the east, 18 feet to the west and 76 feet to the south. The lot coverage for the single-family residence, including the swimming pool and patio covers is 8,376 square feet, or 8.0 percent of the 2.4 acre lot area. Construction of the single-family residence on APN 4462-005-022 will require the removal of only one non-heritage oak tree, with 42 oak trees remaining on-site. The oak tree being removed will be replaced by the planting of two fifteen (15) gallon oak trees and two acorns.

5. The residences will be traditional in design using either Ranch, Craftsman, Spanish, or Mediterranean architectural style, color palette of the residences are earth toned, second story is limited to fifty (50) percent of the first floor and they have elevations and facades that are varied so that they are compatible with the surrounding residences.
6. The residences shall be partially screened with native landscaping to provide visual interest, privacy and ensure compatibility with surrounding residences.
7. The subject properties are relatively large undeveloped parcels with a combined lot area of 4.65 gross acres, sloping slightly downward (less than 25%) from south to north and east to west. Several smaller single-family lots are surrounding the subject properties. The lots are either developed with single-family homes or remain undeveloped. The terrain for the surrounding area is much steeper than that of the subject properties. The terrain to the south, east, and west consist of steep terrain with slopes of twenty five percent or more in some instances. To the north the terrain is relatively flat until it runs into Malibou Lake.
8. Due to the community concerns and Commission's request the applicant has offered an irrevocable offer to dedicate to the Malibou Lakeside Homeowner's Association an area for passive recreational uses. The irrevocable offer to dedicate includes an area marked "A" on the Exhibit "A", located on the northeast corner of Parcel 2, bounded by Paiute and Seminole Drives and approximately 95 feet in depth from Paiute Drive. The exhibit "A" indicates an approximately 10,000 square feet area on parcel 1 where all trees with a trunk diameter of eight (8) inches or greater are prohibited from being cut. The applicant has also offered an additional five (5) feet of road widening to Public Works along Craggs drive for emergency parking subject to their acceptance.
9. The project site is designated as "N1 (Rural Residential 1) in the Santa Monica Mountains North Area Plan. Rural Residential 1 is intended for the development of low-density single-family detached housing in a setting consistent with the North Area Plan's definition of "rural" area. N1 allows for residential development, generally not to exceed one unit per acre density. The subject properties are over one acre and are within the density threshold required by the N1 land use category.
10. The project is consistent with the following goals and policies of the Santa Monica Mountains North Area Plan:

Policy VI-13: In addition to maintaining low densities within rural areas, require the provision/protection of the features that contribute to rural character and rural lifestyles, including, but not limited to:

- Natural features and streams which are protected by adequate development setbacks;

- Large lots that offer the ambiance of privacy and solitude in a rural setting;
- Limited or no commercial development;
- Irregular placement of dwellings on individual lots and variations in designs that result in custom-look housing;
- A lack of night lighting and existence of dark skies, enhancing the visibility of stars at night;

Policy VI-14 In addition to considering the mass and scale of the entire development or structure, restrict the total square footage of and grading for rural structures to a size that maintains the area's open character, and is compatible with the open space characteristics of the surrounding hillsides.

Policy VI-15: Require that new developments use architectural and siting features which are compatible with the adjacent existing and planned developments, and include the following:

- compatibility with prominent design features existing in the immediate area (i.e. trees, land forms, historic landmarks);
- compatibility with existing structures; and
- the natural environment (i.e., hillsides, washes, native vegetation, community landscaping).

Policy VI-16: Require that new developments provide a transition to surrounding development, for example:

- the bulk of new structures should relate to the area's environment and to the adjacent development;
- setbacks from streets and adjacent properties should relate to the scale of the structure, the function of the street, and the intended character of the development, and should encourage pedestrian scale and uses; and
- multi-story residential structures should be made less imposing by using exterior profile designs that complement the contours of the land; variances from height restrictions shall generally not be permitted.

Policy VI-20: Limit structure heights in suburban and rural areas to ensure compatibility of new development with the respective characteristics of the surrounding settings and sites.

Policy VI-23: Retain existing rural communities primarily for low intensity, rural residential uses.

11. The subject properties are within the Santa Monica Mountain North Area CSD, Malibu Lake area. The zoning for the two subject properties are Resort and Recreation (R-R-1). The Santa Monica Mountains North Area CSD allows single-family residences to be approved through a Director's Review provided a maximum of one protest is received within the required 500 feet notification radius. If there is

more than one protest, the application is denied and the applicant can apply for a Conditional Use Permit. In this case, more than one protest was received, so a Conditional Use Permit is required for the single-family residences within the R-R zone. Although there are no development standards required for single-family homes in this zone, the proposed residences meet all of the R-1 (single-family residence) zone development standards to be consistent with the neighborhood pattern.

12. The existing surroundings consist of small houses on lots averaging approximately 7000 square feet. Although the proposed single-family residences may be larger than most of the other homes in the direct vicinity, they are in compliance with the Santa Monica Mountains North Area CSD lot coverage requirements. The Santa Monica Mountains North Area CSD allows for 25% lot coverage in the Malibou Lake area. The two proposed single-family residences are on large lots compared to those in the direct vicinity and have 8.2% and 8.0 % lot coverage. The amount of lot coverage proposed by the two residences is less than most of the other residences in the vicinity. The two residences are below the maximum 35 feet height limit (County Code Sec. 22.44.133.E.5.c). The proposed residences also meet all residential setbacks though there are no specific setback requirements in the R-R zone. The subject properties have less than 25% slopes and were previously developed by a club that has since been demolished limiting the projects impacted area. The project grading quantities are below the 5,000 cubic yards threshold permitted by the Santa Monica Mountains North Area CSD.
13. The proposed single-family residences are not located within 1,000 feet of any other Resort Recreation land uses (County Code Sec. 22.44.133.E.5.bii).
14. The new residence shall be required to comply with the Los Angeles County Low Impact Development ("LID") standards by installing a minimum of two features designed to lessen the environmental impact of new development (County Code Sec. 22.52, Part 22). A county-approved list of LID design features includes porous pavement, rain barrels, green roofs, and other such facilities. The project must comply with County Drought-Tolerant Landscaping requirements, wherein 75% of landscaping in the front of the residence must be drought-tolerant, and a maximum of 25 percent may be grass or turf (County Code Sec. 22.52, Part 21). The project must comply with Green Building requirements (County Code Sec. 22.52, Part 20).
15. The two single-family homes on two legal lots will not adversely affect the health, comfort, or welfare, of surrounding residents, will not be detrimental to the use, enjoyment, or value of surrounding properties, and will not constitute a hazard to public health or safety. The subject properties are surrounded in all directions by other single-family residences and/or vacant land that is zoned for single-family residences. The properties are within a residentially designated land use category of the Santa Monica Mountains North Area Plan. The properties are also within the

Malibou Lake community, which was developed in the 1920's with the intention of creating single-family homes near the lake. The Fire Department, Public Health, and Public Works have reviewed the project and concluded that the residence as proposed can be constructed and maintained in accordance with all codes relating to public health, safety, and access, providing that certain conditions of approval are required.

16. The properties are located in a Very High Fire Severity Zone. The subject properties are required to comply with Fire Department requirements for Very High Fire Severity Zones to minimize fire danger.
17. The access is served by Craggs Drive, Paiute Drive and Seminole Drive without any major level-of-service issues. Traffic to and from the sites would be minor, as it would add only two dwelling units.
18. The County of Los Angeles Forester and Fire Warden reviewed the project and verified the accuracy and completeness of the Oak Tree Report. Their letter, dated January 24, 2012, is the part of the attached conditions.
19. Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the Conditional Use Permit and Oak Tree Permit public hearing by mail, newspaper and property posting.
20. Pursuant to the provisions of the California Environmental Quality Act (CEQA), a Draft Mitigated Negative Declaration has been prepared for this project. The draft environmental document concludes that the project design and/or required mitigation measures will adequately mitigate environmental impacts to a level of less than significant.
21. The Department of Parks and Recreation, Department of Fish and Game, Cal Fire, Department of Water Resources, California Highway Patrol, Caltrans, Regional Water Quality Control Board, Native American Heritage Commission, State Lands Commission, Santa Monica Mountains Conservancy, Los Angeles County Fire, Los Angeles County Fire Forestry Division, Los Angeles County Health Department and Public Works have reviewed the Mitigated Negative Declaration/Mitigation Monitoring Program pursuant to the California Environmental Quality Act and concluded that it is the appropriate document for the project.
22. The location of the documents and other materials constituting the record of proceedings upon which the Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the Zoning Permits West Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE PLANNING COMMISSION CONCLUDES:

Regarding the CUP:

- A. That the requested use at the location proposed will not:
 - 1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area; or
 - 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site; or
 - 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- B. That the proposed site is adequate in size and shape to accommodate the yards, wells, fence, parking and loading facilities, landscaping and other development features prescribed in this Title 22, of as is otherwise required in order to integrate said use with the uses in the surrounding area.
- C. That the proposed site is adequately served:
 - 1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate and;
 - 2. By other public or private services facilities as are required.

Regarding the Oak Tree Permit:

- A. That the proposed construction of proposed use will be accomplished without endangering the health of the remaining trees subject to this part 16, if any, on the subject property; and
- B. That the removal or relocation of the oak tree(s) proposed will not result in soil erosion through the diversion or increased flow surface waters which cannot be satisfactory mitigated; and
- C. That in addition to the above facts, at least one of the following findings apply:
 - 1. That the removal or relocation of the oak tree(s) proposed is necessary as continued existence at present location(s) frustrates the planned improvement or proposed use of the subject property to such extent that:
 - A. Alternative development plans cannot achieve the same permitted density or that cost of such alternative would be prohibitive.
 - B. Placement of such tree(s) precludes the reasonable and efficient use of such property for use otherwise authorized, or
 - C. That the oak tree(s) proposed for removal or relocation interferes with utility services or streets and highways, either within or outside of the subject property, and no reasonable alternatives to such interference exists other than removal of the tree(s), or

D. That the condition of the oak tree(s) proposed for removal with reference to seriously debilitating disease or danger or falling is such that it cannot be remedied through reasonable preservation procedures and practices.

D. That the removal of the oak tree(s) proposed will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure.

PLANNING COMMISSION ACTION:

1. The Planning Commission certifies that the Mitigated Negative Declaration was completed in compliance with the California Environmental Quality Act and the State and County Guidelines related thereto; certified that it independently reviewed and considered the Mitigated Negative Declaration along with any comments received during the public review process and that it reflects the independent judgment and analysis of the county as to the environmental consequences of the Project.; and finds on the basis of the whole record before the Commission that any required conditions, modifications to the project, and mitigation measures will adequately mitigate any potential impacts to a level of less than significant.
2. In view of the findings of fact and conclusions presented above, Conditional Use Permit No. 201100012 and Oak Tree Permit No. 201100011 are approved subject to the attached conditions.

c: Planning Commission, Zoning Enforcement, Building and Safety

Vote-Ayes: Unanimous

AL:JN

**CONDITIONS OF APPROVAL
DEPARTMENT OF REGIONAL PLANNING
PROJECT NO. R2010-01071-(3)
CONDITIONAL USE PERMIT NO. 201100012
ENVIRONMENTAL ASSESSMENT NO. 201100019**

PROJECT DESCRIPTION

The project is a Conditional Use Permit ("CUP") to allow for two single-family residences on two existing parcels in the Resort Recreation (R-R) zone, 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 ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition Nos 10, 11, and 14. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, 8, and 11 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 22.60.260 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 Regional Planning in the amount of \$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 Regional 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. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, 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 years from the date of final approval by the County. 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. Once the Conditional Use Permit has been deemed used it shall have no termination date since the project is for single-family residences. In order for the Conditional Use Permit to be deemed used a building permit for each parcel must be issued by the Department of Building and Safety within the applicable time frame.
10. 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 shall 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 of **\$200.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for one (1) inspection to take place three (3) years after the date of final approval. The inspection shall be unannounced.

If additional 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 Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Within three (3) days after the date of final approval of this grant, the permittee shall remit processing fees payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination (NOD) for this project and its entitlements in compliance with Section 21152 of the Public Resources Code. Unless a Certificate of Exemption is issued by the California Department of Fish and Game pursuant to Section 711.4 of the California Fish and Game Code, the permittee shall pay the fees in effect at

the time of the filing of the NOD, as provided for in Section 711.4 of the Fish and Game Code, currently **\$2,231.25 (\$2,156.25 for the Mitigated Negative Declaration and a \$75.00 County processing fee)**. No land use project subject to this requirement is final, vested, or operative until the fee is paid.

12. The permittee shall comply with all mitigation measures identified in the Mitigation Monitoring Program ("MMP"), which are incorporated by this reference as if set forth fully herein.
13. Within thirty (30) days of the date of final approval of the grant by the County, the permittee shall record a covenant and agreement, which attaches the MMP and agrees to comply with the mitigation measures imposed by the MMP for this project, in the office of the Recorder. Prior to recordation of the covenant, the permittee shall submit a draft copy of the covenant and agreement to Regional Planning for review and approval. As a means of ensuring the effectiveness of the mitigation measures, the permittee shall submit annual mitigation monitoring reports to Regional Planning for approval or as required. The reports shall describe the status of the permittee's compliance with the required mitigation measures.
14. The permittee shall deposit an initial sum of \$6,000.00 with Regional Planning within thirty (30) days of the date of final approval of this grant in order to defray the cost of reviewing and verifying the information contained in the reports required by the MMP. The permittee shall replenish the mitigation monitoring account if necessary until all mitigation measures have been implemented and completed. There is no limit to the number of supplemental deposits that may be required prior to the implementation and completion of all mitigation measures.
15. 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 22.56, Part 13 of the County Code.
16. All development pursuant to this grant must be kept in full compliance with the County Fire Code and those conditions delineated in the Fire Department letter dated July 13, 2011, attached hereto and incorporated by this reference, or as otherwise to the satisfaction of said department.
17. All development shall comply with the requirements of Title 22 of the County Code ("Zoning Ordinance") 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.
18. The single-family residences shall comply with all applicable provisions of the Santa Monica Mountains Community Standards District (22.44.133).
19. All development pursuant to this grant shall conform with the requirements of County Department of Public Works and those conditions delineated in the Department of Public

Works letter dated May 9, 2012, attached hereto and incorporated by this reference, or otherwise to the satisfaction of said department.

20. All development pursuant to this grant shall conform with the requirements of the County Department of Public Health Department and those conditions delineated in the Department of Public Health letter dated July 11, 2012, attached hereto and incorporated by this reference, or otherwise to the satisfaction of said department.
21. The single-family residence located on Assessor's Parcel Number 4462-005-022 shall consist of a new maximum 2-story, 5,900 square feet single-family residence with attached 3-car garage, swimming pool, 1,800 cubic yards (cut and fill combined) of grading, 4-foot retaining walls, attached patios, driveway, entry gate, and private sewage disposal system. The residence shall have minimum setbacks of 37 feet to the north, 95 feet to the east, 234 feet to the west and 61 feet to the south. The maximum lot coverage shall be 8,087 square feet, or 8.2 percent of the lot area.
22. The single-family residence on Assessor's Parcel Number 4462-005-023 shall consist of a new maximum 2-story, 5,900 square feet single-family residence with attached 3-car garage, swimming pool, 1,350 cubic yards (cut and fill combined) of grading, attached patios, driveway, entry gate, and private sewage disposal system. The residence will have minimum setbacks of 227 feet to the north, 104 feet to the east, 18 feet to the west and 76 feet to the south. The maximum lot coverage shall be 8,376 square feet, or 8.0 percent of the lot area.
23. The single-family residences shall be painted and maintained in earth toned colors. Earth tone colors are defined as colors that draw from a palette of browns, tans, grays, greens and are muted and flat in emulation of the natural colors found in dirt, rocks, and vegetation.
24. The architecture shall be traditional in design in a Ranch, Craftsman, Spanish, or Mediterranean style compatible with surrounding residences. Building elevations and facades shall be varied, recessed, or articulated with use of balconies, porches, patios and/or bay windows. Modern architecture, flat roofs, predominantly glass walls and/or long unbroken building walls exceeding 30 feet in length shall be prohibited. The permittee shall submit a Revised Exhibit "A" to the Director depicting compliance with the required architectural and design features.
25. The single-family residences shall be limited to two stories and maximum thirty two (32) feet in height. The floor area of the second floor shall be a maximum of 50% of the floor area of first floor in order to provide varied building bulk and interest and ensure compatibility with surrounding residences. The permittee shall submit a Revised Exhibit "A" to the Director depicting compliance.
26. The single-family residences shall be partially screened with native landscaping to provide visual interest, privacy, and ensure compatibility with surrounding residences. At least four native trees in addition to those required by Green Building shall be planted on each lot between the residences and right-of-way in areas that are open to view from the public or neighboring properties. The permittee shall submit a landscaping plan with the Revised Exhibit "A" to the Director for approval to ensure that the native landscaping provides the necessary screening from surrounding residences.

27. Perimeter fencing shall be permeable using traditional split-rail fencing with the bottom rail being at least six (6) inches off the ground. Chain link, wire, solid block, and highly reflective materials are prohibited.
28. The permittee has agreed to provide an irrevocable offer to dedicate an easement or other appropriate interest to the Malibou Lakeside Homeowner's Association the area marked "A" on the Exhibit "A" to be available for community recreational access and uses in compliance with the R-R Zone. This area is located on the northeast corner of Parcel 2, bounded by Paiute and Seminole Drives and approximately 95 feet in depth from Paiute Drive. The irrevocable offer to dedicate shall be recorded on the subject property as mutually agreed upon by the applicant and Malibou Lakeside Homeowner's Association within three (3) months of the date of final approval of this grant. The irrevocable offer to dedicate shall be valid for three years from the date of final approval of this grant.
29. The permittee shall be prohibited from cutting any tree with a diameter of eight (8) inches or greater and no structures are permitted within the area depicted on the Exhibit "A" as "B."
30. Subject to the Department of Public Works' approval and acceptance, the applicant offers to dedicate an easement to the County for the area depicted on the Exhibit "A" as "C" for an additional five (5) feet of road widening that can be used for community parking and additional access.
31. Subject to Department of Public Works' approval and acceptance, the applicant offers to dedicate additional street widening, as needed up to a maximum width of twenty (20) feet, to locate the school bus stop within the public right-of-way for Seminole Drive.
32. Accessory habitable structures, including but not limited to guest houses, pool houses and second units shall be prohibited.
33. Los Angeles County Fire Department red flag fire day requirements shall apply during construction of the residences.
34. Parking or storing equipment shall be prohibited within the public right-of-way during construction of the residences.
35. Except for seasonal decorations or signage provided by or for a civic non-profit organization, all structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage that was not approved by Regional Planning and that do not directly relate to the use of the property or provide pertinent information about said premises. In the event any such extraneous markings become visible, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of their visibility, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
36. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, modified Exhibit "A" plans shall be submitted to Regional Planning within sixty (60) days of the date of final approval.

37. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit copies of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.
38. Prior to final approval of this permit, the permittee shall record a covenant with the Department of Regional Planning agreeing to comply with the drought-tolerant landscaping requirements of Section 22.52.2230 of the County Code. This shall be done to the satisfaction of the Director of Regional Planning. A minimum of seventy-five (75) percent of such total landscaped area shall contain plants from the drought-tolerant plan list of the Department of Regional Planning. Throughout the term of this grant, the permittee shall maintain all landscaping in a neat, clean, and healthful condition, including pruning, weeding, litter removal and replacement of plants when necessary.

The project is a request for and oak tree permit to allow the removal of one oak tree (Oak Tree No. 25) to construct a new single-family residence, swimming pool and associated grading, subject to the following conditions of approval:

1. This permit shall not be effective until a plot plan is approved for the construction of the single-family home, swimming pool and associated grading, demonstrating the need to remove the said tree.
2. This grant shall not be effective for any purpose until the permittee and the owner of the property involved (if other than the permittee) have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant, and until all required fees have been paid pursuant to the attached County Forester's letter dated January 24, 2012.
3. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
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. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
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 pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs 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 the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein. The cost for collection and duplication of records and other related documents will be paid by the permittee according to Los Angeles County Code Section 2.170.010.
6. This grant shall expire unless used within two years from the date of final approval by the County. The date of final approval is the date of the approval action plus any applicable appeal period. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
7. 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. **The**

permittee shall deposit with the County of Los Angeles the sum of \$200.00. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The deposit provides for one (1) inspection. If additional Department of Regional Planning inspections are deemed necessary, required supplementary funds (at \$200 per inspection) shall be deposited with the Department of Regional Planning. Inspections shall be unannounced and may be coordinated with the County Forester.

8. 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 the Department of Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance.
9. 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 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.
10. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise set forth in these conditions or shown on the approved plans.
11. The permittee shall comply with all conditions and requirements contained in the County of Los Angeles Forester and Fire Warden, Forestry Division, letter dated January 24, 2012 (attached hereto), to the satisfaction of said Division, except as otherwise required by said Division.
 - a. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) for each tree removed for a total of two (2) 15 gallon trees.
12. In addition to oak tree permit conditions of the Fire Department's Forestry Division, the permittee shall plant one acorn with each mitigation oak tree.
13. All development pursuant to this grant shall conform with the requirements of County Department of Public Works.
14. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A."
15. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the permittee shall submit **three (3) copies** of the proposed plans to the Director for review and approval. All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.
16. Upon any transfer 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 of said property.

17. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

PROJECT SITE SPECIFIC CONDITIONS

18. The permittee shall strictly comply with all conditions and requirements contained in the County of Los Angeles Forester and Fire Warden letter dated January 24, 2012, to the satisfaction of said department.

Attachment: County Forester's Letter dated **January 24, 2012**.



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294
(323) 890-4330

DARYL L. OSBY
FIRE CHIEF
FORESTER & FIRE WARDEN

January 24, 2012

Jarod Nygren, Regional Planning Assistant II
Department of Regional Planning
Zoning Permits Section
320 West Temple Street
Los Angeles, CA 90012

Dear Mr. Nygren:

OAK TREE PERMIT NUMBER 2011-00011
PROJECT NUMBER R2010-01071
29153 CRAGS DRIVE, AGOURA

We have reviewed the "Request for Oak Tree Permit #2011-00011." The project is located at 29153 Craggs Drive in the unincorporated area of Agoura. The Oak Tree Report is accurate and complete as to the location, size, condition and species of the Oak trees on the site. The term "Oak Tree Report" refers to the document on file by Richard Ibarra, the consulting arborist, dated September 7, 2011.

We recommend the following as conditions of approval:

OAK TREE PERMIT REQUIREMENTS:

1. This grant shall not be effective until the permittee and the owner of the property involved (if other than the permittee), have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all conditions of this grant. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation or other entity making use of this grant.
2. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the County of Los Angeles Fire Department a sum of \$500. Such fees shall be used to compensate the County Forester \$100 per inspection to cover expenses incurred while

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS
ARTESIA
AZUSA
BALDWIN PARK
BELL
BELL GARDENS
BELLFLOWER
BRADBURY

CALABASAS
CARSON
CERRITOS
CLAREMONT
COMMERCE
COVINA
CUDAHY

DIAMOND BAR
DUARTE
EL MONTE
GARDENA
GLENDALE
HAWAIIAN GARDENS
HAWTHORNE

HIDDEN HILLS
HUNTINGTON PARK
INDUSTRY
INGLEWOOD
IRVINDALE
LA CANADA FLINTRIDGE
LA HABRA

LA MIRADA
LA PUENTE
LAKEWOOD
LANCASTER
LAWDALE
LOMITA
LYNWOOD

MALIBU
MAYWOOD
NORWALK
PALMDALE
PALOS VERDES ESTATES
PARAMOUNT
PICO RIVERA

POMONA
RANCHO PALOS VERDES
ROLLING HILLS
ROLLING HILLS ESTATES
ROSEMEAD
SAN DIMAS
SANTA CLARITA

SIGNAL HILL
SOUTH EL MONTE
SOUTH GATE
TEMPLE CITY
WALNUT
WEST HOLLYWOOD
WESTLAKE VILLAGE
WHITTIER

inspecting the project to determine the permittee's compliance with the conditions of approval. The above fees provide for one (1) initial inspection prior to the commencement of construction and four (4) subsequent inspections until the conditions of approval have been met. The Director of Regional Planning and the County Forester shall retain the right to make regular and unannounced site inspections.

3. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Regional Planning and the County of Los Angeles Fire Department, Forestry Division, stating that he or she has been retained by the permittee to perform or supervise the work, and that he or she agrees to report to the Director of Regional Planning and the County Forester, any failure to fully comply with the conditions of the grant. The arborist shall also submit a written report on permit compliance upon completion of the work required by this grant. The report shall include a diagram showing the exact number and location of all mitigation trees planted as well as planting dates.
4. The permittee shall arrange for the consulting arborist or a similarly qualified person to maintain all remaining Oak trees on the subject property that are within the zone of impact, as determined by the County Forester for the life of the Oak Tree Permit or the Conditional Use Permit.
5. The permittee shall install temporary chain link fencing, not less than four (4) feet in height, to secure the protected zone of all remaining Oak trees on site, as necessary. The fencing shall be installed prior to grading or tree removal, and shall not be removed without approval of the County Forester. The term "protected zone" refers to the area extending five (5) feet beyond the dripline of the Oak tree (before pruning), or fifteen (15) feet from the trunk, whichever is greater.
6. Copies of the Oak Tree Report, Oak tree map, mitigation planting plan, and conditions of approval, shall be kept on the project site and available for review. All individuals associated with the project as it relates to the Oak resource shall be familiar with the Oak Tree Report, Oak tree map, mitigation planting plan, and conditions of approval.

PERMITTED OAK TREE REMOVAL:

7. This grant allows the removal of one (1) tree of the Oak genus (*Quercus lobata*) identified as Tree Number 25 on the applicant's site plan and Oak Tree Report. Trenching, excavation, or clearance of vegetation within the protected zone of an Oak tree shall be accomplished by the use of hand tools or small hand-held power tools. Any major roots encountered shall be conserved to the extent possible and treated as recommended by the consulting arborist.
8. In addition to the work expressly allowed by this permit, remedial pruning intended to ensure the continued health of a protected Oak tree or to improve its appearance or structure may be performed. Such pruning shall include the removal of deadwood and stubs and medium pruning of branches two-inches in diameter or less in accordance with the guidelines published by the National Arborist Association. Copies of these guidelines

are available from the County of Los Angeles Fire Department, Forestry Division. In no case shall more than 20% of the tree canopy of any one tree be removed.

9. Except as otherwise expressly authorized by this grant, the remaining Oak trees shall be maintained in accordance with the principles set forth in the publication, "Oak Trees: Care and Maintenance," prepared by the County of Los Angeles Fire Department, Forestry Division. A copy of the publication is enclosed with these conditions.

MITIGATION TREES:

10. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) for each tree removed for a total of two (2) trees.
11. Each mitigation tree shall be at least a 15-gallon specimen in size and measure one (1) inch or more in diameter one (1) foot above the base. Free form trees with multiple stems are permissible provided the combined diameter of the two (2) largest stems of such trees measure a minimum of one (1) inch in diameter one (1) foot above the base.
12. Mitigation trees shall consist of indigenous varieties of Quercus lobata, grown from a local seed source.
13. Mitigation trees shall be planted within one (1) year of the permitted Oak tree removals. Mitigation trees shall be planted either on site or at an off-site location approved by the County Forester. Alternatively, a contribution to the County of Los Angeles Oak Forest Special Fund may be made in the amount equivalent to the Oak resource loss. The contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."
14. The permittee shall properly maintain each mitigation tree and shall replace any tree failing to survive due to a lack of proper care and maintenance with a tree meeting the specifications set forth above. The two-year maintenance period will begin upon receipt of a letter from the permittee or consulting arborist to the Director of Regional Planning and the County Forester, indicating that the mitigation trees have been planted. The maintenance period of the trees failing to survive two (2) years will start anew with the new replacement trees. Subsequently, additional monitoring fees shall be required.
15. All mitigation Oak trees planted as a condition of this permit shall be protected in perpetuity by the Los Angeles County Oak Tree Ordinance once they have survived the required maintenance period.

NON-PERMITTED ACTIONS AND VIOLATIONS:

16. Encroachment within the protected zone of any additional tree of the Oak genus on the project site is prohibited.

17. Should encroachment within the protected zone of any additional tree of the Oak genus on the project site not permitted by this grant result in its injury or death within two (2) years, the permittee shall be required to make a contribution to the Los Angeles County Oak Forest Special Fund in the amount equivalent to the Oak resource damage/loss. Said contribution shall be calculated by the consulting arborist and approved by the County Forester according to the most current edition of the International Society of Arboriculture's "Guide for Plant Appraisal."
18. No planting or irrigation system shall be installed within the dripline of any Oak tree that will be retained.
19. Utility trenches shall not be routed within the protected zone of an Oak tree unless the serving utility requires such locations.
20. Equipment, materials and vehicles shall not be stored, parked, or operated within the protected zone of any Oak tree. No temporary structures shall be placed within the protected zone of any Oak tree.
21. Violations of the conditions of this grant shall result in immediate work stoppage or in a notice of correction depending on the nature of the violation. A time frame within which deficiencies must be corrected will be indicated on the notice of correction.
22. Should any future inspection disclose that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be held financially responsible and shall reimburse the County of Los Angeles Fire Department, Forestry Division, for all enforcement efforts necessary to bring the subject property into compliance.

If you have any additional questions, please contact this office at (818) 890-5758.

Very truly yours,



MICHAEL Y. TAKESHITA, ASSISTANT CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

MYT:jl

Enclosure



JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

JONATHAN E. FREEDMAN
Chief Deputy Director

ANGELO J. BELLOMO, REHS
Director of Environmental Health

KENNETH MURRAY, REHS
Director of Environmental Protection Bureau

PATRICK NEJADIAN, REHS
Chief EHS, Land Use Program

KEN HABARADAS, M.S., REHS
Land Use Program
Environmental Health Staff Specialist
5050 Commerce Drive
Baldwin Park, California 91708
TEL (626) 430-5382 • FAX (626) 960-2740

www.publichealth.lacounty.gov



BOARD OF SUPERVISORS

Gloria Molina
First District

Mark Ridley-Thomas
Second District

Zev Yaroslavsky
Third District

Don Knabe
Fourth District

Michael D. Antonovich
Fifth District

July 11, 2012

TO: Jarod Nygren
Field Office Section
Department of Regional Planning

FROM: Ken Habaradas, M.S., REHS *K Habaradas*
Environmental Health Division
Department of Public Health

SUBJECT: PROJECT NO. R2010-01071 / RCUPT 201100012
29153 CRAGS DRIVE, AGOURA

- ☒ Public Health recommends approval of this CUP.
☐ Public Health does **NOT** recommend approval of this CUP.

The Department of Public Health has reviewed the information provided for the project identified above. The project includes a request for a CUP to authorize the construction of single-family residences within the R-R zone within the Santa Monica Mountain North Area Boundary, Malibou Lake area.

The Department recommends approval of the CUP, subject to the attached conditions.

For questions regarding the attached reports, please contact the individual listed on the bottom of the report. For all other questions, please contact me at (626) 430-5382.

KH:kh

COUNTY OF LOS ANGELES ♦ DEPARTMENT OF PUBLIC HEALTH

ENVIRONMENTAL HEALTH ♦ LAND USE PROGRAM

5050 Commerce Drive, Baldwin Park, CA 91706

Date: July 11, 2012

Project No. R2010-01071

Page 1 of 1

Location: 29153 Craggs Drive, Agoura

CUP No. 201100012

The Land Use Program has reviewed the technical reports prepared by Gold Coast Geoservices, Inc. regarding the propose use of onsite wastewater treatment systems (OWTS) at the above property. The data contained in the reports tends to support a premise that the referenced Parcel 1 can reasonably accommodate the installation of OWTS for both Parcel 1 and Parcel 2. The Land Use Program (the Program) has no objection to the approval of the project contingent upon the following provisions:

- A. Prior to development of either Parcel 1 or 2, the proposed sewer easement shall be established. The Program will accept an easement that is completely dedicated for the purpose of installing OWTS when it has been recorded through Assessor's Office reflecting such use. All easement holders (Property owners of Parcel 1 and 2) shall agree to the installation of the system or portion of it in the easement and shall express their agreement through a Covenant and Agreement document, recorded through County Recorder's office. It is the recommendation of the Program that to the greatest extent possible the OWTS intended to be utilized for Parcel 2, to be installed on the same parcel. The report prepared by Gold Coast Geoservices, Inc. dated May 29, 2012 indicates that there may be areas on Parcel 2 that could be suitable for the installation of leach field type dispersal system.
- B. Prior to the construction and installation of the OWTS, a feasibility report that has been completed in accordance with the requirements specified in the document titled, "The Professional Guide to Requirements and Procedures for OWTS" to include the present and 100% future expansion dispersal systems shall be submitted to the Program for review and approval. All leach lines for each dispersal system (primary and future expansion) shall be equal in length and size. If extreme geological circumstances exist on the property that precludes the installation of leach lines equal in length, the qualified professional shall design the dispersal system in a manner to ensure that the anticipated volume of wastewater received by each leach line is proportionate to the length of each leach line. The designing qualified professional shall provide information describing the design configuration to include a statement attesting that the design will not create inundation. If the area is known to have high ground/subsurface waters, the groundwater monitoring shall be conducted during the months of March, April and May by a California Registered Geologist within the immediate area of the proposed dispersal field and at a depth that ensures the required vertical set back to the ground/subsurface water can be achieved.

The consent granted herein is intended for the CUP review process only that encompasses the requirements applicable to OWTS, and does not authorize any land development until all conditions set forth here have been satisfactorily fulfilled.

If due to the development, unforeseen geological limitations, required setbacks and flood or surface/ground water related concerns or for any other related reasons, conformance with all applicable requirements cannot be achieved; this conceptual approval shall be deemed void. Any future grading in the area where test borings are located may nullify the data that provided the basis for this approval.

For questions regarding the above conditions, please contact Patrick Nejadian at (626) 430-5390.



GAIL FARBER, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

May 9, 2012

IN REPLY PLEASE
REFER TO FILE: LD-1

TO: Mi Kim
Zoning Permits West Section
Department of Regional Planning

Attention: ~~Jared Nygren~~

FROM: ~~for~~ Steve Burger
Land Development Division
Department of Public Works

CONDITIONAL USE PERMIT (CUP) NO. 201100012
PROJECT NO. R2010-01071
29153 CRAGS DRIVE
ASSESSOR'S MAP BOOK NO. 4462, PAGE 5, PARCEL NOS. 22 AND 23
UNINCORPORATED COUNTY AREA OF MALIBOU LAKE

- ☒ Public Works recommends approval of this CUP.
- ☐ Public Works does **NOT** recommend approval of this CUP.

We reviewed the site plan for CUP No. 201100112, in the unincorporated area of Malibou Lake, located at 29153 Crags Drive. The project is for the construction of two single-family residences.

Upon approval of the site plan, we recommend the following conditions:

1. Road

- 1.1 Dedicate right of way, 20 feet from the centerline, along the property frontage on Crags Drive. Five feet of additional right of way is required along the property frontage. The required 30 feet dedication was reduced on Crags Drive and waived on Paiute Drive and Seminole Drive due to neighborhood pattern constraints. A separate fee deposit will be required to process the dedication.

- 1.2 Maintain a 20 foot minimum pavement width along the property frontages on Craggs Drive, Paiute Drive, and Seminole Drive to the satisfaction of Public Works. Grade the remaining parkway/shoulder at 2 percent cross-slope within ultimate right of way.
 - 1.3 Obtain an encroachment permit for the construction of the proposed driveways to the satisfaction of Public Works.
 - 1.4 Acquire street improvement plan approval or direct check status before obtaining a grading permit.
 - 1.5 Execute an Agreement to Improve for the street improvements and dedications prior to issuance of a building permit.
2. Grading
- 2.1 Agency/regulatory permits or letters of nonjurisdiction may be required prior to grading plan approval.
 - 2.2 Submit a grading plan for approval. The grading plan must show and call out the following items including, but not limited to, construction of all drainage devices and details, paved driveways, elevation and drainage of all pads, Standard Urban Stormwater Mitigation Plan (SUSMP) devices, and any required landscaping and irrigation not within a common area or maintenance easement. Acknowledgement and/or approval from all easement holders may be required.
 - 2.3 Grading plan approval by Public Works' Geotechnical and Materials Engineering Division is required.
 - 2.4 Provide approval of the latest drainage concept/hydrology/SUSMP by Land Development Division, Storm Drain and Hydrology Section.
 - 2.5 Conform with applicable Low-Impact Development (LID) requirements to the satisfaction of Public Works (if applicable).
 - 2.6 A maintenance agreement or the Covenants, Conditions and Restrictions may be required for all privately maintained drainage devices, slopes, and other facilities.

- 2.7 Submit permits and/or letters of nonjurisdiction from all State and Federal agencies, as applicable. These agencies may include, but may not be limited to, the State of California Regional Water Quality Control Board; State of California Department of Fish and Game; State of California Department of Conservation, Division of Oil, Gas, and Geothermal Resources; and the Army Corps of Engineers.

For questions regarding the road and grading conditions, please contact Patricia Constanza at (626) 458-4921 or pconstan@dpw.lacounty.gov.

3. Drainage

- 3.1 Per County Code Section 12.84.460, comply with LID standards in accordance with the LID Standards Manual, which can be found at http://dpw.lacounty.gov/wmd/LA_County_LID_Manual.pdf.
- 3.2 Prior to issuance of building permits, plans must be approved to provide for the proper distribution of drainage and for contributory drainage from adjoining properties; to eliminate the sheet overflow, ponding, and protect the lots from high velocity scouring action; and to comply with National Pollutant Discharge Elimination System, Stormwater Management Plan, and SUSMP requirements.

For questions regarding the drainage conditions, please contact Chris Sheppard at (626) 458-4921 or csheppard@dpw.lacounty.gov.

If you have any other questions or require additional information, please contact Ruben Cruz at (626) 458-4910 or rcruz@dpw.lacounty.gov.



COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040-3027

DATE: July 13, 2011
TO: Department of Regional Planning
Permits and Variances
PROJECT #: CUP R2010-01071
LOCATION: 29153 Craggs Drive, Agoura

- ☐ The Fire Department Land Development Unit has no additional requirements for this permit.
- ☐ The required fire flow for this development is _____ gallons per minute for _____ hours. The water mains in the street, fronting this property must be capable of delivering this flow at 20 pounds per square inch residual pressure.
- ☐ Verify _____ 6" X 4" X 2 1/2" public fire hydrant, conforming to AWWA C503-75 or approved equal. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.
- ☒ This property is located within the area described by the Fire Department as the Very High Fire Hazard Severity Zone (VHFHSZ). An Approved Fuel Modification Plan shall be submitted and approved prior to Building Permit issuance. For details contact the Fuel Modification Unit, Fire Station 32, 605 North Angeleno Avenue, Azusa, CA 91702-2904. They may be reached at (626) 969-5205.
- ☒ **Comments** The Fire Department recommends approval of this project as presently submitted with the following conditions of approval.
- ☒ **Water:** Per the fire flow test performed by Las Virgenes Municipal Water Company dated 07-28-11, the existing water system meets current Fire Department standards.
- ☒ **Access:** The access as shown on the site plan filed in our office meet the Fire Department standards.
- ☒ **Conditions of Approval:**
- The required residential fire sprinkler system shall comply with the LA County Fire, Building, and Residential Codes.
 - All proposed swimming pools shall comply with the Fire Department's Regulation 26, Auxiliary Water Sources.
 - Compliance is required of all other "Fire Department Notes" as indicated on the site plan filed in our office.

Fire Protection facilities; including access must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office at (323) 890-4243.

Inspector: Juan C. Padilla

Land Development Unit – Fire Prevention Division -- Office (323) 890-4243 Fax (323) 890-9783



Dedicated to Providing Quality
Water & Wastewater Service

President

Lee Renger

Director, Division 3

Vice President

Joseph M. Bowman

Director, Division 4

Secretary

Charles P. Caspary

Director, Division 1

Treasurer

Barry S. Steinhardt

Director, Division 5

Glen D. Peterson

Director, Division 2
MWD Representative

John R. Mundy

General Manager

Wayne K. Lemieux

Counsel

HEADQUARTERS

4232 Las Virgenes Road
Calabasas, CA 91302
(818) 251-2100
Fax (818) 251-2109

WESTLAKE
FILTRATION PLANT
(818) 251-2370
Fax (818) 251-2379

TAPIA WATER
RECLAMATION FACILITY
(818) 251-2300
Fax (818) 251-2309

RANCHO LAS VIRGENES
COMPOSTING FACILITY
(818) 251-2340
Fax (818) 251-2349

www.lvmwd.com

MEMBER AGENCY OF THE
METROPOLITAN WATER
DISTRICT
OF SOUTHERN CALIFORNIA

June 27, 2012

CONDITIONAL STATEMENT OF WATER SERVICE

TO WHOM IT MAY CONCERN:

SUBJECT: 4462-005-022
Agoura, CA 91301

This is to advise you that the subject property is within the Las Virgenes Municipal Water District (LVMWD) boundary.

This project will be assured of connection to the water system of the district only if the proponent also satisfies all terms and conditions for service as set forth in the district's Code.

If the applicant's property cannot be served from an existing water main, then the applicant shall provide for the extension of the facilities necessary to provide such service in the manner set forth in Title 3 of the Las Virgenes Municipal Water District Code, Ordinance No. 11-86-161.

Sincerely,

Phyllis Southard
Planning & New Development Technician

**STAFF ANALYSIS
PROJECT NO. R2010-01071-(3)
CONDITIONAL USE PERMIT NO. 201100012
ENVIRONMENTAL ASSESSMENT NO. 201100019
OAK TREE PERMIT 201100011**

PROJECT DESCRIPTION

The applicant is proposing two new single-family residences on two vacant legal lots, Assessor's Parcel Numbers (APN) 4462-005-022 and 4462-005-023. The single-family residence on APN 4462-005-022 will consist of a new maximum 2-story, 5,900 square feet residence with attached 3-car garage, swimming pool, 1,784 cubic yards (892 cut and 892 fill) of grading, 4-foot retaining wall, attached patios, driveway, entry gate, and private sewage disposal system. The residence will have minimum setbacks of 37 feet to the north, 95 feet to the east, 234 feet to the west and 61 feet to the south. The maximum lot coverage for the single-family residence, including the swimming pool and patio covers, is 8,087 square feet or 8.2 percent of the 2.25 acre lot area. APN 4462-005-023 will also consist of a new maximum 2-story, 5,900 square feet single-family residence with attached 3-car garage, swimming pool, 1,350 cubic yards (675 cut and 675 fill) of grading, attached patios, driveway, entry gate, and private sewage disposal system. The residence will have minimum setbacks of 227 feet to the north, 104 feet to the east, 18 feet to the west and 76 feet to the south. The lot coverage for the single-family residence, including the swimming pool and patio covers, is 8,376 square feet or 8.0 percent of the 2.4 acre lot area. Construction of the single-family residence on APN 4462-005-022 will require the removal of only one non-heritage oak tree, with 42 oak trees remaining on-site. The oak tree being removed will be replaced by the planting of two fifteen (15) gallon oak trees and two acorns.

REQUESTED ENTITLEMENTS

Conditional Use Permit: The applicant is requesting a Conditional Use Permit to authorize the construction of two single-family homes on two lots in the R-R (Resort and Recreation) Zone pursuant to County Code Section 22.44.133.E.5.

Oak Tree Permit: The applicant is requesting an oak tree permit to remove one oak tree, identified as Oak Tree Number 25 in an oak tree report dated January 24, 2012.

LOCATION

29153 Crags Drive, Agoura Hills, Malibou Lake, within the Malibu Zoned District, the Santa Monica Mountains North Area Community Standards District (CSD), and the Santa Monica Mountains North Area Plan.

PHYSICAL FEATURES

The subject properties are relatively large parcels with a combined lot area of 4.65 gross acres. The topography slopes slightly downward (less than 25%) from south to north and east to west. There is a seasonal drainage course on the west end of the properties and oak trees and sycamores in various locations. The property is currently undeveloped; however, there was a community club that has been demolished and

remnants of the previous club remain. Smaller lots surrounding the subject properties are either developed with single-family homes or remain undeveloped. Topography to the south, east, and west consists of steep terrain with slopes of twenty five percent or more. To the north, the terrain is relatively flat until it reaches Malibou Lake.

EXISTING ZONING

Subject Property: The properties are zoned R-R-1 (Resort Recreation-One Acre Minimum Required Lot Area).

Surrounding properties: Surrounding properties within 500 feet are zoned R-1-1 (Single-Family Residence-One Acre Minimum Required Lot Area) and one lot approximately 300 feet to the southwest is zoned A-1-1 (Light Agricultural-One Acre Minimum Required Lot Area).

EXISTING LAND USES

The subject properties are currently vacant.

SURROUNDING LAND USES

Land uses within 500 feet of the subject properties consist of vacant land and single-family residences in all directions.

ENVIRONMENTAL DETERMINATION

Pursuant to the provisions of the California Environmental Quality Act (CEQA), a Draft Mitigated Negative Declaration has been prepared for this project. The draft environmental document concludes that the project design and/or suggested conditions will adequately mitigate environmental impacts to a level of less than significant.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of County Code Sections 22.44.133, 22.60.174 and 22.60.175, the community was appropriately notified of the public hearing by mail, newspaper, property posting, library posting and DRP website posting.

CUP BURDEN OF PROOF

As required by County Code Section 22.56.040, in addition to the information required in the permit application, the applicant shall substantiate to the satisfaction of the Hearing Officer the following facts:

- A. That the requested use at the location proposed will not:
 1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area; or
 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site; or
 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

- B. That the proposed site is adequate in size and shape to accommodate the yards, wells, fence, parking and loading facilities, landscaping and other development features prescribed in this Title 22, of as is otherwise required in order to integrate said use with the uses in the surrounding area.
- C. That the proposed site is adequately served:
 - 1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate and;
 - 2. By other public or private services facilities as are required.

It is staff's opinion that the proposed project meets the burden of proof.

Oak Tree Permit Burden of Proof

- A. That the proposed construction of proposed use will be accomplished without endangering the health of the remaining trees subject to this part 16, if any, on the subject property; and
- B. That the removal or relocation of the oak tree(s) proposed will not result in soil erosion through the diversion or increased flow surface waters which cannot be satisfactory mitigated; and
- C. That in addition to the above facts, at least one of the following findings apply:
 - 1. That the removal or relocation of the oak tree(s) proposed is necessary as continued existence at present location(s) frustrates the planned improvement or proposed use of the subject property to such extent that:
 - A. Alternative development plans cannot achieve the same permitted density or that cost of such alternative would be prohibitive.
 - B. Placement of such tree(s) precludes the reasonable and efficient use of such property for use otherwise authorized, or
 - C. That the oak tree(s) proposed for removal or relocation interferes with utility services or streets and highways, either within or outside of the subject property, and no reasonable alternatives to such interference exists other than removal of the tree(s), or
 - D. That the condition of the oak tree(s) proposed for removal with reference to seriously debilitating disease or danger or falling is such that it cannot be remedied through reasonable preservation procedures and practices.
- D. That the removal of the oak tree(s) proposed will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure.

PREVIOUS CASES/ZONING HISTORY

The applicant previously submitted two Director's Review applications for the two single-family residences pursuant to the Santa Monica Mountains CSD Section 22.44.133.E.5. This section allows single-family homes through Director's Review provided no more than one protest to the granting of the application from persons owning or occupying property within 500 feet of the subject property are received within the specified protest period. The Director's Review applications were denied because more than one protest was received. Accordingly, the applicant submitted the

Conditional Use Permit application pursuant to County Code Section 22.44.133.E.5.a.ii.(D).

STAFF EVALUATION

PROJECT BACKGROUND, ISSUES AND REDESIGN

The project was previously scheduled for a public hearing before the Hearing Officer on October 16, 2012. Prior to the hearing, staff received numerous emails and one letter in opposition to the project. Due to the community concerns, the Hearing Officer referred the project to the Regional Planning Commission (RPC). Prior to the RPC hearing, staff organized a meeting on October 30, 2012 between the applicant and community members who previously commented on the project to discuss their concerns. Representatives from Public Works and Health also attended the meeting.

The main issues addressed at the meeting included:

- Drainage: Building and Safety will require a hydrology study prior to building permit issuance to ensure there is no increase in flow from the property due to the proposed single-family homes.
- Proposed septic system: Neighbors expressed concerns about septic feasibility. Public Health confirmed that it has reviewed the technical reports for the proposed use of septic systems for the subject properties and determined that the western parcel can reasonably accommodate the installation of an onsite wastewater treatment system for both parcels. Public Health recommends approval of this CUP.
- Proposed size of homes: Since the hearing before the Hearing Officer, the applicant has twice reduced the proposed size of the residences due to neighborhood concerns. The residence on APN 4462-005-023 has been reduced from the original proposal of 7,503 square feet to 6,100 and now 5,900 square feet maximum, a 21 percent size reduction. The residence on APN 4462-005-022 has been reduced from 7,885 to 6,100 and now 5,900 square feet maximum, a 25 percent size reduction.

The applicant has also removed the proposed putting green, and agreed to traditional Spanish Mediterranean architectural design and screening with native landscaping.

GENERAL PLAN CONSISTENCY

The properties are subject to the Santa Monica Mountains North Area Plan and are designated as N1 (Rural Residential 1) in the Plan. This designation is intended for residential development, generally not to exceed one unit per acre. The subject properties are 2.25 and 2.4 gross acres respectively, which are larger than the one acre minimum lot size requirement. The project does not exceed the density threshold and the development of two single-family homes on two legal lots is consistent with the uses

contemplated for the subject property. The proposed single-family residences, therefore, are consistent with the residential nature of the N1 land use designation.

The project is consistent with the following goals and policies of the Santa Monica Mountains North Area Plan:

Policy VI-13: In addition to maintaining low densities within rural areas, require the provision/protection of the features that contribute to rural character and rural lifestyles, including, but not limited to:

- Natural features and streams which are protected by adequate development setbacks;
- Large lots that offer the ambiance of privacy and solitude in a rural setting;
- Limited or no commercial development;
- Irregular placement of dwellings on individual lots and variations in designs that result in custom-look housing;
- A lack of night lighting and existence of dark skies, enhancing the visibility of stars at night.

Policy VI-14 In addition to considering the mass and scale of the entire development or structure, restrict the total square footage of and grading for rural structures to a size that maintains the area's open character, and is compatible with the open space characteristics of the surrounding hillsides.

Policy VI-15: Require that new developments use architectural and siting features which are compatible with the adjacent existing and planned developments, and include the following:

- compatibility with prominent design features existing in the immediate area (i.e. trees, land forms, historic landmarks);
- compatibility with existing structures; and
- the natural environment (i.e., hillsides, washes, native vegetation, community landscaping).

Policy VI-16: Require that new developments provide a transition to surrounding development, for example:

- the bulk of new structures should relate to the area's environment and to the adjacent development;
- setbacks from streets and adjacent properties should relate to the scale of the structure, the function of the street, and the intended character of the development, and should encourage pedestrian scale and uses; and
- multi-story residential structures should be made less imposing by using exterior profile designs that complement the contours of the land; variances from height restrictions shall generally not be permitted.

Policy VI-20: Limit structure heights in suburban and rural areas to ensure compatibility of new development with the respective characteristics of the surrounding settings and sites.

Policy VI-23: Retain existing rural communities primarily for low intensity, rural residential uses.

R-R ZONE DEVELOPMENT STANDARDS COMPLIANCE

The proposed projects are located in the R-R-1 zone. The R-R Zone requires parking spaces pursuant to Part 11 of Chapter 22.52. Two covered parking spaces are required for each single-family residence and three covered spaces are provided.

SANTA MONICA MOUNTAINS NORTH AREA CSD COMPLIANCE

Section 22.44.133.F.3 of the CSD has requirements concerning maximum height, off-street parking, street access, fire sprinklers and lot coverage. Structures shall not exceed 35 feet above grade in the R-R zone. The proposed 32 feet high residences are lower than the 35 feet maximum allowed. Requirements for off-street parking are met. The Fire Department and Public Works have reviewed the access and fire concerns and approved the project with attached conditions. The two proposed single-family residences are on large lots compared to those in the direct vicinity and have 8.2 percent and 8.0 percent lot coverage respectively, which is far below the maximum of 25 percent lot coverage allowed by the CSD.

NEIGHBORHOOD IMPACT/LAND USE COMPATABILITY

The surrounding land uses consist of single-family residences and vacant land. All of the properties within the 500 feet boundary of the proposed project site are zoned R-1 (single-family residence) except one property to the southwest that is zoned A-1 (light agricultural). The subject properties are within the Malibou Lake community which was developed in the 1920's with the intention of creating single-family homes near the lake. The Fire, Public Works, and Health Departments have reviewed the project and concluded that the proposed residences can be constructed and maintained in accordance with all applicable codes provided that conditions of approval are required.

The proposed residences are on large over 2-acre lots compared to lots in the direct vicinity which average approximately 7000 square feet. The proposed lot coverage of 8.2 and 8.0 percent is less than most nearby residences which typically have lot coverage of 20-30 percent. The 32-foot high two residences are below the maximum 35 feet height limit. Within the vicinity, there are multiple two-story homes that approach the 35 feet height limit. The proposed residences also meet all residential yard setbacks although there are no setback requirements in the R-R zone. The large setbacks for the residences create a buffer from the property lines so that there will not be any shadows cast onto surrounding areas. The setbacks proposed by the residences are much larger than those of surrounding residences. Existing and proposed trees and vegetation located within those setbacks between the road and the structures will help screen the

residences from neighboring properties. The houses will be constructed of typical building materials that are not shiny so that glare will not impact the surroundings. They are not located on ridgelines, nor do they alter any existing land forms or seasonal drainage course in a significant way. The houses will only be visible from the adjacent right-of-ways closest to the residences and from residences within the direct vicinity.

The properties will be served by Crest Drive to the south, Paiute Drive to the north and Seminole Drive to the east without major level-of-service issues. Traffic to and from the site will be minor, as only two dwelling units are proposed. Public Works has conceptually approved the project indicating that the existing access roads are sufficient for the proposed single-family residences.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

FIRE DEPARTMENT

County Fire Department was consulted and issued a letter clearing the project for public hearing on July 13, 2011 (attached). According to the letter, the fire water flow and access are adequate. The applicant must also meet all other conditions of approval recommended by the County Fire Department.

DEPARTMENT OF PUBLIC WORKS

The Department of Public Works was consulted and issued a letter clearing the project for public hearing on May 9, 2012. The applicant must meet all the conditions of approval recommended by the Department of Public Works.

DEPARTMENT OF PUBLIC HEALTH

The Department of Public Health was consulted and issued a letter clearing the project for public hearing on July 11, 2012. DPH recommends that prior to construction a feasibility study be conducted indicating an on-site wastewater (OWTS) in compliance with the County Plumbing Code can be installed on the project site. DPH is also requiring that a sewer easement be established on parcels 1 and 2. Both of these requirements are conditions of approval.

PUBLIC COMMENTS

The major community comments, in addition to previous concerns, include the following:

- Requests for the properties to remain vacant open space, to be used as a fire staging area or a park.
- Compatibility of the homes. The applicant has agreed to reduce the size of the homes, use a Spanish, Mediterranean or traditional architectural style with earth tone colors only, and plant native landscaping for screening. Staff has incorporated specific conditions addressing home design and color, maximum lot coverage and floor area, and required native landscaping.
- Fire Safety: The Fire Department recommended approval of this project as it meets water and access requirements. Staff has also incorporated conditions prohibiting

obstructions within the public right of way during construction and compliance with all regulations pertaining to construction on red flag days.

- Night lighting: As part of the mitigation monitoring program, in order to avoid impacts to nighttime wildlife activities, exterior night lighting shall be directed downward onto the property, of low intensity, at low height and shielded to prevent illumination of surrounding properties and undeveloped areas; security lighting, if any is used, shall be on a motion detector.
- Oak tree removal: The Fire Department, Forestry Division has reviewed the project and recommended approval of the request to remove one non-heritage oak tree, with 41 oak trees remaining on-site. Recommended conditions include the planting of two 15-gallon oak trees and two acorns.
- Completion and restoration bond request: Public Works determined that a grading bond is not warranted due to applicable grading code requirements.
- Putting green: The applicant has agreed to remove the putting green from the application after attending the meetings.

FEES/DEPOSITS

If approved, fees identified in the attached project conditions will apply unless modified by the Hearing Officer. Staff does not recommend a grant term for this permit because the project is for construction of single-family residences.

STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the hearing.

Staff recommends approval of Conditional Use Permit No. 201100012, Oak Tree Permit 201100011 and the associated Mitigated Negative Declaration, subject to the attached findings and conditions.

SUGGESTED APPROVAL MOTIONS

I move that the Regional Planning Commission has considered the Mitigated Negative Declaration for this project and certifies that it is consistent with the finding by the State Secretary for Resources or by local guidelines that the project and/or suggested conditions will adequately mitigate these impacts to a level of no significance.

In view of the findings of fact and conclusions presented above, I move that the Regional Planning Commission close the public hearing and approve Conditional Use Permit No. 201100012 and Oak Tree Permit No. 201100011 subject to the attached findings and conditions.

Prepared by Jarod Nygren, Regional Planning Assistant II
Reviewed by Annie Lin, Supervising Regional Planner, Field Offices

Environmental Checklist Form (Initial Study)
County of Los Angeles, Department of Regional Planning



Project No: R2010-01071

Case No(s): Environmental Review No. RENVT 201100019 / Conditional Use Permit No. RCUPT 201100012

Lead agency name and address: The Department of Regional Planning, 320 West Temple Street, Los Angeles, 90012.

Contact Person and phone number: Jarod Nygren, (818) 880-3799

Project sponsor's name and address: Leight Sales Company, INC. 1051 East Artesia Boulevard, Carson CA 90746.

Project location: 29153 Craggs Drive, Agoura

APN: 4462-005-022 and 023 *USGS Quad:* Point Dume

Gross Acreage: 4.65 Acres

General plan designation: N/A

Community/Area wide Plan designation: N1 - Rural Residential 1. Rural Residential 1 is intended for the development of low-density single-family detached housing in a setting consistent with the North Area Plan's definition of "rural" area.

Zoning: The subject properties are within the Santa Monica Mountain North Area boundary, Malibou Lake area. The zoning designation for the two subject properties are Resort Recreation (R-R). The Santa Monica Mountains North Area Plan allows single-family residences to be approved through a Directors' Review provided a maximum of one protest is received within the required 500 feet notification radius. If there is more than one protest, the application is either denied, or the applicant can apply for a Conditional Use Permit for a single-family residence within the R-R zone. In this case, more than one protest was received, so a Conditional Use Permit is required for the single-family residences within the R-R zone.

Description of project: Applicant is proposing two new single-family residences located on vacant Assessor's Parcel Numbers 4462-005-022 and 4462-005-023. The single-family residence located on Assessor's Parcel Number 4462-005-022 will consist of a new 32feet high, 2-story, 7,885 square feet residence with attached 3-car garage, swimming pool, 1,784 cubic yards (892 cut and 892 fill) of grading, retaining wall, attached patio, driveway, entry gate, and private sewage disposal system. The lot coverage for the single-family residence including the swimming pool and patio covers is 8,087 square feet. An 8,087

square feet footprint for development equates to 8.2 percent lot coverage for the subject parcel. Assessor's Parcel Number 4462-005-023 will also consist of a new 32feet high, 2-story, 7,503 square feet single-family residence with attached 3-car garage, putting green, swimming pool, 1,350 cubic yards (675 cut and 675 fill) of grading, attached patio, driveway, entry gate, and private sewage disposal system. The lot coverage for the single-family residence, including the swimming pool, and patio covers is 8,376 square feet. An 8,376 square feet footprint for development equates to 8.0 percent lot coverage for the subject parcel. The two properties get access from Craggs drive, an improved public right-of-way. The subject properties are served by Las Virgenes Municipal Water District. Construction of the single-family residences will require the removal of one oak tree on parcel 1. No other oak trees will be impacted by the project development. The oak tree being removed will be replaced by the planting of two fifteen (15) gallon oak trees.

Surrounding land uses and setting: The projects surroundings consist of single-family residences and vacant lots to the north, south, east and west. The surrounding lots are very small and often cannot meet County Code lot area requirements for single-family development. The setting is rural in nature consisting of hillsides and is low-density without typical urban services, such as curbs, gutters, sidewalks, street lights, landscaping, and traffic signalization.

Major projects in the area:

Project/ Case No.

Description and Status

R2007-02638

New single-family home with 0' front yard setback and no uncovered parking spaces provided onsite as required by the Santa Monica Mountains North Area Plan, Malibou Lake area.

Reviewing Agencies:*Responsible Agencies*

- ☒ None
Regional Water Quality Control
Board:
☐ Los Angeles Region
☐ Lahontan Region
☐ Coastal Commission
☐ Army Corps of Engineers

Special Reviewing Agencies

- ☐ None
☒ Santa Monica Mountains
Conservancy
☒ National Parks
☒ Native American Heritage
Commission
☐ Edwards Air Force Base

Regional Significance

- ☐ None
☐ SCAG Criteria
☐ Air Quality
☐ Water Resources
☒ Santa Monica Mountains Area

Trustee Agencies

- ☐ None
☒ State Dept. of Fish and Game
☐ State Dept. of Parks and
Recreation

County Reviewing Agencies

- ☒ DPW:
- Land Development Division
- Geotechnical & Materials
Engineering Division
- Building and Safety (building
plan check and
grading/drainage review)

- ☒ Fire Department
- Forestry, Environmental
Division
- Land Development Unit
☐ Sanitation District
☒ Public Health/Environmental
Health Division: Land Use
Program (OWTS), Drinking
Water Program (Private Wells)
☒ Sheriff Department
☒ Parks and Recreation
☐ Subdivision Committee

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

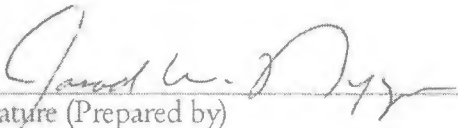
The environmental factors checked below would be potentially affected by this project.

- | | | |
|---|--|--|
| ☐ Aesthetics | ☐ Greenhouse Gas Emissions | ☐ Population/Housing |
| ☐ Agriculture/Forest | ☐ Hazards/Hazardous Materials | ☐ Public Services |
| ☐ Air Quality | ☐ Hydrology/Water Quality | ☐ Recreation |
| ☐ Biological Resources | ☐ Land Use/Planning | ☐ Transportation/Traffic |
| ☐ Cultural Resources | ☐ Mineral Resources | ☐ Utilities/Services |
| ☐ Energy | ☐ Noise | ☐ Mandatory Findings
of Significance |
| ☐ Geology/Soils | | |

DETERMINATION: (To be completed by the Lead Department.)

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


Signature (Prepared by)

7/26/12
Date


Signature (Approved by)

7/26/12
Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources the Lead Department cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the Lead Department has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level. (Mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced.)
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA processes, an effect has been adequately analyzed in an earlier EIR or negative declaration. (State CEQA Guidelines § 15063(c)(3)(D).) In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 7) The explanation of each issue should identify: the significance threshold, if any, used to evaluate each question, and; mitigation measures identified, if any, to reduce the impact to less than significance. Sources of thresholds include the County General Plan, other County planning documents, and County ordinances. Some thresholds are unique to geographical locations.
- 8) Climate Change Impacts: When determining whether a project's impacts are significant, the analysis should consider, when relevant, the effects of future climate change on : 1) worsening hazardous conditions that pose risks to the project's inhabitants and structures (e.g., floods and wildfires), and 2) worsening the project's impacts on the environment (e.g., impacts on special status species and public health).

1. AESTHETICS

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
--	---	--	---	----------------------

Would the project:

a) Have a substantial adverse effect on a scenic vista? ☐ ☐ ☒ ☐

The single-family residences will not have an adverse affect on a scenic vista. They are not located on mountain tops, nor do they alter any existing land forms in a significant way. The earth tone color houses will only be visible from the adjacent public right-of-ways closest to the residences. The subject properties have less than 25% slopes and were previously developed by a club that has since been demolished limiting the projects impacted area. The houses meet all the development standards for single-family residences, including the setbacks, which is not required in the R-R zone. This includes being under the maximum height requirement of 35 feet. Both of the residences are 32 feet in height, limiting the visual impacts on the surrounding areas.

b) Be visible from or obstruct views from a regional riding or hiking trail? ☐ ☐ ☒ ☐

The Triunfo Canyon lateral trail passes by the subject properties along Craggs Drive. Craggs Drive is already a publicly traveled road that has multiple single-family residences located on and around it. Although the proposed earth tone single-family residences may be visible from Craggs Drive, they will not obstruct the views and will not be out of character for the area. This includes being under the maximum height requirement of 35 feet. Both of the residences are 32 feet in height, limiting the visual impacts.

c) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? ☐ ☐ ☒ ☐

There is an oak tree located on the subject properties that will be impacted by development. An approved oak tree permit is required to mitigate any impacts of the oak tree removal. The one tree being removed will be replaced by two 15 gallon trees and monitored according to Forestry requirements. The subject properties have less than 25% slopes and were previously developed by a club that has since been demolished limiting the projects impacted area. The project grading quantities are below the 5,000 cubic yards threshold permitted by the Santa Monica Mountains North Area Plan.

d) Substantially degrade the existing visual character or quality of the site and its surroundings because of height, bulk, pattern, scale, character, or other features? ☐ ☐ ☒ ☐

The existing surroundings consist of small houses on small lots. Although the proposed single-family residences may be larger than most of the other homes in the direct vicinity, they are in compliance with the Santa Monica Mountains North Area Plan lot coverage requirements. The Santa Monica Mountains North Area Plan allows for 25% lot coverage in the Malibou Lake area. The two proposed single-family residences are on large lots compared to those in the direct vicinity and have 8.2% and 8.0 % lot coverage. The amount

of lot coverage proposed by the two residences is less than most of the other residences in the vicinity. The two residence measure at 32 feet tall, which is 3 feet below the permitted 35 feet height limit. The proposed residences also meet all residential setbacks though there are no specific setback requirements in the R-R zone. The subject properties have less than 25% slopes and were previously developed by a club that has since been demolished limiting the projects impacted area. The project grading quantities are below the 5,000 cubic yards threshold permitted by the Santa Monica Mountains North Area Plan.

e) Create a new source of substantial shadows, light, or glare which would adversely affect day or nighttime views in the area?

☐☐☒☐

The subject development will not create a new source of substantial shadows, light, or glare which would affect day or nighttime views in the area. The two proposed single-family residences are on large lots compared to those in the direct vicinity and have 8.2% and 8.0 % lot coverage. The amount of lot coverage proposed by the two residences is less than most of the other residences in the vicinity. The two residence measure at 32 feet tall, which is 3 feet below the permitted 35 feet height limit. The proposed residences also meet all residential setbacks despite although there are no setback requirements in the R-R zone. The large setbacks for the residences create a buffer from the property lines so that there will not be any shadows cast onto surrounding areas. The houses will be constructed of typical building materials that are not shiny so that glare will not impact the surroundings. They are not located on mountain tops, nor do they alter any existing land forms in a significant way. The houses will only be visible from the adjacent public right-of-ways closest to the residences.

2. AGRICULTURE / FOREST

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒

The proposed residences will not convert prime farmland, unique farmland, or farmland of statewide importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agriculture use. The subject properties are currently vacant and were previously used as a private club.

b) Conflict with existing zoning for agricultural use, with a designated Agricultural Opportunity Area, or with a Williamson Act contract?	☐	☐	☐	☒
--	--------------------------	--------------------------	--------------------------	-------------------------------------

The proposed residences don't conflict with the existing zoning for agriculture use, with designated Agriculture Opportunity Area, or with the Williamson Act contract. The subject parcels are not located within an Agriculture Opportunity Area and don't have a Williamson Act contract. The subject parcels are currently zoned Resort Recreation (R-R) and have not had any prior agricultural use on them.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code § 12220 (g)), timberland (as defined in Public Resources Code § 4526), or timberland zoned Timberland Production (as defined in Government Code § 51104(g))?	☐	☐	☐	☒
---	--------------------------	--------------------------	--------------------------	-------------------------------------

The proposed residences are not in conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. The subject parcels are not a forest land, timberland, or timberland zoned Timberland Production area. The proposed development is consistent with the zoning and land use designations for the property.

d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
--	--------------------------	--------------------------	--------------------------	-------------------------------------

The proposed residences will not result in a loss of forest land or conversion of forest land to non-forest use. The subject properties are currently vacant and were previously used as a private club.

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

☐☐☐☒

The proposed residences don't involve any changes in the existing environment which, due to their location, could result in conversion of Farmland, to non-agriculture use or conversion of forest land to non-forest use. The applicant is proposing two single-family homes on two legal lots within an already developed area and there is no farmland onsite.

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
--	---	--	---	----------------------

Would the project:

a) Conflict with or obstruct implementation of applicable air quality plans of either the South Coast AQMD (SCAQMD) or the Antelope Valley AQMD (AVAQMD)?

☐ ☐ ☒ ☐

The project is for two single-family homes on two legal lots, consisting of 3,134 cubic yards of grading (cut and fill combined). The size of the project is below the threshold for potential significance with SCAQMD since only two residences are proposed and the project will not conflict with or obstruct implementation of the applicable air quality plan. There is a potential for construction-related emissions and dust generation. The project shall be required to comply with SCAQMD requirements pertaining to emissions of pollutants from vehicles and equipment and suppression of dust during construction.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

☐ ☐ ☒ ☐

The project is for two single-family homes on two legal lots, consisting of 3,134 CY of grading (cut and fill combined), so it does not meet the criteria for regional significance of 500 units.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

☐ ☐ ☒ ☐

The project is for two single-family homes on two legal lots, consisting of 3,134 CY of grading (cut and fill combined). The project is not expected to increase any criteria pollutant that would result in non-attainment of any air quality standard. Any potential increase in air pollution would be very small and well below levels that are regionally significant. The project will be required to comply with all applicable regulations and requirements of SCAQMD.

d) Expose sensitive receptors to substantial pollutant concentrations?

☐ ☐ ☒ ☐

The project is for two single-family homes on two legal lots, consisting of 3,134 cubic yards of grading (cut and fill

combined). The project doesn't exceed the Local Significance Thresholds. Single-family residences don't produce any pollutants that would violate federal or state level air quality standards. There are no sensitive receptors in the vicinity of the two proposed single-family homes.

e) Create objectionable odors affecting a substantial number of people?

☐☐☒☐

The two single-family residences will not create any objectionable odors affecting a substantial number of people. The only odors coming from the single-family residence would be those generally associated with a single-family residence.

4. BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
--	--------------------------------------	---	------------------------------------	--------------

Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game (CDFG) or U.S. Fish and Wildlife Service (USFWS)?

☐ ☒ ☐ ☐

The project site provides suitable habitat for Cooper's hawk and western pond turtle (aestivation and seasonal movement). The drainage course on the west side of the site is a tributary of Malibu Lake (Malibu Creek). Although the drainage course and the site have been much disturbed by previous upstream and downstream developments, natural sensitive habitat remains on the west adjacent to this drainage course. In order to preserve this natural drainage course, the single-family residences will be set back a minimum distance as shown and all drainage from the swimming pool area will be directed away from the drainage course with a 4" natural berm. The fuel modification area shall be modified to avoid any impacts to the drainage course area, thus preserving use of this habitat for native species. There is valley oak (*Quercus lobata*) with intermingled scrub and coast live oaks (*Q. berberidifolia* and *C. agrifolia*, respectively). Large Coulter pines (*Pinus coulteri*) and western sycamores (*Platanus racemosa*) are intermingled with non-native conifers (*Pinus* spp.). All the oak trees onsite have been documented and analyzed by a licensed arborist. A subsequent arborist report has been prepared and analyzed by the Forestry Division of the Los Angeles County Fire Department. All of the Forestry Division's recommendations for mitigation and conservation will be conditions of approval via the associated Oak Tree Permit. Forestry recommends the planting of two 15-gallon oak trees to replace the one oak tree being removed in order to construct the residences. All other oak trees onsite will have perimeter fencing erected around them during the construction phase of the project so that the construction activities do not encroach on them. The parcels have a central elevated area which has California ground squirrel colonies, and some coyote scat was found here. This area will not be graded and will remain natural other than the private sewage disposal system leach lines that will be placed below grade and restored to natural. The parcels are very large and the two residences are proposed to encompass 8.0% and 8.2%, allowing much of the parcels to remain in their natural state. Mitigation measures as specified below shall be incorporated to mitigate the potential impacts to less than significant.

b) Have a substantial adverse effect on any sensitive natural communities (e.g., riparian habitat, coastal sage scrub, oak woodlands, non-jurisdictional wetlands) identified in local or regional plans, policies, regulations or by CDFG or USFWS?

☐ ☐ ☒ ☐

The projects site supports remnant riparian and oak woodland, dominated by western sycamore and oak trees. The understory of this formation is disturbed and few natural habitat values remain apart from nesting and roosting substrate for birds and bats. Hence, disturbed on-site habitats are not considered a sensitive community. The drainage course on the west may qualify as state or federal jurisdiction; this issue is discussed below under (c). The site is not located within a Significant Ecological Area as identified by the

General Plan and is not within the Coastal Zone boundary, or associated Sensitive Resource Areas. All the oak trees onsite have been documented and analyzed by a licensed arborist. There will be one oak tree removal as a result of development. A subsequent arborist report has been prepared and analyzed by the Forestry Division of the Los Angeles County Fire Department. All of the Forestry Division's recommendations for mitigation and conservation will be conditions of approval of the oak tree permit. Two 15-gallon trees will be re-planted and monitored by the Forestry Department as mitigation. All other oak trees onsite will have perimeter fencing so that the construction activities do not encroach on them.

c) Have a substantial adverse effect on federally or state protected wetlands (including, but not limited to, marshes, vernal pools, coastal wetlands, and drainages) or waters of the United States, as defined by § 404 of the federal Clean Water Act or California Fish & Game code § 1600, et seq. through direct removal, filling, hydrological interruption, or other means?

☐☐☐☒

The subject properties contain potential federal and state jurisdictional wetlands or waters of the United States, as defined by Section 404 of the Federal Clean Water act of California Fish & Game code Section 1600, et seq; however, these areas are not proposed for development.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

☐☐☒☐

The two single-family residences on two single-family lots will not substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory corridors, or impede the use of native wildlife nursery sites. All natural stream courses are used for wildlife movement and connectivity, and with connection to a lake, the movement would be in both directions. There are signs that Coyotes have been on the property at the projects central raised area near the ground squirrel holes, so there is wildlife traffic back and forth to Malibu Creek State Park in the south. The area as well as the project site is all marked by CNDDB as an area where western pond turtles occur. In order to protect the natural drainage course on the subject properties, a berm will be constructed around the pool decking directing all drainage away from the drainage course. Any fencing around the perimeter of the property will have to allow for the free movement of animals through it. The parcels are very large and the two residences are proposed to encompass 8.0% and 8.2%, allowing much of the parcels to remain in their natural state. Active bird nests (i.e., "nursery sites"), are protected by the federal Migratory Bird Treaty Act and California Fish and Game Code. Project related activities likely to have the potential of disturbing suitable bird nesting habitat shall be prohibited from February 1 through August 31, unless a biological monitor acceptable to the Director of Planning surveys the project area prior to disturbance to confirm that disturbance to habitat will not result in the failure of nests on-site or immediately adjacent to the area of disturbance. Disturbance shall be defined as any activity that physically removes and/or damages vegetation or habitat, any action that may cause disruption of nesting behavior such as noise exceeding 90dB from equipment, or direct artificial night lighting. Surveys shall be conducted on the subject property within 300 feet of disturbance areas (500 feet for raptors) no earlier than three (3) days prior to the commencement of disturbance. If an active nest is discovered on-site or can be reasonably deduced to exist immediately adjacent off-site (in cases where access to adjacent properties is prevented), the project biologist shall demarcate an area to be avoided by construction activity until the active nest(s) is vacated for the season and

there is no evidence of further nesting attempts. This demarcated area will incorporate a buffer area surrounding the active nest that is suitable in size and habitat type to provide a reasonable expectation of breeding success for nesting birds. Limits of avoidance shall be demarcated with flagging or fencing. The project proponent shall record the results of the surveys and recommended protective measures described above and submit the records to the Department of Regional Planning to document compliance with applicable State and Federal laws pertaining to the protection of native birds.

e) Convert oak woodlands (as defined by the state, oak woodlands are oak stands with greater than 10% canopy cover with oaks at least 5 inch in diameter measured at 4.5 feet above mean natural grade) or otherwise contain oak or other unique native trees (junipers, Joshuas, southern California black walnut, etc.)?

☐ ☐ ☒ ☐

Although oak trees are present, these do not constitute an oak woodland, as they are not a dominant component of the vegetation, and the understory is highly disturbed. All the oak trees onsite have been documented and analyzed by a licensed arborist. A subsequent arborist report has been prepared and analyzed by the Los Angeles County Forestry Department. All of the Forestry Department's recommendations for mitigation and conservation will be conditions of approval via the associated Oak Tree Permit. The Oak Tree Permit approves the removal of one ordinance size tree that will be replaced by the planting of two 15-gallon oak trees and monitored by the Forestry Department. All other oak trees onsite will have perimeter fencing so that the construction activities don't encroach on them.

f) Conflict with any local policies or ordinances protecting biological resources, including Wildflower Reserve Areas (L.A. County Code, Title 12, Ch. 12.36), the Los Angeles County Oak Tree Ordinance (L.A. County Code, Title 22, Ch. 22.56, Part 16), the Significant Ecological Areas (SEAs) (L.A. County Code, Title 22, § 22.56.215), and Sensitive Environmental Resource Areas (SERAs) (L.A. County Code, Title 22, Ch. 22.44, Part 6)?

☐ ☐ ☒ ☐

The subject project is not in conflict with any local policies or ordinances. An Oak Tree Report has been prepared by a licensed arborist and reviewed by the Los Angeles County Forestry Division. Any mitigation or conservation recommendations will be conditions of approval via the associated Oak Tree Permit. The Oak Tree Permit approves the removal of one ordinance size tree that will be replaced by the planting of two 15-gallon oak trees and monitored by the Forestry Department. All other oak trees onsite will have perimeter fencing so that the construction activities don't encroach on them.

g) Conflict with the provisions of an adopted state, regional, or local habitat conservation plan?

☐ ☐ ☒ ☐

There are no adopted habitat conservation plans that include the project site. Southern California steelhead is resident in lower portions of the Malibu Creek watershed and thus receives drainage from the Malibu Lake area. Standard Stormwater Pollution Prevention Plan (SWPPP) measures, required as part of the construction permitting of the project, will reduce water quality impacts to a less than significant level.

Mitigation measures

MM-1 Prior to grading, disking, grubbing, etc, a qualified biologist shall be retained by the applicant as the biological monitor subject to the approval of the County of Los Angeles. That person shall ensure that impacts to biological resources (inclusive of special-status plants) are avoided or minimized, and shall conduct pre-grading field surveys for special-status plant and animal species that may be affected and/or eliminated as a result of grading and/or site preparation activities. During earthmoving activities, the biological monitor shall be present to relocate any vertebrate species that may come into harm's way to an appropriate offsite location of similar habitat. The biological monitor shall be authorized to stop specific grading activities if violations of mitigation measures or any local, state, or federal laws are suspected.

MM-2 Work areas will be surveyed for special-status reptile species, including potential western pond turtle aestivation sites, prior to and during construction activities. Fencing that is impervious to reptile movement shall be erected around the work area prior to the surveys, and any special-status reptiles occurring within the work area prior to the start of work will be collected and relocated to areas outside of the designated work zones. If ongoing biological monitoring of construction activities reveals the presence of any special-status reptiles within an active work area, then work will be temporarily halted until the animals can be collected and relocated to areas outside of the designated work zones.

MM-3 If any western pond turtle burrow sites are discovered within the project development area during the implementation of MM-1, construction shall be delayed until the animals have emerged.

MM-4 Project related activities likely to have the potential of disturbing suitable bird nesting habitat shall be prohibited from February 1 through August 31, unless a project biologist acceptable to the Director of Planning surveys the project area prior to disturbance to confirm the absence of active nests or nesting habitat. Disturbance shall be defined as any activity that physically removes or damages vegetation or habitat or any action that may cause disruption of nesting behavior such as loud noise from equipment or artificial night lighting. Surveys shall be conducted weekly, beginning no earlier than 30 days and ending no later than 3 days prior to the commencement of disturbance. If an active nest is discovered, disturbance within 500 feet for raptors, or 300 feet for other birds shall be postponed until the nest is vacated, offspring have left the nest area and there is no evidence of further attempts at nesting. Limits of avoidance shall be demarcated with high-visibility flagging or fencing. The project proponent shall record the results of the recommended protective measures described above and submit the records to the Department of Regional Planning to document compliance with applicable State and Federal laws pertaining to the protection of native birds.

MM-5 In order to avoid impacts to nighttime wildlife activities, exterior night lighting shall be directed downward onto the property, of low intensity, at low height and shielded to prevent illumination of surrounding properties and undeveloped areas; security lighting, if any is used, shall be on a motion detector.

MM-6 To avoid the direct loss of bats that could result from removal of trees that may provide maternity roost habitat (e.g., in cavities or under loose bark), the following steps would be taken:

- 1) To the extent feasible, tree removal or relocation would be scheduled between October 1 and February

28, outside of the maternity roosting season.

2) If tree must be removed during the maternity season (March 1 to September 30), a qualified bat specialist (i.e., a person holding a California Department of Fish and Game collection permit and a memorandum of understanding allowing the handling and collection of bats) would conduct a pre-construction survey to identify the tree proposed for disturbance that could provide hibernacula or nursery colony roosting habitat for bats.

3) Each tree identified as potentially supporting an active maternity roost would be closely inspected by the bat specialist a maximum of 7 days prior to tree disturbance to more precisely determine the presence or absence of roosting bats.

4) If bats are not detected, but the bat specialist determines that roosting bats may be present, it is preferable to push any tree down using heavy machinery rather than felling it with a chainsaw.

5) Maternity season lasts from March 1 to September 30. Trees and/or structures determined to be maternity roosts must be left in place until the end of the maternity season.

6) A 250-foot buffer, in which no construction activities are permitted, would be established around any tree, rock outcrop, or other occupied roost habitat until the end of the maternity season (September 30).

7) The bat specialist should prepare a summary report upon completion of tree disturbance activities. Reports would include the following:

- A. the number and type of affected trees determined to support or potentially support roosting bats prior to disturbance;
- B. any actions undertaken to safely exclude roosting bats prior to disturbance and the results of those actions;
- C. trees temporarily avoided to protect roosting bats; and
- D. roosting bats found (alive or dead) after tree was removed.

MM-7 To reduce the long term loss of native habitat and the potential of invasive species establishment, a landscape plan shall be prepared for all graded areas outside of any mandated brush clearance zones and shall be submitted for review and approval by the County of Los Angeles Department of Regional Planning prior to the issuance of a grading permit. The landscape plan shall limit irrigation to within Fuel Modification Zone A and shall utilize only locally indigenous plant species and varieties.

5. CULTURAL RESOURCES

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
--	---	--	---	----------------------

Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines § 15064.5?

☐ ☐ ☒ ☐

According to the Phase 1 Archaeological Study the proposed modifications to the project area will have no adverse impact on known cultural resources. Should unanticipated cultural resource remains be encountered during land modification activities, work must cease, and Department of Regional Planning contacted immediately to determine appropriate measures to mitigate adverse impact to the discovered resource.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines § 15064.5?

☐ ☐ ☒ ☐

According to the Phase 1 Archaeological Study the proposed modifications to the project area will have no adverse impact on known cultural resources. Should unanticipated cultural resource remains be encountered during land modification activities, work must cease, and Department of Regional Planning contacted immediately to determine appropriate measures to mitigate adverse impact to the discovered resource.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, or contain rock formations indicating potential paleontological resources?

☐ ☐ ☒ ☐

According to the Phase 1 Archaeological Study the proposed modifications to the project area will have no adverse impact on known cultural resources. Should unanticipated cultural resource remains be encountered during land modification activities, work must cease, and Department of Regional Planning contacted immediately to determine appropriate measures to mitigate adverse impact to the discovered resource.

d) Disturb any human remains, including those interred outside of formal cemeteries?

☐ ☐ ☒ ☐

According to the Phase 1 Archaeological Study the proposed modifications to the project area will have no adverse impact on known cultural resources. Should unanticipated cultural resource remains be encountered during land modification activities, work must cease, and Department of Regional Planning contacted immediately to determine appropriate measures to mitigate adverse impact to the discovered resource.

6. ENERGY

Would the project:	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Conflict with Los Angeles County Green Building Ordinance (L.A. County Code Title 22, Ch. 22.52, Part 20 and Title 21, § 21.24.440) or Drought Tolerant Landscaping Ordinance (L.A. County Code, Title 21, § 21.24.430 and Title 22, Ch. 22.52, Part 21)?	☐	☐	☐	☒

The project will be designed to comply with Los Angeles County Green Building Standards. These standards include being 15% more energy efficient than the Title 24 2005 California Energy Efficiency Standards, recycling or reusing at least 50% of non-hazardous construction debris by weight, installing a smart irrigation controller and planting at least two 15-gallon trees and/or maintaining existing mature trees.

b) Involve the inefficient use of energy resources (see Appendix F of the CEQA Guidelines)?	☐	☐	☐	☒
---	--------------------------	--------------------------	--------------------------	-------------------------------------

Project is for two single-family homes on two legal lots that will meet all County and State code requirements for energy conservation. The project will comply with the Los Angeles County Green Building Ordinance.

7. GEOLOGY AND SOILS

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
--	---	--	---	----------------------

Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known active fault trace? Refer to Division of Mines and Geology Special Publication 42.

☐	☐	☒	☐
--------------------------	--------------------------	-------------------------------------	--------------------------

There is not a known earthquake fault within the direct vicinity of the subject parcels according to The California Geological Survey. However, Southern California as a whole is a known earth quake area and the repercussions of an earthquake can be felt for many miles. Accordingly, the two residences will have to meet strict building code requirements that prevent a structure from being destroyed in the event of an earthquake.

ii) Strong seismic ground shaking?

☐	☐	☒	☐
--------------------------	--------------------------	-------------------------------------	--------------------------

There is not a known earthquake fault within the direct vicinity of the subject parcels according to The California Geological Survey. However, Southern California as a whole is a known earth quake area and the repercussions of an earthquake can be felt for many miles. Accordingly, the two residences will have to meet strict building code requirements that prevent a structure from being destroyed in the event of an earthquake.

iii) Seismic-related ground failure, including liquefaction and lateral spreading?

☐	☐	☒	☐
--------------------------	--------------------------	-------------------------------------	--------------------------

The project location is identified by The California Geological Survey to be a location that can potentially have liquefaction Prior to building and grading permit issuance the Department of Public Works, geology and soils section will review the project and address the concerns related to the liquefaction area.

iv) Landslides?

☐	☐	☒	☐
--------------------------	--------------------------	-------------------------------------	--------------------------

There are not any known slides in the vicinity of the proposed project according to The California Geological Survey. The subject property is not subject to Hillside Management and has slopes less than 25%.

b) Result in substantial soil erosion or the loss of topsoil?

☐	☐	☒	☐
--------------------------	--------------------------	-------------------------------------	--------------------------

The project involves minimal grading for two single-family homes on two legal lots. The applicant is proposing 3,134 cubic yards of grading combined for both parcels. The Santa Monica Mountains allows for grading up to 5,000 cubic yards without an approved Conditional Use Permit. Public Works will require that the project be in compliance with its best management practices that are designed to limit substantial erosion and loss of topsoil via a grading and drainage plan.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

☐ ☐ ☒ ☐

The project location is identified by The California Geological Survey to be a location that can potentially have liquefaction Prior to building and grading permit issuance the Department of Public Works, geology and soils section will review the project and address the concerns related to the liquefaction area.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

☐ ☐ ☒ ☐

Everything within the Santa Monica Mountains is considered expansive soil unless proved otherwise by soils report. Prior to building and grading permit issuance the Department of Public Works, geology and soils section will review the project and address any concerns related to expansive soil.

e) Have soils incapable of adequately supporting the use of onsite wastewater treatment systems where sewers are not available for the disposal of wastewater?

☐ ☐ ☒ ☐

The Los Angeles County Department of Public Health Environmental Health Division shall evaluate the suitability of the soil for a septic system. No problems with waste water disposal have been identified at this time. The applicant has submitted percolation tests that indicate the onsite sewage disposal system meets the County standards. The project is required to get approval of septic feasibility and comply with all requirements of Public Health prior to issuance of a building permit.

f) Conflict with the Hillside Management Area Ordinance (L.A. County Code, Title 22, § 22.56.215) or hillside design standards in the County General Plan Conservation and Open Space Element?

☐ ☐ ☐ ☒

The project does not conflict with the Hillside Management Area Ordinance. There are no slopes over 25% on the subject properties.

8. GREENHOUSE GAS EMISSIONS

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
a) Generate greenhouse gas (GHGs) emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐

The emissions created in relation to the project are not expected to be significant with regard to GhGs, climate change or other aspects of the environment. The project will comply with the Green Building requirements of the Zoning Code and the Building Code. The project will be required to be at least 15% more energy efficient than Title 24 2005 California Energy Efficiency Standards and all other applicable Green Building regulations.

b) Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒
--	--------------------------	--------------------------	--------------------------	-------------------------------------

The project does not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases. The proposed residences are small in scale and will comply with the Los Angeles County Green Building program and all Title 24 energy efficiency standards.

9. HAZARDS AND HAZARDOUS MATERIALS

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
--	---	--	---	----------------------

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, storage, production, use, or disposal of hazardous materials?	☐	☐	☐	☒
--	--------------------------	--------------------------	--------------------------	-------------------------------------

The project does not involve the use or storage of hazardous materials. It will be a single-family residence, and no hazardous substances are expected to be used or stored on the site except for normal household items.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials or waste into the environment?	☐	☐	☐	☒
--	--------------------------	--------------------------	--------------------------	-------------------------------------

The project would not create conditions where there is a potential for the release of hazardous materials into the environment or that would pose a hazard to the public. No hazardous materials shall be used or stored on the property.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of sensitive land uses?	☐	☐	☐	☒
--	--------------------------	--------------------------	--------------------------	-------------------------------------

No hazardous materials, substances or waste will be handled and no hazardous emissions will be produced on the site. No hazardous materials shall be used or stored on the property.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
--	--------------------------	--------------------------	--------------------------	-------------------------------------

The property is not on the list of hazardous waste and substances sites (Cortese list) maintained by the California Department of Toxic Substances Control.

e) For a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
--	--------------------------	--------------------------	--------------------------	-------------------------------------

The property is not located within an airport land use plan or within two miles of any airport.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

☐ ☐ ☐ ☒

No private airstrips are located in the vicinity.

g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?

☐ ☐ ☐ ☒

The project would not impair implementation of an emergency response or evacuation plan or physically interfere with such a plan. It will need to obtain approval from the Fire Department to insure that it will comply with emergency response and evacuation plans and other fire safety requirements.

h) Expose people or structures to a significant risk of loss, injury or death involving fires, because the project is located:

i) within a Very High Fire Hazard Severity Zones (Zone 4)?

☐ ☐ ☒ ☐

The property is in a Very High Fire Hazard Severity Zone. However, it shall be required to provide and maintain fuel modification zones to reduce fire danger and protect the residence. The project shall comply with all Los Angeles County fire code and ordinance requirements to reduce the risk to life and property from fire, including requirements for construction, access, water mains, fire hydrants, fire flows, brush clearance and fuel modification plans. The applicant is proposing automatic fire sprinklers in the residence and sprinklers are required by the Fire Department. The Fire Department Land Development unit shall address all fire and life safety requirements before a building permit can be issued

ii) within a high fire hazard area with inadequate access?

☐ ☐ ☒ ☐

Access shall comply with Los Angeles County Fire Department requirements. The driveway slope shall not exceed 15%. The driveway shall be clear-to-the-sky and shall reach within 150 feet of all portions of the exterior walls when measured by an unobstructed route around the exterior of the building. A minimum of ten feet of brush clearance is required on each side of the driveway.

iii) within an area with inadequate water and pressure to meet fire flow standards?

☐ ☐ ☒ ☐

The required fire flow for the properties is 2,500 gallons per minute for two hours. The water mains in the street must be capable of delivering this flow at 20 pounds per square inch residual pressure. The Fire Department Land Development unit shall address all fire and life safety requirements before a building

permit can be issued

iv) within proximity to land uses that have the potential for dangerous fire hazard?

☐☐☒☐

No neighboring land uses are dangerous fire hazards. No refineries, flammables, explosives manufacturing or other dangerous fire hazards are located in the vicinity. The only other neighboring uses are single-family residences and vacant land. They are all in a Very High Fire Hazard Severity Zone, so the area is susceptible to fires, but the subject property and the neighboring uses are required to comply with Fire Department requirements for Very High Fire Hazard Severity Zones to minimize fire danger.

10. HYDROLOGY AND WATER QUALITY

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
--	---	--	---	----------------------

Would the project:

a) Violate any water quality standards or waste discharge requirements?

☐	☐	☒	☐
--------------------------	--------------------------	-------------------------------------	--------------------------

The project will need to obtain approval from the Los Angeles County Department of Public Health Environmental Health Division for a septic system. All standards for waste water disposal for the septic system will need to be met prior to issuance of a building permit.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

☐	☐	☒	☐
--------------------------	--------------------------	-------------------------------------	--------------------------

Project has public water supplied by the Las Virgenes Municipal Water District.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

☐	☐	☒	☐
--------------------------	--------------------------	-------------------------------------	--------------------------

Grading and drainage plans shall be reviewed by DPW before building permit issuance to verify that substantial erosion or siltation on or off-site will be avoided. DPW shall verify that the development adheres to the approved grading and drainage plans and that any problems are avoided or mitigated. The project drainage is being designed to avoid any drainage towards the drainage course. Grading shall not begin during the rainy season, defined as October 15 of any year through April 15 of subsequent year.

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

☐	☐	☒	☐
--------------------------	--------------------------	-------------------------------------	--------------------------

Grading and drainage plans shall be reviewed by DPW before building permit issuance to verify that the project will not result in flooding on or off-site or a substantial increase in surface runoff. No development or alterations are proposed near the existing stream. The project must comply with Low Impact Development (LID) requirements regarding drainage.

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater

☐	☐	☒	☐
--------------------------	--------------------------	-------------------------------------	--------------------------

drainage systems or provide substantial additional sources of polluted runoff?

The project is required to comply with LID standards and all applicable code requirements to insure that the proposed development will not result in excess runoff and will comply with LID standards.

f) Generate construction or post-construction runoff that would violate applicable stormwater NPDES permits or otherwise significantly affect surface water or groundwater quality?

☐☐☒☐

The drainage plan must be approved by DPW before the project is developed to insure that the proposed development will not violate applicable NPDES requirements or otherwise significantly affect surface water or groundwater quality.

g) Conflict with the Los Angeles County Low Impact Development Ordinance (L.A. County Code, Title 12, Ch. 12.84 and Title 22, Ch. 22.52)?

☐☐☐☒

The project is required to comply with LID requirements, which will be verified by DPW.

h) Result in point or nonpoint source pollutant discharges into State Water Resources Control Board-designated Areas of Special Biological Significance?

☐☐☒☐

Stormwater runoff will not be directed toward the drainage course. The drainage of the site will be required to meet all applicable requirements based on the drainage plan that would need to be approved by DPW.

i) Use onsite wastewater treatment systems in areas with known geological limitations (e.g. high groundwater) or in close proximity to surface water (including, but not limited to, streams, lakes, and drainage course)?

☐☐☒☐

There are no known septic tank limitations in the area of the project. It is not in an area designated for a moratorium on new septic systems. Environmental Health must review the septic system prior to issuance of building permits to verify that all requirements are met and any negative impacts are avoided.

j) Otherwise substantially degrade water quality?

☐☐☐☒

The project will not substantially degrade water quality, and DPW and Environmental Health will verify that the project complies with all requirements to protect water quality. Runoff shall be directed away from the drainage course to protect the water quality, and the septic system will need to meet all Environmental Health standards to prevent degradation of the water quality.

k) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, or within a floodway or floodplain?

☐☐☐☒

The proposed residence is not within a FEMA 100 flood zone, flood hazard area, floodway or floodplain. A small portion of the westerly property is within a 500-year flood hazard area. The single-family residences will have to meet all DPW requirements for being located within the vicinity of this zone if required.

l) Place structures, which would impede or redirect flood flows, within a 100-year flood hazard area, floodway, or floodplain? ☐ ☐ ☐ ☒

No structures are proposed within a flood hazard area, floodway or floodplain.

m) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? ☐ ☐ ☐ ☒

The proposed residences are not within a 100 year floodplain area. They are also located above the existing Malibou Lake dam, so in the event of a failure the residences would not be effected by the flooding that would occur after dam failure.

n) Place structures in areas subject to inundation by seiche, tsunami, or mudflow? ☐ ☐ ☐ ☒

The proposed residences are not subject to tsunami because they are above sea level and located approximately 5 miles from the ocean. They are also not subject to mudflow conditions because the properties do not have any significant slopes on the property or in the direct vicinity. Drainage and grading plans reviewed by DPW shall insure that the project is designed and built so that the risk to life and property from possible mud and debris flows is minimized and any appropriate modifications are incorporated into the design.

11. LAND USE AND PLANNING

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
--	---	--	---	----------------------

Would the project:

a) Physically divide an established community?

☐	☐	☐	☒
--------------------------	--------------------------	--------------------------	-------------------------------------

The applicant is proposing single-family residences on two legal lots in an area comprised of single-family residences.

b) Be inconsistent with the applicable County plans for the subject property including, but not limited to, the General Plan, specific plans, local coastal plans, area plans, and community/neighborhood plans?

☐	☐	☐	☒
--------------------------	--------------------------	--------------------------	-------------------------------------

The community plan designation for the subject properties is Rural Residential I. Rural Residential I allows for the development of single-family homes.

c) Be inconsistent with the County zoning ordinance as applicable to the subject property?

☐	☐	☒	☐
--------------------------	--------------------------	-------------------------------------	--------------------------

Resort Recreation (R-R) allows for the development of single-family residences with an approved Conditional Use Permit. The Santa Monica Mountains North Area Plan allows for the development of single-family residences within the R-R zone where no more than one protest is received. Where more than one protest is received the application can be processed through the Conditional Use Permit process. Project meets all Single-Family zoning requirements.

d) Conflict with Hillside Management criteria, Significant Ecological Areas conformance criteria, or other applicable land use criteria?

☐	☐	☐	☒
--------------------------	--------------------------	--------------------------	-------------------------------------

The subject properties are not subject to the Hillside Management criteria and are not within a Significant Ecological Area.

12. MINERAL RESOURCES

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒

There are no known mineral resources on the project site and the project would not result in the loss or availability of any valuable mineral resources. It is not identified as a Mineral Resource Area on the Special Management Area map of the Los Angeles County General Plan.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒
---	--------------------------	--------------------------	--------------------------	-------------------------------------

The projects are not located in a Mineral Recovery Zone. Source: General Plan Special Management Areas map.

13. NOISE

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
--	---	--	---	----------------------

Would the project result in:

a) Exposure of persons to, or generation of, noise levels in excess of standards established in the County General Plan or noise ordinance (Los Angeles County Code, Title 12, Chapter 12.08), or applicable standards of other agencies?

☐	☐	☒	☐
--------------------------	--------------------------	-------------------------------------	--------------------------

Temporary construction related noise will occur during grading and construction. The developer must adhere to the standards in Los Angeles County Code Section 12.08.440 for construction noise. After completion of construction the exterior noise standards of Section 12.08.390 of Title 12 will be applicable. Noise is not expected to be any more than a normal single-family residence.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

☐	☐	☐	☒
--------------------------	--------------------------	--------------------------	-------------------------------------

The project is for two single-family residences on two legal lots which are surrounded by single-family residences and vacant land.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project, including noise from parking areas?

☐	☐	☐	☒
--------------------------	--------------------------	--------------------------	-------------------------------------

The project is for two single-family residences on two legal lots which are surrounded by single-family residences and vacant land.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project, including noise from amplified sound systems?

☐	☐	☐	☒
--------------------------	--------------------------	--------------------------	-------------------------------------

The project is for two single-family residences on two legal lots which are surrounded by single-family residences and vacant land.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

☐	☐	☐	☒
--------------------------	--------------------------	--------------------------	-------------------------------------

There is no airport in the area and it is not part of an airport land use plan.

f) For a project within the vicinity of a private airstrip,

☐	☐	☐	☒
--------------------------	--------------------------	--------------------------	-------------------------------------

would the project expose people residing or working in the project area to excessive noise levels?

There are no private airstrips nearby.

14. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less Than Significant Impact with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐

The project would not create new roads or other infrastructure that would induce more growth. The new single-family home would not constitute a substantial increase in the housing supply or population.

b) Displace substantial numbers of existing housing, especially affordable housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
--	--------------------------	--------------------------	--------------------------	-------------------------------------

The subject parcels are currently vacant so nobody will be displaced.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
---	--------------------------	--------------------------	--------------------------	-------------------------------------

The applicant is proposing two single-family homes on two legal lots.

d) Cumulatively exceed official regional or local population projections?	☐	☐	☐	☒
---	--------------------------	--------------------------	--------------------------	-------------------------------------

The applicant is proposing two single-family homes on two legal lots.

15. PUBLIC SERVICES

<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
---	--	---	----------------------

a) Would the project create capacity or service level problems, or result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?

☐ ☐ ☒ ☐

The development of the proposed residences are not anticipated to have any significant effect on the level of fire protection in the area. Agoura Hills has a facilities fee in effect for the project area. The fee will mitigate any impact the project would have on Fire Department services. There is a fire station approximately 3 miles from the project location.

Sheriff protection?

☐ ☐ ☒ ☐

The development of the residences are not anticipated to have any significant effect on the level of Sheriff protection in the area.

Schools?

☐ ☐ ☒ ☐

The addition of two residences is not expected to have a significant effect on local school service capacity. School district fees are required before building permit issuance.

Parks?

☐ ☐ ☒ ☐

The addition of two residence is not expected to have a significant effect on local parks capacity.

Libraries?

☐ ☐ ☒ ☐

The addition of two residence is not expected to have a significant effect on local library capacity. A library fee may be assessed at the time of building permit application to insure that adequate library facilities will be available for the area.

Other public facilities?

☐ ☐ ☒ ☐

The proposed residences are not expected to have a significant effect on public facilities in the area.

16. RECREATION

- | | <i>Potentially
Significant
Impact</i> | <i>Less Than
Significant
Impact with
Mitigation
Incorporated</i> | <i>Less Than
Significant
Impact</i> | <i>No
Impact</i> |
|--|---|--|---|--------------------------|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | ☐ | ☐ | ☒ | ☐ |

The project would not increase the use of neighborhood or regional parks significantly and would not result in substantial physical deterioration of parks or other recreational facilities. The new residences will only increase the local population by two families or households, and there are plentiful parks and recreational facilities currently serving the area.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | ☐ | ☐ | ☒ | ☐ |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

No public recreation facilities are proposed. A private swimming pool and putting green are proposed next to the residences but it will not have a substantial adverse effect on the environment.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Is the project consistent with the Department of Parks and Recreation Strategic Asset Management Plan for 2020 (SAMP) and the County General Plan standards for the provision of parkland? | ☐ | ☐ | ☒ | ☐ |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

The project is consistent with General Plan and LCP standards regarding provision of parkland. The LCP and General Plan do not require the provision of new parkland for single-family residential projects involving two new residences.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Would the project interfere with regional open space connectivity? | ☐ | ☐ | ☐ | ☒ |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

The proposed single-family residences are surrounded by public road and single-family residences and will not interfere with regional open space connectivity.

17. TRANSPORTATION/TRAFFIC

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
Would the project:				
a) Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☐	☒

Two single-family residences are proposed on two legal lots. Streets leading to the subject properties meet Los Angeles Fire Department and Public Works code requirements.

b) Conflict with an applicable congestion management program (CMP), including, but not limited to, level of service standards and travel demand measures, or other standards established by the CMP for designated roads or highways?	☐	☐	☐	☒
---	--------------------------	--------------------------	--------------------------	-------------------------------------

The project does not conflict with any applicable CMP.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
---	--------------------------	--------------------------	--------------------------	-------------------------------------

Two single-family residences are proposed on two legal lots.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
--	--------------------------	--------------------------	--------------------------	-------------------------------------

Two single-family residences are proposed on two legal lots. Streets are already improved and proposed residences don't alter them in any way that would create a hazard.

e) Result in inadequate emergency access?	☐	☐	☐	☒
---	--------------------------	--------------------------	--------------------------	-------------------------------------

The project design meets Fire Department requirements for access.

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒
--	--------------------------	--------------------------	--------------------------	-------------------------------------

Two single-family residences are proposed on two legal lots and do not conflict with any plans, policies, or

programs regarding public transit, bicycle or pedestrian facilities..

18. UTILITIES AND SERVICE SYSTEMS

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
--	---	--	---	----------------------

Would the project:

a) Exceed wastewater treatment requirements of either the Los Angeles or Lahontan Regional Water Quality Control Boards?

☐	☐	☐	☒
--------------------------	--------------------------	--------------------------	-------------------------------------

The project will have a private septic system that will be required to comply with all applicable requirements. Environmental Health must review the septic system prior to project completion to verify that all standards are met.

b) Create water or wastewater system capacity problems, or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

☐	☐	☐	☒
--------------------------	--------------------------	--------------------------	-------------------------------------

No wastewater treatment facilities will be required for the project as the project is proposing a private septic system, which must comply with all applicable requirements. No capacity problems are anticipated.

c) Create drainage system capacity problems, or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

☐	☐	☒	☐
--------------------------	--------------------------	-------------------------------------	--------------------------

A drainage plan will need to be approved by DPW prior to beginning work on the project. All drainage improvements will be on-site and are not expected to cause significant environmental effects.

d) Have sufficient reliable water supplies available to serve the project demands from existing entitlements and resources, considering existing and projected water demands from other land uses?

☐	☐	☐	☒
--------------------------	--------------------------	--------------------------	-------------------------------------

The two residences will receive their water from the Las Virgenes Metropolitan Water District. There are no anticipated demands from the existing entitlements and resources.

e) Conflict with the Los Angeles County Low Impact Development Ordinance (L.A. County Code, Title 12, Ch. 12.84 and Title 22, Ch. 22.52) or Drought Tolerant Landscaping Ordinance (L.A. County Code, Title 21, § 21.24.430 and Title 22, Ch. 21, Part 21)?

☐	☐	☐	☒
--------------------------	--------------------------	--------------------------	-------------------------------------

The project will comply with the Low Impact Development (LID) ordinance. The project is required to comply with the Drought Tolerant Landscaping Ordinance requirements. At least 75% of the landscaping in front of the residence must be drought tolerant. Plants with similar watering needs shall be grouped together in hydrozones. A drought tolerant landscaping covenant has been recorded by the applicant, requiring the owner to maintain the property in compliance with the drought tolerant landscaping requirements.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

☐☐☒☐

The solid waste disposal needs of the site are not anticipated to create capacity problems for area landfills because only two dwellings are proposed and there are no known capacity problems at area landfills. The property is required to comply with all applicable codes and requirements regarding solid waste disposal.

g) Create energy utility (electricity, natural gas, propane) system capacity problems, or result in the construction of new energy facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

☐☐☒☐

Energy use on the site is not anticipated to create any capacity problems or create the need for expansion of existing facilities because only two dwellings are proposed and there are no known problems with energy system capacity in this area.

19. MANDATORY FINDINGS OF SIGNIFICANCE

	<i>Potentially Significant Impact</i>	<i>Less Than Significant Impact with Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☒	☐

The project shall comply with all requirements and regulations to minimize effects on the environment. Project consists of two single-family homes on two legal lots within an already developed area. The project design and government regulations protect the sensitive environmental resources that could be potentially impacted by the development.

b) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	☐	☐	☒	☐
--	--------------------------	--------------------------	-------------------------------------	--------------------------

The project shall comply with all the State and County regulations to protect both short and long-term environmental goals. The project involves the construction of two-single family homes on two legal lots. The construction of the residences meets all the regulations pertaining to such development. Incremental effects of the project are not significant and it does not create a cumulatively significant impact. The development of this project as proposed does not make it easier to develop other properties in the area. The driveway will only serve the subject property. The residences meet both the zoning code and general plan requirements, which have taken into count both the long and short-term goals pertaining to this type of development. There are no other current projects in the area and development of this project is not expected to lead to any significant new development.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐
---	--------------------------	--------------------------	-------------------------------------	--------------------------

Environmental effects of the project are less than significant and there will not be any adverse effects to human beings related to the project. It is a small-scale project that does not involve the use of any harmful substances, traffic-inducing uses, damage to water or air quality or other factors that contribute to substantial adverse effects on human beings as analyzed in this Initial Study under the respective topics.

MITIGATION MONITORING PROGRAM

Project No: R2010-01071/Case No(s): RENVT 201100019

Impact Mitigation	Action Required	When Monitoring to Occur	Responsible Agency or Party	Monitoring Agency or Party
Biota				
1 Prior to grading, diskings, grubbing, etc, a qualified biologist shall be retained by the applicant as the biological monitor subject to the approval of the County of Los Angeles. That person shall ensure that impacts to biological resources (inclusive of special-status plants) are avoided or minimized, and shall conduct pre-grading field surveys for special-status plant and animal species that may be affected and/or eliminated as a result of grading and/or site preparation activities. During earthmoving activities, the biological monitor shall be present to relocate any vertebrate species that may come into harm's way to an appropriate offsite location of similar habitat. The biological monitor shall be authorized to stop specific grading activities if violations of mitigation measures or any local, state, or federal laws are suspected.	Qualified biologist shall be retained that will analyze the plant and animal species before and during grading activities.	Prior to any construction	Project Applicant	Los Angeles County Department of Regional Planning
2 Work areas will be surveyed for special-status reptile species, including potential western pond turtle aestivation sites, prior to and during construction activities. Fencing that is impervious to reptile movement shall be erected around the work area prior to the surveys, and any special-status reptiles occurring within the work area prior to the start of work will be collected and relocated to areas outside of the designated work zones. If ongoing biological monitoring of construction activities reveals the presence of any special-status reptiles within an active work area, then work will be temporarily halted until the animals can be collected and relocated to areas outside of the designated work zones.	Surveys shall be prepared prior to and during construction by an approved biologist that will monitor special-status reptile species.	Prior to and during construction	Project Applicant	Department of Regional Planning.
3 If any western pond turtle burrow sites are discovered within the project development area during the implementation of MM-1, construction shall be delayed until the animals have emerged.	Construction delayed if western pond turtle burrow sites are discovered during MM-1.	Prior and during construction	Project Applicant	Department of Regional Planning.

MITIGATION MONITORING PROGRAM

Project No: R2010-01071/Case No(s): RENVT 201100019

4	Project related activities likely to have the potential of disturbing suitable bird nesting habitat shall be prohibited from February 1 through August 31, unless a project biologist acceptable to the Director of Planning surveys the project area prior to disturbance to confirm the absence of active nests or nesting habitat. Disturbance shall be defined as any activity that physically removes or damages vegetation or habitat or any action that may cause disruption of nesting behavior such as loud noise from equipment or artificial night lighting. Surveys shall be conducted weekly, beginning no earlier than 30 days and ending no later than 3 days prior to the commencement of disturbance. If an active nest is discovered, disturbance within 500 feet for raptors, or 300 feet for other birds shall be postponed until the nest is vacated, offspring have left the nest area and there is no evidence of further attempts at nesting. Limits of avoidance shall be demarcated with high-visibility flagging or fencing. The project proponent shall record the results of the recommended protective measures described above and submit the records to the Department of Regional Planning to document compliance with applicable State and Federal laws pertaining to the protection of native birds.	Conduct bird surveys if project activities occur during avian breeding season that could potentially disturb bird nesting habitat.	Prior to construction	Project Applicant	Department of Regional Planning.
5	In order to avoid impacts to nighttime wildlife activities, exterior night lighting shall be directed downward onto the property, of low intensity, at low height and shielded to prevent illumination of surrounding properties and undeveloped areas; security lighting, if any is used, shall be on a motion detector.	Minimize night lighting	During and after completion of construction	Project Applicant	Department of Regional Planning
6	To avoid the direct loss of bats that could result from removal of trees that may provide maternity roost habitat (e.g., in cavities or under loose bark), the following steps would be taken: 1) To the extent feasible, tree removal or relocation would be scheduled between October 1 and February 28, outside of the maternity roosting season.	Bat surveys conducted by a qualified bat specialist	Removal of oak tree between October 1 and February 28. If the tree cannot be removed within that time period a pre-construction survey of the tree being removed identifying whether bats are	Project applicant	Department of Regional Planning

MITIGATION MONITORING PROGRAM

Project No: R2010-01071/Case No(s): RENVT 201100019

2) If tree must be removed during the maternity season (March 1 to September 30), a qualified bat specialist (i.e., a person holding a California Department of Fish and Game collection permit and a memorandum of understanding allowing the handling and collection of bats) would conduct a pre-construction survey to identify the tree proposed for disturbance that could provide hibernacula or nursery colony roosting habitat for bats. 3) Each tree identified as potentially supporting an active maternity roost would be closely inspected by the bat specialist a maximum of 7 days prior to tree disturbance to more precisely determine the presence or absence of roosting bats. 4) If bats are not detected, but the bat specialist determines that roosting bats may be present, it is preferable to push any tree down using heavy machinery rather than felling it with a chainsaw. 5) Maternity season lasts from March 1 to September 30. Trees and/or structures determined to be maternity roosts must be left in place until the end of the maternity season. 6) A 250-foot buffer, in which no construction activities are permitted, would be established around any tree, rock outcrop, or other occupied roost habitat until the end of the maternity season (September 30). 7) The bat specialist should prepare a summary report upon completion of tree disturbance activities. Reports would include the following: A. the number and type of affected trees determined to support or potentially support roosting bats prior to disturbance; B. any actions undertaken to safely exclude roosting bats prior to disturbance and the results of those actions; C. trees temporarily avoided to protect roosting bats; and D. roosting bats found (alive or dead) after tree was			present.
---	--	--	----------

MITIGATION MONITORING PROGRAM

Project No: R2010-01071/Case No(s): RENVT 201100019

	removed. E. This report would be provided to the County within 30 days following completion of tree removal				
7	To reduce the long term loss of native habitat and the potential of invasive species establishment, a landscape plan shall be prepared for all graded areas outside of any mandated brush clearance zones and shall be submitted for review and approval by the County of Los Angeles Department of Regional Planning prior to the issuance of a grading permit. The landscape plan shall limit irrigation to within Fuel Modification Zone A and shall utilize only locally indigenous plant species and varieties.	Landscape plan approval	Prior to construction	Project Applicant	Department of Regional Planning
Cultural Resources					
1	All work will stop immediately should any cultural resources (i.e. artifacts, burial grounds) be uncovered/discovered at any time prior to and during grading/construction. If burial/human remains are found, the County Coroner must be contacted immediately. Subsequently, and in all other cases with approval from County Regional Planning, the applicant shall then select and retain a qualified archaeologist and a representative from the California Native Heritage Commission to assess the find, make recommendations, and to monitor until all grading is completed.	Notify applicable agencies (Coroner, Regional Planning, etc.) if human remains or artifacts are found	Monitoring to occur should any artifacts or remains be discovered.	Project Applicant	Department of Regional Planning
Geotechnical					
1	Proposed structures shall be designed in conformance with the requirements of the effective editions of the UBC and the County of Los Angeles Building Code. Prior to issuance of building permits for any new structures, applicant shall submit a geotechnical report for review and approval to the County Department of Public Works, to the satisfaction of said department.	Conformance of UBC and LA County building code and submittal of geotechnical report to LACODPW prior to building permit issuance.	Prior to construction	Project Applicant	Los Angeles County Department of Public Works
Water Quality					
Applicant shall comply with the NPDES (National					
		Submittal and approval	Prior to issuance of	Project Applicant	Los Angeles County

Project No: R2010-01071/Case No(s): RENVT 201100019

Page 4

Date

MITIGATION MONITORING PROGRAM

Project No: R2010-01071/Case No(s): RENVT 201100019

Pollution Discharge Elimination System) requirements of the California Regional Water Quality Control Board and the Los Angeles County Department of Public Works.	of drainage concept and grading plan.	grading permits	Department of Public Works
Mitigation Compliance As a means of ensuring compliance of all above mitigation measures, the applicant is responsible for submitting an annual mitigation compliance report to the DRP for review and responsible for replenishing the mitigation monitoring account, if necessary, until such time as all mitigation measures have been implemented and completed.	Submittal and approval of annual Mitigation Compliance Report. Replenishment of Mitigation Monitoring account if necessary until such time as all mitigation measures have been implemented and completed. Upon completion of MMP, any unused portion of funds will be refunded to applicant.	Annually	Project Applicant Department of Regional Planning

Please sign and return the original document with wet ink signature to the attention of **Jarrod Nygren** at: Department of Regional Planning, 26600 Agoura Road Suite 110, Calabasas, CA 91302

[] As the applicant, I agree to incorporate these changes/mitigation measures into the project, and understand that the approval in concept will be on the project as changed/mitigated.

Applicant _____ Date _____

[] As the applicant, I do not agree to incorporate these changes/mitigation measures into the project, and understand that an approval in concept will not occur until an appropriate Mitigation Monitoring Program is agreed upon by the applicant and Regional Planning.

Applicant _____ Date _____

[] No response received within 15 business days of date on this letter, project is put on hold indefinitely. Environmental Determination requires that Mitigation Measures be prepared for this project.

Staff _____ Date _____



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX
DIRECTOR

July 9, 2012

Jarod Nygren
Department of Regional Planning
26600 Agoura Road, Suite 110
Calabasas, CA 91302

Subject: R2010-01071/RENV201100012
SCH#: 2012061018

Dear Jarod Nygren:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on July 6, 2012, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2012061018
Project Title R2010-01071/RENV201100012
Lead Agency Los Angeles County

Type MND Mitigated Negative Declaration

Description Applicant is proposing two new single-family residences located on vacant APNs 4462-005-022 and 4462-005-023. The single-family residence located on APN 4462-005-022 will consist of a new 32 feet high, 2-story, 7,885 sf residence with attached 3-car garage, swimming pool, 1,784 cubic yards (892 cut and 892 fill) of grading, retaining wall, attached patio, driveway, entry gate, and private sewage disposal system. APN 4462-005-023 will also consist of a new 32 feet high, 2-story, 7,503 sf single-family residence with attached 3-car garage, putting green, swimming pool, 1,350 cubic yards (675 cut and 675 fill) of grading, attached patio, driveway, entry gate, and private sewage disposal system.

Lead Agency Contact

Name Jarod Nygren
Agency Department of Regional Planning
Phone 818 880 3799
email
Address 26600 Agoura Road, Suite 110
City Calabasas
State CA **Zip** 91302
Fax

Project Location

County Los Angeles
City
Region
Lat / Long
Cross Streets Craggs Drive
Parcel No. 4462-005-022 and 023
Township 1S **Range** 18W **Section** 3 **Base**

Proximity to:

Highways
Airports
Railways
Waterways
Schools
Land Use Rural Residential I / R-R-1 (Resort Recreation one acre minimum lot size)

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Landuse; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Fish and Game, Region 5; Cal Fire; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 7; Regional Water Quality Control Board, Region 4; Native American Heritage Commission; State Lands Commission; Santa Monica Mountains Conservancy

Date Received 06/06/2012 **Start of Review** 06/07/2012 **End of Review** 07/06/2012

NATIVE AMERICAN HERITAGE COMMISSION

915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
Fax (916) 657-5390
Web Site www.nahc.ca.gov
ds_nahc@pacbell.net

7/6/12
Clear



June 21, 2012

Mr. Jarod Nygren, Planner

Los Angeles County Department of Regional Planning

26600 Agoura Road, Suite 110
Calabasas, CA 91302

Re: SCH#2012061018; CEQA Notice of Completion; proposed Mitigated Negative Declaration for the "R2010-01071/RENT 20100019/RCUPT 201100012; Two Residential Units Project;" located on 4.+ acres in the City of Agoura; Los Angeles County, California.

Dear Mr. Nygren:

The Native American Heritage Commission (NAHC), the State of California 'Trustee Agency' for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604).

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as 'consulting parties' under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a 'significant effect' requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as 'a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including ... objects of historic or aesthetic significance.' In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the 'area of potential effect (APE)', and if so, to mitigate that effect. The NAHC did conduct a Sacred Lands File (SLF) search within the 'area of potential effect (APE)' and Native American cultural resources were not identified in the project area specified.

The NAHC 'Sacred Sites,' as defined by the Native American Heritage Commission and the California Legislature in California Public Resources Code §§5097.94(a) and 5097.96. Items in the NAHC Sacred Lands Inventory are confidential and exempt from the Public Records Act pursuant to California Government Code §6254 (r).

Early consultation with Native American tribes in your area is the best way to avoid unanticipated discoveries of cultural resources or burial sites once a project is underway. Culturally affiliated tribes and individuals may have knowledge of the religious and cultural significance of the historic properties in the project area (e.g. APE). We strongly urge that you

make contact with the list of Native American Contacts on the attached list of Native American contacts, to see if your proposed project might impact Native American cultural resources and to obtain their recommendations concerning the proposed project. Pursuant to CA Public Resources Code § 5097.95, the NAHC requests cooperation from other public agencies in order that the Native American consulting parties be provided pertinent project information. Consultation with Native American communities is also a matter of environmental justice as defined by California Government Code §65040.12(e). Pursuant to CA Public Resources Code §5097.95, the NAHC requests that pertinent project information be provided consulting tribal parties. The NAHC recommends *avoidance* as defined by CEQA Guidelines §15370(a) to pursuing a project that would damage or destroy Native American cultural resources and Section 2183.2 that requires documentation, data recovery of cultural resources.

Furthermore, the NAHC if the proposed project is under the jurisdiction of the statutes and regulations of the National Environmental Policy Act (e.g. NEPA; 42 U.S.C. 4321-43351). Consultation with tribes and interested Native American consulting parties, on the NAHC list, should be conducted in compliance with the requirements of federal NEPA and Section 106 and 4(f) of federal NHPA (16 U.S.C. 470 *et seq.*), 36 CFR Part 800.3 (f) (2) & .5, the President's Council on Environmental Quality (CSQ, 42 U.S.C 4371 *et seq.* and NAGPRA (25 U.S.C. 3001-3013) as appropriate. The 1992 *Secretary of the Interiors Standards for the Treatment of Historic Properties* were revised so that they could be applied to all historic resource types included in the National Register of Historic Places and including cultural landscapes. Also, federal Executive Orders Nos. 11593 (preservation of cultural environment), 13175 (coordination & consultation) and 13007 (Sacred Sites) are helpful, supportive guides for Section 106 consultation. The aforementioned Secretary of the Interior's *Standards* include recommendations for all 'lead agencies' to consider the historic context of proposed projects and to "research" the cultural landscape that might include the 'area of potential effect.'

Confidentiality of "historic properties of religious and cultural significance" should also be considered as protected by California Government Code §6254(r) and may also be protected under Section 304 of the NHPA or at the Secretary of the Interior discretion if not eligible for listing on the National Register of Historic Places. The Secretary may also be advised by the federal Indian Religious Freedom Act (cf. 42 U.S.C., 1996) in issuing a decision on whether or not to disclose items of religious and/or cultural significance identified in or near the APEs and possibility threatened by proposed project activity.

Furthermore, Public Resources Code Section 5097.98, California Government Code §27491 and Health & Safety Code Section 7050.5 provide for provisions for inadvertent discovery of human remains mandate the processes to be followed in the event of a discovery of human remains in a project location other than a 'dedicated cemetery'.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

Finally, when Native American cultural sites and/or Native American burial sites are prevalent within the project site, the NAHC recommends 'avoidance' of the site as referenced by CEQA Guidelines Section 15370(a).

If you have any questions about this response to your request, please do not hesitate to contact me at (916) 653-6251.

Sincerely,



Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List



COUNTY OF LOS ANGELES
DEPARTMENT OF PARKS AND RECREATION
"Creating Community Through People, Parks and Programs"

Russ Guiney, Director

April 4, 2012

Sent via e-mail: jnygren@planning.lacounty.gov

TO: Jarod Nygren
Department of Regional Planning

FROM:  Joan Rupert
Department of Parks and Recreation

SUBJECT: **PROJECT CONSULTATION REQUEST**
PROJECT NO. R2010-01071
PERMIT NO. 201000167
LOCATION: 29153 CRAGS DRIVE, MALIBOU LAKE
APN: 4462-005-022 AND 023

The above project has been reviewed for potential impacts on the facilities of this Department. We have determined that the proposed project will not affect any Departmental facilities.

Thank you for including this Department in the review of this notice. If we may be of further assistance, please contact Julie Yom at (213) 351-5127 or jyom@parks.lacounty.gov.

JR/JY: R2010-01071 Malibu Lake

c: Parks and Recreation (N. E. Garcia, L. Hensley, J. Barber, S. Copley J. Yom)



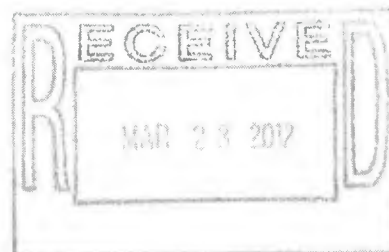
COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294
(323) 881-2401

DARYL L. OSBY
FIRE CHIEF
FORESTER & FIRE WARDEN

March 22, 2012



Jarod Nygren, Planner
Department of Regional Planning
Field Office Section
320 West Temple Street
Los Angeles, CA 90012

Dear Mr. Nygren:

**CEQA CONSULTATION, PROJECT NO. R2010-01071, PERMIT NO. RENV 201100019,
PROPOSING TWO NEW SINGLE FAMILY RESIDENCES LOCATED ON VACANT ASSESSOR'S
PARCEL # 4462-005-022 AND 4462-005-023, 29153 CRAGS DR., AGOURA (FFER #201200035)**

The CEQA Consultation has been reviewed by the Planning Division, Land Development Unit, Forestry Division and Health Hazardous Materials Division of the County of Los Angeles Fire Department. The following are their comments:

PLANNING DIVISION:

15. Public Services

a) Fire Protection

1. The Initial Study failed to state that the City of Agoura Hills has a fire protection facilities fee in effect in the project area. This fee would mitigate any impact this project would have on Fire Department services; it should also be corrected to state that the closest fire station is approximately 3 miles from the project site.

LAND DEVELOPMENT UNIT:

1. On July 13, 2011, the Fire Department, Land Development Unit recommended approval of this project as presently submitted with the following conditions of approval.

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS
ARTESIA
AZUSA
BALDWIN PARK
BELL
BELL GARDENS
BELLFLOWER
BRADBURY

CALABASAS
CARSON
CERRITOS
CLAREMONT
COMMERCE
COVINA
CUDAHY

DIAMOND BAR
DUARTE
EL MONTE
GARDENA
GLENDORA
HAWAIIAN GARDENS
HAWTHORNE

HIDDEN HILLS
HUNTINGTON PARK
INDUSTRY
INGLEWOOD
IRVINDALE
LA CANADA FLINTRIDGE
LA HABRA

LA MIRADA
LA PUENTE
LAKEWOOD
LANCASTER
LAWNDALE
LOMITA
LYNWOOD

MALIBU
MAYWOOD
NORWALK
PALMDALE
PALOS VERDES ESTATES
PARAMOUNT
PICO RIVERA

POMONA
RANCHO PALOS VERDES
ROLLING HILLS
ROLLING HILLS ESTATES
ROSEMEAD
SAN DIMAS
SANTA CLARITA

SIGNAL HILL
SOUTH EL MONTE
SOUTH GATE
TEMPLE CITY
WALNUT
WEST HOLLYWOOD
WESTLAKE VILLAGE
WHITTIER

2. The required residential fire sprinkler system shall comply with the Los Angeles County Fire, Building and Residential Codes.
3. Per the fire flow test performed by Las Virgenes Municipal Water Company dated July 28, 2011, the existing water system meets current Fire Department standards.
4. The access, as shown on the site plan filed in our office, meets the Fire Department standards.
5. The proposed swimming pools shall comply with the Los Angeles County Fire Department, Regulation #26, Auxiliary Water Sources.
6. Compliance is required with all other "Fire Department notes" as indicated on the site plan filed in our office.
7. Should any questions arise regarding access and/or water system requirements, please contact the County of Los Angeles Fire Department, Land Development Unit Inspector, Juan Padilla, at (323) 890-4243.

FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:

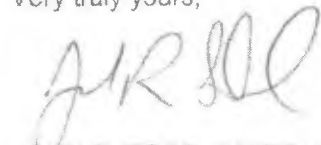
1. The statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources and the County Oak Tree Ordinance.
2. The areas germane to the statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division have been addressed.

HEALTH HAZARDOUS MATERIALS DIVISION:

1. The Health Hazardous Materials Division has no objection to the proposed project.

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,



JOHN R. TODD, CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

JRT:ij

DPW CEQA
From: Duong, Toan [TDUONG@dpw.lacounty.gov]
Sent: Thursday, April 05, 2012 9:01 AM
To: Nygren, Jarod
Cc: Amir Ibrahim; Yanez, Jarrett; Kim, Mi
Subject: RE: R2010-01071/RENV201100112: CEQA Consultation, IGNORE LAST

Jarod,
DPW reviewed the Initial Study/Mitigated Negative Declaration and concur that a MND is the appropriate document for this project. We have no further comment.

Toan Duong
Land Development Division, CEQA Unit
Los Angeles County Department of Public Works
(626) 458-4945
tduong@dpw.lacounty.gov



Los Angeles County
Department of Regional Planning
Planning for the Challenges Ahead



CONDITIONAL USE PERMIT BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.040, the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

A. That the requested use at the location will not:

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

ALL OF THE SURROUNDING LOTS AND HOUSES ARE ZONED R-1-1 AND THOSE DEVELOPED ARE WITH SINGLE FAMILY HOUSES. THIS PARCEL IS ZONED R-1-1 AND THE DEVELOPMENT OF A SINGLE FAMILY HOUSE WOULD BE COMPATIBLE WITH THE AREA.

B. 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 this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

EACH PARCEL IS 2 ACRES IN AREA AND SUFFICIENT FOR YARDS, PARKING, FENCES AND ANYTHING ELSE REQUIRED.

C. That the proposed site is adequately served:

1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2. By other public or private service facilities as are required.

EACH PARCEL IS BOUNDED ON AT LEAST TWO SIDES WITH PUBLIC STREETS AMPLE FOR THE 3 CAR GARAGES PROPOSED. PUBLIC UTILITIES ARE PROVIDED. A PRIVATE SEPTIC SYSTEM WILL MEET COUNTY STANDARDS.

[illegible]

PAGE 2		FRONT		REAR		EAST SIDE		WEST SIDE	
MIN. REQUIRED	0	0	0	0	0	0	0	0	0
MAX. REQUIRED	20'	20' OR 15'	3'	3'	OR 10'	3'	OR 10'	3'	OR 10'
ACTUAL PROVIDED	61'-4"	37'-3"	15'-3"	25'-4"	25'-4"	15'-3"	25'-4"	15'-3"	25'-4"

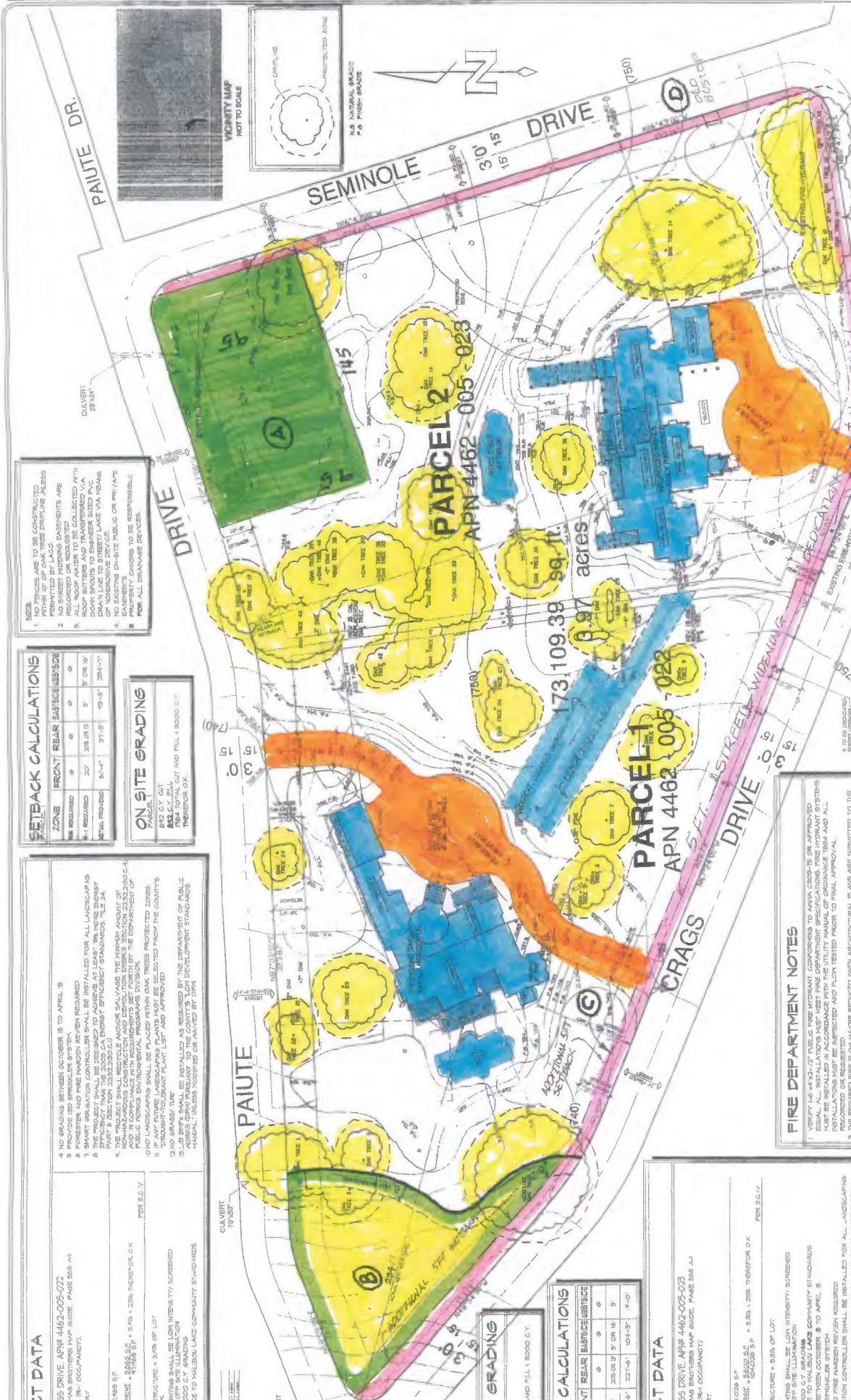
ON SITE GRADING
PARCEL 1
642 C.Y. CUT
613 C.Y. FILL
1254 TOTAL CUT AND FILL ± 5000 C.Y.
THEREFOR O.K.

[illegible]

CALCULATIONS			
ANT	REAR	EASTSIDE	WESTSIDE
6	4	4	4
203 CR 15	203 CR 15	5' CR 16	5'
221-6	221-6	104-3	9-0

[illegible]

FIRE DEPARTMENT NOTES



Area "A"



MAY 6 1925
113
113

TRACT No 7374

In the County of Los Angeles
Being a subdivision of Portions of Lots 5 and 6,
Fractional Section 3, T. 1 S. R. 18 W. S.B.B.M.

I, Ed Dorman, hereby certify that I am a Civil Engineer, and that this map, consisting of two sheets, correctly represents a survey made under my supervision, October, 1924, and that all of the monuments shown hereon actually exist and that their positions are correctly shown.

Subscribed and sworn to before me this 2nd day of November, 1924.
Notary Public in and for Los Angeles County
State of California.

The bearing of the southerly line of Rancho Las Virgenes, from Sta. LV 10 to Sta. LV 11, as N 79° 20' E as shown on map of Tract No. 2804, recorded in Map Book 33, page 95, Records of Los Angeles County, was taken as basis of the bearings shown hereon.

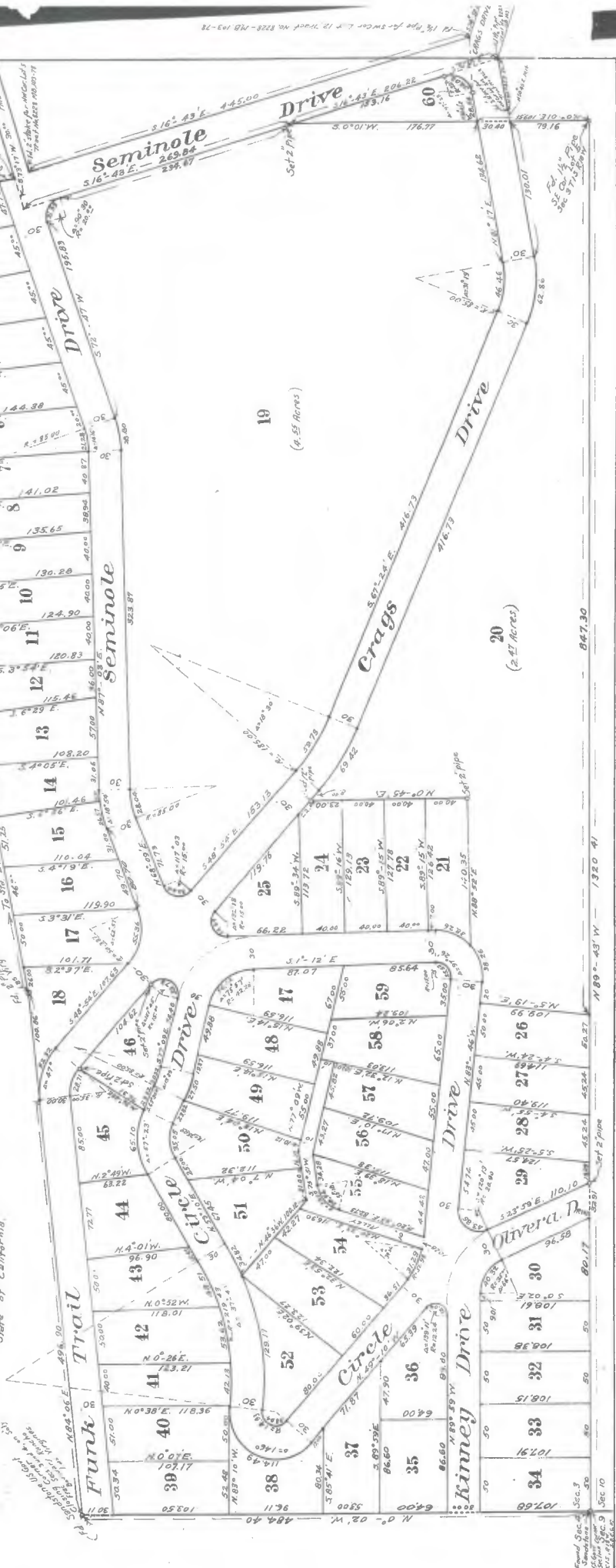
Scale: 1" = 60'

We hereby certify that we are the owners of or interested in, the land included within the subdivision shown on the annexed map, and that we are the only persons whose consent is necessary to pass a clear title to said land, and we consent to the making of said map, and subdivision as shown within the colored border lines, and hereby dedicate to the public use all the alleys, drives and trails, shown on said map, within said subdivision.

The California National Bank of Long Beach
By Wm. J. Lawrence Vice-President
Secretary

State of California
County of Los Angeles
I, Wm. J. Lawrence, Secretary of the California National Bank of Long Beach, the corporation that executed the within instrument and known to me to be the persons whose names are subscribed thereto and acknowledged to me that such corporation subscribed the same, do hereby certify that I have hereto set my hand and affixed my official seal, the day and year in this certificate first above written.

Notary Public in and for Los Angeles County
State of California.



2011

MAPPING AND GIS
SERVICES
SCALE 1" = 80'





Note: This is a static legend, which includes only a portion of layers. To get full legend, please use "Display Map Legend" on the top left side of screen.



Copyright 2005. - Los Angeles County Department of Regional Planning, created by the GIS Section
 Note: This map represents a quick representation of spatial imagery or vector layers using GIS-NET.
 The map should be interpreted in accordance with the disclaimer statement of GIS-NET.

Printed with permission by
the Los Angeles County
Dept. of Regional Planning.
All rights reserved



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

February 11, 2013

TO: Esther L. Valadez, Vice Chair
David W. Louie, Chair
Harold V. Helsley, Commissioner
Curt Pedersen, Commissioner
Pat Modugno, Commissioner

FROM: Jarod Nygren, Field Offices Section

SUBJECT: **Project Number R2010-01071-(3)**
Conditional Use Permit No. 201100012
Environmental Assessment No. 201100019
Hearing Date: February 13, 2013
Agenda Item No. 6

Project No. R010-01071-(3), Conditional Use Permit No. 201100012 is a request for two new single-family homes located on two existing legal lots zoned R-R-1 in the unincorporated Malibou Lake area and in the Santa Monica Mountains North Area Community Standards District.

Attached you will find additional correspondence from the Malibou Lake Homeowner's Association attorney and a letter from the applicant's attorney.

If you have any questions regarding this item, please contact Annie Lin, or the case planner Jarod Nygren at (818) 880-3799 or via email at jnygren@planning.lacounty.gov.

AL:JN

**LAW OFFICE OF
ALYSE M. LAZAR
Attorney at law**

3075 East Thousand Oaks Blvd.
Thousand Oaks, California 91362

Admitted to practice
STATE BAR OF CALIFORNIA
NEW YORK STATE BAR

Telephone: (805) 496-5390
e-mail: alyselazar.esq@verizon.net

February 5, 2013

Mr. Fred Gaines
Gaines and Stacey LLP
16633 Ventura Blvd. Suite 1220
Encino, CA 91436-1872
[sent via U.S. mail and e-mail fgaines@gaineslaw.com]

Re: Project No. R2010-01071-(3) – Address: 29153 Craggs Drive, Malibu Lakeside
Offer to Compromise

Dear Mr. Gaines:

I am writing this letter on behalf of the Malibu Lakeside Homeowners Association (MLHA) to offer a compromise regarding the current controversy involving the future use of your clients' Craggs Drive property. Since the December Planning Commission hearing, the homeowners have been working cooperatively with you and your clients in an effort to resolve this matter. The verbal offer which MLHA proposed on January 10, 2013 that covered many issues was rejected by Mr. Haskins and Mr. Moskowitz. While not as extensive, we believe that this proposal will lead to a successful resolution of this matter for your clients, the county and the community.

MLHA is interested in maintaining the nearly 100 year continuity of use of this Malibu Lakeside Community recreation and resort property, at least in part, as a community recreational resource. Additionally, it is important to the Association that all homes built within this community conform to historic development within the immediate subdivision in terms of their size and character as affirmed as a guiding principle in the North Area Plan.

For these reasons, we propose that Parcel 1 or Parcel 2 remains as undeveloped parkland which would be permanently designated as open space through a deed restriction. In conjunction with any entities potentially willing to assist with the funding, we would negotiate a reasonable purchase price with the property appraised similar to open space/parkland, based on its current permissible zoning and use. This recreational property would be administered and maintained by the MLHA as a park and outdoor recreation area for the benefit of the Malibu Lakeside community.

This offer is being made in order to bring this controversy to a swift and fair conclusion where both parties are willing to make some sacrifices in order to reach an equitable result. As you are

aware, if no compromise is reached at this juncture, the project could be postponed for years while appeals are taken to the Board of Supervisors and the courts and, if successful, the preparation of an EIR would be required. Such a process would be costly to your clients, MLHA and the county creating much ill-will among the parties. Conversely, at a great cost savings to your clients and a more useful expenditure of MLHA's funds, the property would be able to be sold quickly and your clients could move on as they have expressed the desire to do.

If your clients are amenable to this offer, please contact me and we will work with you and the County towards this resolution.

Very truly yours,

Alyse Lazar

Alyse M. Lazar

Cc: Los Angeles County Regional Planning Director Richard Bruckner
Annie Lin and Jarod Nygren
320 W. Temple Street
Los Angeles, California 90012
[sent via e-mail: rbruckner@planning.lacounty.gov; alin@ planning.lacounty.gov;
jnygren@ planning.lacounty.gov]

**LAW OFFICE OF
ALYSE M. LAZAR
Attorney at law**

3075 East Thousand Oaks Blvd.
Thousand Oaks, California 91362

Admitted to practice
STATE BAR OF CALIFORNIA
NEW YORK STATE BAR

Telephone: (805) 496-5390
e-mail: alyselazar.esq@verizon.net

February 8, 2013

Los Angeles County Regional Planning Commission
320 W. Temple Street
Los Angeles, California 90012
[sent via e-mail c/o planning staff to Rruis@Planning.lacounty.gov,
JNygren@planning.lacounty.gov, ALin@planning.lacounty.gov]

Re: Project # R2010-01071-3 (CUP #201100012; Environmental Assessment #201100019)
[submitted for consideration by Commission at 2/13/2013 hearing]

Dear Commissioners Valadez, Louie, Helsley, Petersen and Modugno:

I am writing to you on behalf of the Malibu Lakeside Homeowners Association (MLHA). The Association thanks you for continuing this matter from December 2012 to enable the parties to work together to set aside a portion of this property as open space for ongoing use in accordance with its R-R zoning, as was recommended at the December hearing. We realize that you have not been privy to the settlement negotiations due to the fact that these matters are normally considered confidential. We do want you to know that MLHA has made extensive efforts to work with the property owners towards an equitable resolution of this matter.

In this vein, MLHA's representatives met with the owners on January 10, 2013 and made a comprehensive offer that would have resulted in the Association's working cooperatively with the owners to obtain the necessary approvals from the County and this Commission to preserve a portion of the land and develop the remainder as constrained by current laws, guidelines, and community standards. This offer was rejected, leaving MLHA no alternative but to continue its opposition to the current CUP proposal which has not addressed numerous legal and physical constraints on such a project. On February 5, 2013, MLHA made a further offer as an avenue for partial resolution of this dispute. It stands ready to continue good faith negotiations if the owners desire to do so. We appreciate your time and attention to this matter.

Very truly yours,

Alyse M. Lazar

CC: Fred Gaines

FRED GAINES
SHERMAN L. STACEY
LISA A. WEINBERG*
REBECCA A. THOMPSON
NANDI SESSIONS-STACEY
KIMBERLY A. RIBLE
ALICIA B. BARTLEY

* a professional corporation

LAW OFFICES OF
GAINES & STACEY LLP
16633 VENTURA BOULEVARD, SUITE 1220
ENCINO, CA 91436-1872

TELEPHONE (818) 933-0200
FACSIMILE (818) 933-0222
INTERNET: WWW.GAINESLAW.COM

February 11, 2013

ORIGINAL BY HAND DELIVERY

VIA E-MAIL: jnygren@planning.lacounty.gov

David W. Louie, Chair
Regional Planning Commission
Los Angeles County
320 W. Temple Street
Los Angeles, CA 90012

Re: Project No. R2010-01071-3
29153 Craggs Road, Malibou Lake
Regional Planning Commission Meeting - February 13, 2013
Support for Project Approval

Dear Chairman Louie and Honorable Commissioners:

This office represents Leight Sales Co., Inc. ("LSC"), the owner of the property referenced above (the "Properties"), with regard to the pending application. **We support staff's recommendation of approval of the subject project, and our client respectfully requests that the Commission approve the pending application.**

Pursuant to the Commission's recommendation at the December 5, 2013 public hearing, LSC met in good faith with members of the Malibou Lake community to discuss the possibility of dedicating an easement over a portion of the Properties for use by the community for passive recreational purposes. As a result of that meeting, LSC has agreed to a condition of approval that it provide an irrevocable offer to dedicate an easement over a 9,500 square-foot area on the Properties for such purposes. LSC also agreed to a condition of approval restricting the western portion of the Properties from improvement with any structures and prohibiting the removal of any trees with a diameter of eight inches or greater. The portions of the Properties that are subject to these volunteered conditions of approval are depicted on the attached exhibit as "A" and "B," respectively.

Regional Planning Commission
February 11, 2013
Page 2

Despite LSC's good faith efforts to accommodate some use of the Properties by the community for passive recreational purposes, the neighbors remain opposed to the project. Most recently, counsel for the Malibu Lakeside Homeowners conveyed an offer to purchase one of the Properties, but the "offer" did not include a price or indicate a time frame within which the purchase would take place. Settlement under such uncertain terms is not feasible, and while LSC will consider any reasonable offer to purchase the Properties, approval of the pending application should not be delayed while the neighbors consider whether to make such an actual offer.

LSC's proposal is consistent with the zone, consistent with the Santa Monica Mountains North Area Plan, and is sensitive to the rural nature of the area. The proposed homes are modest in size in relation to the size of the lots, with lot coverage of less than 6% for each parcel. Furthermore, the large setbacks and abundant mature trees and other landscaping will serve to shield the homes from view.

Based upon the foregoing, our client respectfully requests that the Commission approve the pending application.

Thank you for your consideration of these issues. As always, please do not hesitate to contact me at any time with any questions or comments that you may have.

Sincerely,

GAINES & STACEY LLP

By


FRED GAINES

cc: Rosie Ruiz, Commission Secretary
Jarod Nygren, Department of Regional Planning
Ben Saltsman, Supervisor Yaroslavsky's Office

CONDITIONS OF APPROVAL

CUP R2010-01071

1. WE WILL REDUCE THE SQUARE FOOTAGE OF THE HOUSES TO 5,900 SQ. FT. AND THE NUMBER OF BEDROOMS FROM 6 TO 5. THESE CHANGES WILL OCCUR ON THE SECOND FLOOR AND WILL NOT AFFECT THE LOCATION OR LOT COVERAGE. THESE CHANGES WILL BE APPLIED TO THE BUILDING PERMIT APPLICATION AND WE WILL NOT BE REQUIRED TO REVISE THE ARCHITECTURAL PLANS FOR THE C.U.P.
2. WE WILL ACCEPT A CONDITION THAT THE ARCHITECTURAL PLANS FOR PERMIT APPROVAL WILL NOT INCLUDE ANY SEVERE MODERN DESIGNS WITH FLAT ROOFS, BARE WALLS OR COMPLETE GLASS WALLS. THE ARCHITECTURE WILL BE TRADITIONAL IN DESIGN, THE SAME OR SIMILAR STYLE AS THE PLANS INCLUDED IN THE C.U.P. APPLICATION.
3. WE WILL ELIMINATE THE PUTTING GREEN FROM PARCEL 2

Sent: Tuesday, November 20, 2012 4:21 PM
To: Ung, Kimberly
Subject: FW: Letter of compromise on Craggs Drive
Attachments: pc_pkg_cover.docx

Can you print this email and the attachment please?

From: Mark Moskowitz [<mailto:markm4realestate@gmail.com>]
Sent: Tuesday, November 20, 2012 1:53 PM
To: Jarod Nygren
Subject: FW: Letter of compromise on Craggs Drive

See below

MARK MOSKOWITZ REAL ESTATE PROFESSIONAL		
DIRECT: 818-970-8773	FAX: 805-777-7299	markm4results@tw.com
www.listedinconovalley.com		The Mark MOSKOWITZ Team

From: Mark Moskowitz [<mailto:markm4realestate@gmail.com>]
Sent: Friday, November 16, 2012 10:04 AM
To: 'Aedward Del Signore'; 'alexandra textor'; 'Barbara Coppos'; 'brad oskow'; 'Brian Rooney'; 'Bronwen Li-Paz'; 'cathleen dickinson'; 'Cindy Sweem'; 'Dan Greco'; 'Dayle Dalton'; 'Debbie Larson'; 'Debby Pattiz'; 'Deborah Van Buren'; 'FAURE Nicolas'; 'Jerlyn Priest'; 'Kathleen Thomas'; 'Lise Morris'; 'Pamela Pearl'; 'Pat Henkel'; 'Renate Damhuis'; 'Richard Priest'; 'Robert Textor'; 'Ron Li-Paz'; 'Rowena Muldavin'; 'rquist@uclabruins.net'; 'Susan Van Vonderen'; 'Timothy Carhart'; 'Trevor Niblock'
Subject: Letter of compromise on Craggs Drive

Pat I sent the proposal to pathenke@earthlink.com because that was what was on the email list. So you did not get our initial proposal. I am sending you and everyone else who is on the list our latest proposal. My family and I want to work with the community. We have looked at the project, the concerns of the community, and our cost and feel this proposal addresses the community's concerns and at the same time make it a viable project.

1. We are willing to reduce both homes to 5,900 sq. ft. At the first meeting with the home owners, we were willing to lower the size to just over 6,000 to 6,100 sq. ft. Now we are voluntarily lowering them to 5,900.
Parcel 1 is 7,885 sq. ft. reduced 1,985 sq. ft. or 25%.
Parcel 2 is 7,503 sq. ft. reduced 1,603 sq. ft. or 21%.

2. We know the neighbors are concerned about us building a big box with just stucco on the outside. We too are equally concerned about some of the homes being built in the community. We want these to be architecturally beautiful homes that enhance the neighborhood. We are working with our architect on language that will protect everyone. I will submit the language once we have it early next week. Our original

4. We will limit the colors to earth tones, so they blend in with the natural feel of the mature trees on the property.

5. We have agreed to all of the requirements to provide an easement for the expansion of Craggs Dr. This will allow room for emergency vehicles to work and allow residents to evacuate if necessary.

6. We have worked with public works to build berms and drainage on our property to reduce flooding and allow the proper drainage of the water in the area.

3. In regard to costs, we need to sell the lots for \$600,000 each.

Thank you

Mark Moskowitz

HEARING OFFICER

Page 1 of 2

In my opinion, in this hearing, there may be a number of demands made by the opposition. They may be:

1. HOUSES LARGER THAN OTHERS IN THE NEIGHBORHOOD.
2. BAD VISUAL IMPACT
3. TOO MUCH GRADING
4. DO NOT OPEN DRIVEWAYS TO CRAGS DRIVE
5. POSSIBLE PUBLIC USE OF A PART OF CRAGS DRIVE
6. L.A. COUNTY WANTS THIS LAND FOR A PARK
7. REMOVAL OF PONDING

1. I have previously sent you an exhibit that shows that our houses are consistent with others in the vicinity that are built on larger lots.

2. I am attaching a list of yards and setbacks that shows many setbacks of 100 to over 200 ft. These combined with the required careful protection of the Oak Trees on the site will guarantee that the outward appearance of the land will hardly be affected.

3. On the yards and setback list, it shows that only a very small amount of cut and fill will occur at the higher elevations of each parcel.

4. On the attached photos of driveways opposite the property, you will note that all of the houses across Craggs Drive exit onto that street and most have to back out. With the huge driveways and turnarounds required by the fire department, these houses will not have to back out and can enter Craggs Drive at a leisurely pace with plenty of unobstructed visibility.

5. Public Works has imposed a condition that a street widening dedication be recorded of 20 ft. from the center line of Craggs Drive. This will create a corridor from 5 to 7 ½ ft. wide by over 800 ft. long for whatever Public Works decides is necessary.

7. Both Craggs and Paiute Drives on either side of the subject property, have a history of "ponding", as the streets were built with a low area without any drainage.

We gave the Road Maintenance Department authorization to build a drainage swale on both streets to conduct the water across our land to the existing water course. Both swales were finished in February of 2012 and apparently have stopped the ponding.

6. In May 2011, I offered the property to Supervisor Zev Yaroslavsky's Office for a Public Park. In the letter from Susan Nissman, his Senior Deputy, it was stated that they were NOT interested in purchasing what was deemed a "Pocket Park". In addition, the County was not in a position to increase their maintenance and operations expenditures.

HEARING OFFICER - Page 2

If anyone wants to make an offer to purchase this land for a Public Park or other usage, we would be happy to receive their offer; however, we will not delay the hearing date, that represents a 3 year process, leading to this C.U.P. approval. .

DONALD F. HASKIN
Applicant

YARDS AND SETBACKS

PARCEL 1

WEST -	234.7 feet
EAST -	95.8 feet
SOUTH -	61.4 feet
NORTH -	37.3 feet

PARCEL 2

NORTH -	227.6 feet
EAST -	104.3 feet
SOUTH -	76.6 feet
WEST -	19.0 feet

GRADING

PARCEL 1	892 cubic yards cut and fill
	1.784 cubic yards total

PARCEL 2	675 cubic yards cut and fill
	1,350 cubic yards total

ITEMS #2 & #3

Karen and/or Don Haskin

From: "Karen Haskin" <donhaskin@yahoo.com>
 To: "Karen and/or Don Haskin" <karen@races.com>
 Sent: Friday, July 23, 2010 9:10 AM
 Subject: Re: Malibu Lakeside Property
 because of the topography and the location of the huge beach field the entrance will be off Crag
 however one will be almost down to the water course

From: Karen and/or Don Haskin <karen@races.com>
 To: Karen Haskin <donhaskin@yahoo.com>
 Sent: Thu, July 22, 2010 12:16:47 PM
 Subject: Fw: Malibu Lakeside Property

----- Original Message ----- From: "Pattiz, Davidson" <dpattiz@races.com>
 To: "Karen and/or Don Haskin" <karen@races.com> <karen@races.com>
 Cc: <donhaskin@yahoo.com>
 Sent: Thursday, July 22, 2010 11:01 AM
 Subject: RE: Malibu Lakeside Property

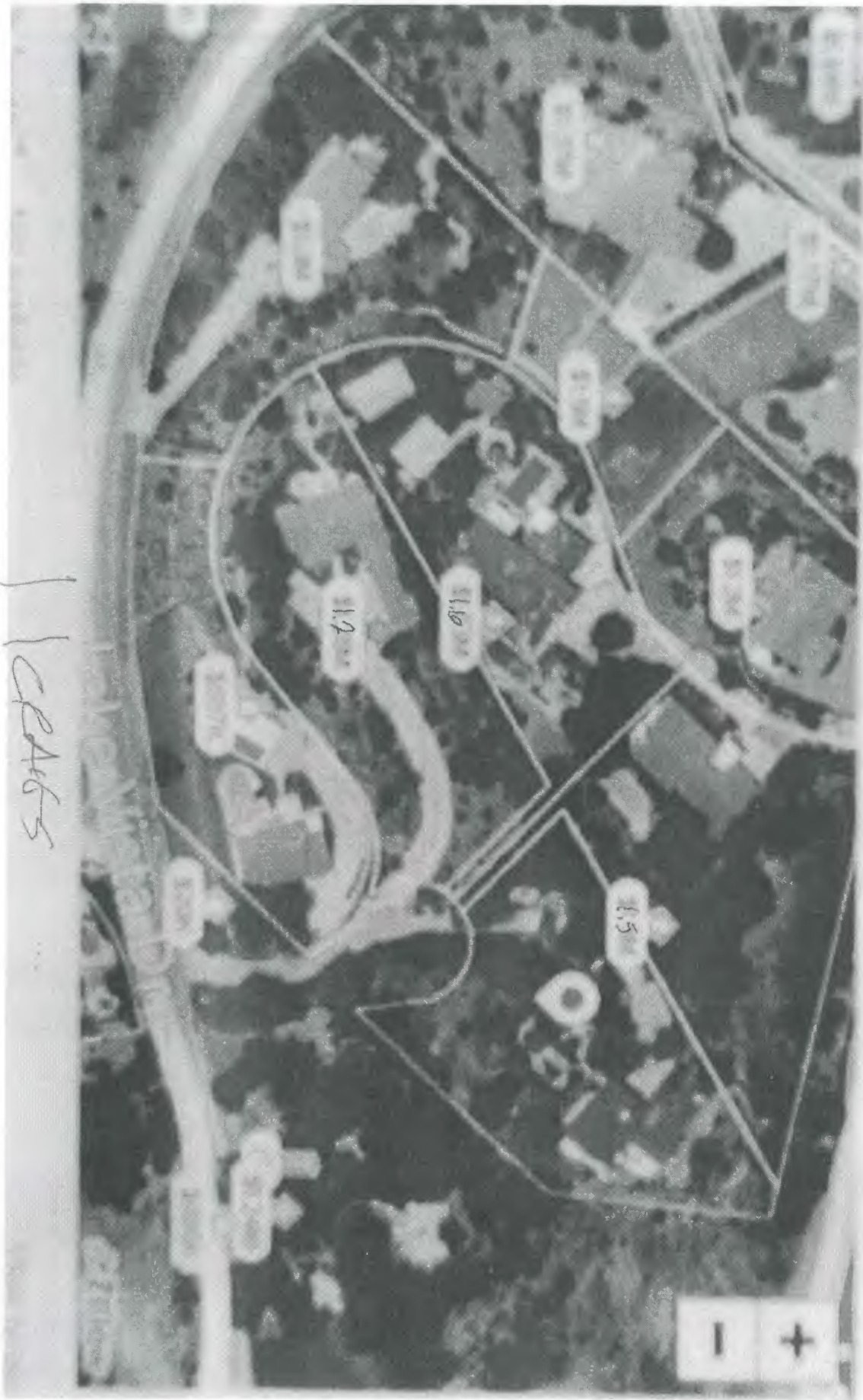
**TWO MILLION DOLLAR
 HOUSE ON CRAGS DR
 29136 CRAGS**

- > Don - Thank you very much for the detailed information and quick
- > response. As you may know, my wife and I paid nearly \$3 million for our
- > home. Admittedly at a time when the market was "hot", but
- > nonetheless, we would be pleased to have 3 additional quality
- > residences in the area. Do you have a sense of where the ingress/egress
- > for the new homes would be? Crag side? Semiride side? Selfishly, I'd
- > prefer any additional traffic to be on the less busy street -- after
- > having a car crash into our home at 70 mph last year, we are leery of
- > more cars.
- >
- > Anyway, thanks again for the information. We will be sure to share this
- > with the neighbors. Perhaps if you are in town to oversee the work at
- > some point we could meet. I am sure construction will bring its own
- > tensions, and having a face-to-face relationship can help smooth over
- > problems
- >
- >
- >

> ----- Original Message -----

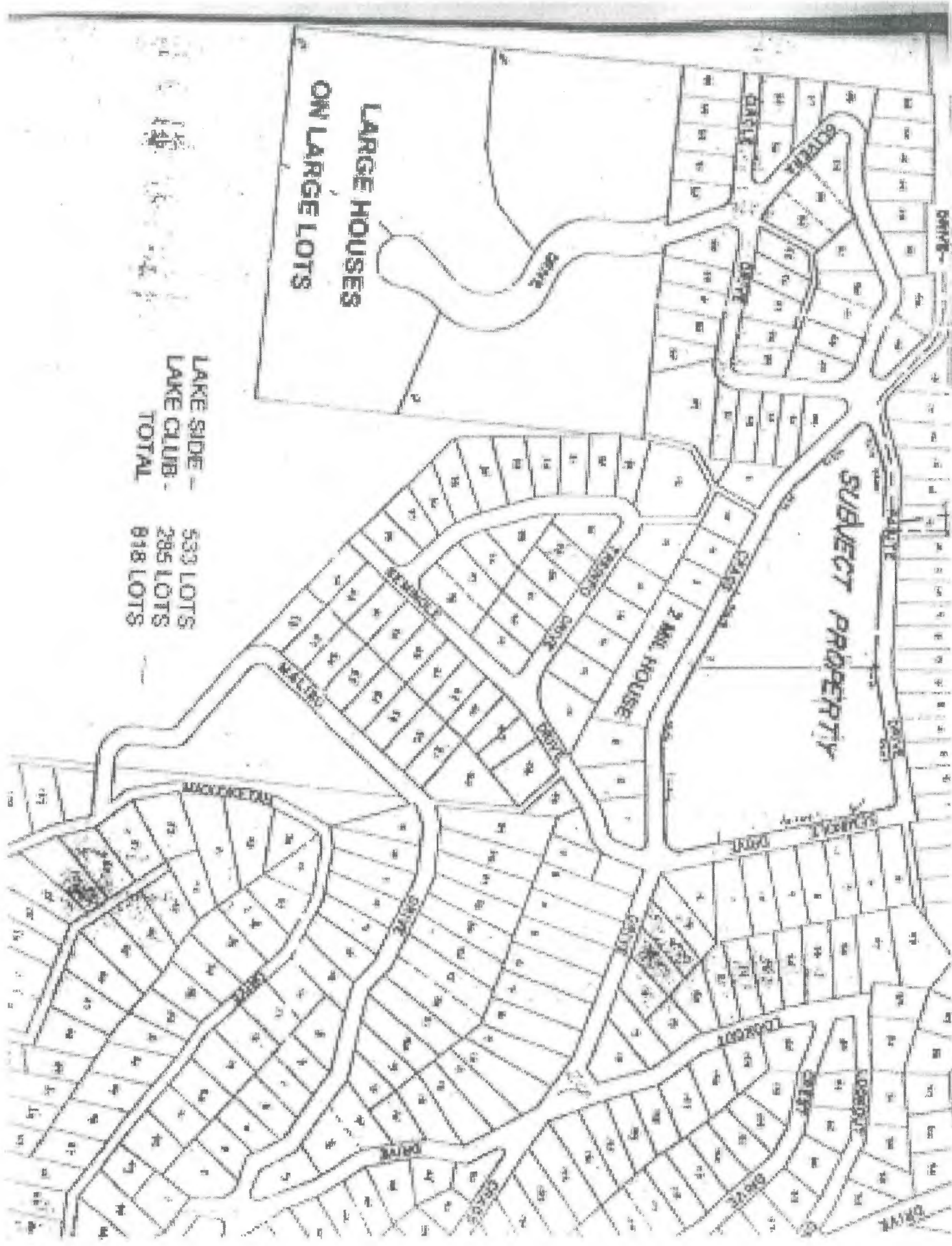
> From: <karen@races.com> [mailto:karen@races.com] Sent: Thursday, July 22, 2010 9:12 AM
 > To: Pattiz, Davidson, <dpattiz@races.com>
 > Cc: <donhaskin@yahoo.com>
 > Subject: Re: Malibu Lakeside Property

- >
- > Greetings, and thank you for your communication. Starting last Nov. and
- > through June of this year, we have done extensive testing for ground
- > water and percolation. We have now passed all county requirements and
- > have a proven beach field for two large houses. All of these tests were
- > performed by licensed geologists and engineers. In our submission to the
- > county we had to photograph the entire site and it was against the law
- > and would have hurt our application to have cars, trucks and trailers
- > parked on the property. That is why we made the temporary barriers
- >
- >
- >
- > Our application to construct two large expensive high quality houses was
- > accepted yesterday by LA County and we are planning on nothing but the



11 CP465

1



LAKE SIDE -
LAKE CLUB -
TOTAL 533 LOTS
285 LOTS
818 LOTS

3 LAKE HOUSE ON CLEVELAND LANE



Karen and/or Don Haskin

From: "Lee, Jeffrey" <JLEE@dpw.lacounty.gov>
To: "Karen and/or Don Haskin" <karen@racsa.co.cr>
Cc: "Smith, Steve" <STSMITH@dpw.lacounty.gov>; "Clackler, Donald" <DCLACKLER@dpw.lacounty.gov>
Sent: Tuesday, January 31, 2012 12:33 PM
Subject: RE: Ponding on Craggs & Paute

Hello Don and Karen,

We've already addressed the drainage problem on Craggs Dr. It functioned well during the last little rain we had.

Page 1 of 1

Karen and/or Don Haskin

From: "Lee, Jeffrey" <JLEE@dpw.lacounty.gov>
To: "Karen and/or Don Haskin" <karen@racsa.co.cr>
Sent: Tuesday, February 21, 2012 10:41 AM
Subject: RE: Ponding on Craggs & Paute

Thought you might be interested to know. The drainage project on Paute Dr. was completed last week. Works great!

From: karen@racsa.co.cr [mailto:karen@racsa.co.cr]
Sent: Tuesday, January 31, 2012 9:06 AM
To: Lee, Jeffrey
Subject: Ponding on Craggs & Paute

Greetings Jeffrey, thisis regarding the ponding water on Craggs and Paute Drives - have you made any progress on building the drainage swales? Please let me know - awaiting your response
Don Haskin (e-mail: karen@racsa.co.cr)



PAUTE

2010-01-10 09:51



CRAQS

2010-01-13 09:26



CRAQS

2010-01-10 09:51



PAUTE

2010-01-10 09:51



2010.01.10.08.33



2010.01.10 08:32



2010.01.10 08:28



2010 01 10 08 27

#15



↑ See your wife: County work on Private.



29118 CRAIGS



29136 CRAIGS

DRIVEWAYS
OPPOSITE
PROPERTY



29144 CRAIGS

ITEM 4

Karen and/or Don Haskin

From: "Nissman, Susan" <SNissman@bos.lacounty.gov>
To: "Karen and/or Don Haskin" <karen@racsa.co.cr>
Sent: Wednesday, May 04, 2011 1:23 PM
Subject: RE: Malibu lakeside property

Hi, Don - I apologize for not getting back to you, for some reason I thought I had. Anyway, we looked into this and while we appreciate your interest in having the property acquired for public space, there are a few of factors that make it unlikely the county or our public land partners would be interested at this time. .

1) there is very limited funding for acquisitions and there are already other identified properties with higher public resource values that have been on priority lists for awhile. 2) the resource values (habitat, environment, trail connections, public access and benefit), of a small embedded "pocket park" in this area are somewhat limited when compared to these other priorities. 3) even if the resource values were considered significant, and it could be purchased, the county is not in a position right now to increase their maintenance and operations expenditures for a new county park. I'm sorry we could not give you better news. Good luck.

Best,
Susan Nissman, Senior Deputy
District Office of Supervisor Zev Yaroslavsky
818-880-9416
snissman@bos.lacounty.gov

PARK REFUSAL

ITEM 6

ARCHITECT'S STATEMENT

The County of Los Angeles and the Santa Monica Mountain Conservancy over the last 20+ years has meticulously reviewed all of the land and properties within their jurisdiction and then designated areas, parcels and formations they consider to be of ecological significance. This property has been reviewed many times over the years and has not been designated as an area of environmental or ecological significance known as either ESHA or a SEA.

In the arena of conservation there are cases where areas are small but used by wildlife as a connection between two areas that are considered as sensitive environmental places. These can be partially labeled as ecological through a term known as "connectivity". Since the complete surrounding area has been developed (with mostly substandard size lots) for human habitat this does not qualify as a connectivity piece of land. This land is now referred to as an "infill" area.

The trees that any aviary might be utilizing are not only being protected but additional foliage is being added for a net gain which will enhance the environment. The areas the trees occupy and therefore the aviary will experience a substantial reduction in human activity and disturbance with only two single families utilizing the 4 1/2+ acres instead of the current trespassing and illegal community activities as described in the Pattiz letter.

Coyotes roam freely and abundantly in all populated areas of the Santa Monica Mountains. They are normally seen wandering up and down the streets of Thousand Oaks, Malibu, Oak Park, Malibu Lake, Agoura, Calabasas, and so on. There is nothing out of the ordinary about seeing Coyotes in any of these areas wandering up and down the streets, in yards and surrounding areas.

[illegible]

karen

From: "Jonathan Stout" <jstoutaia@gmail.com>
To: "karen" <karen@racs.co.cr>
Sent: Wednesday, September 26, 2012 4:45 PM
Subject: Re: opposition' lies

The dimension from the East side of the driveway where it intersects with the property line on Craigs Drive on Parcel 2 and the Easterly property line (across the 30' right-of-way street) of Seminole Drive is 250 feet. From the driveway to "our" side of Seminole Drive is 250' - 30' = 220 feet.

JHS

On Wed, Sep 26, 2012 at 6:48 AM, karen <karen@racs.co.cr> wrote:

I need a dimension from the east side of the driveway on parcel 2 to the east side of Seminol Dr—looks like 200 ft or more—please put it on your letterhead & email it to me—I dont know if you have Google earth but opponant is claiming there is a hill that ends at our driveway when in fact that hill ends east of Seminole—Don

FROM SEMINOLE TO
DRIVE WAY





FROM DRIVEWAY TO
SEMINOLE $\pm$ 200 FT.

END OF AN ERA

So what happened to the Lakeside Clubhouse?

The end of a very special era in Lakeside began in the late 1950's and early 1960's when the effects of a multi-year drought took their toll on residents around Malibou Lake. Their well water having mostly dried up, residents were paying to have water trucked into the neighborhood – and it wasn't cheap.

During this same time, the Las Virgenes Municipal Water District was formed and became a savior to thousands of area residents by virtue of being a reliable, inexpensive water source. Recognizing that their well water would be an ineffective way to serve a growing community, the water provision rights for Lakeside were sold to the Las Virgenes Municipal Water District in 1963.

The clubhouse, pool, tennis courts and other amenities were originally maintained by local resident's monthly water fees and volunteer labor. With water fees now being collected by the water district, funds to support the clubhouse and grounds stopped flowing – so to say.

No longer a utility company, the Lakeside Water Company reformed as the Malibu Lakeside Recreational Club to carry out upkeep of the clubhouse and grounds. This new group worked hard, spending thousands of volunteer hours over the years to keep the grounds intact.

Additional blows to the Lakeside community center were dealt by the splintering of neighborhood cohesiveness in the mid-1960's. With the population growth in the Conejo and San Fernando Valleys, more modern pools and tennis courts were just a short drive away. The upkeep of the clubhouse and grounds became too great a burden for the small group of Lakeside residents dedicated to preserving what it once was and before long, the quaint old clubhouse fell into disrepair.

Now an insurance risk and liability, the pool was eventually filled in and in 1989, the clubhouse was torn down. Perhaps through divine intervention, the clubhouse grounds have remained undeveloped to this day. Remains of the tennis court, fountain, clubhouse stairs and the children's playground are still there like ghosts of a bygone era.



Time passages. Leon Levinson and Gordon Thomas, each with over 40 years of residency in Malibu Lakeside, stand on one of the only remnants of the Lakeside Community Center - the tennis court from the 1930's. Their hands rest on one of two poles that supported the net.

*MID 1960'S
LOSS OF SUPPORT*

THE PIONEER SPIRIT AT THE LAKE

Early living at Malibou Lake wasn't necessarily easy. But it was always interesting and colorful. The following are remembrances by Earl Bennett, Leon Levinson and Gordon Thomas, who between them share 130 years (and counting!) of living in Malibu Lakeside.

LL: "My first recollection of Malibou Lake goes back to the mid-1930's. My father used to like taking long drives. We lived in Hollywood at the time and on Sunday we would go out driving in the car. One Sunday we ended up in Malibou Lake near the clubhouse (on Lake Vista Drive). I was about 10 years old at the time and I remember slot machines in the clubhouse. Getting caught with these illegal devices was apparently not a concern. The fact that some of the show biz elite also made their way out here on weekends means that money was present here at least a few days a week and therefore, gambling was lucrative."

EB: "Many of the early homes of Lakeside were built maverick style in the pioneer spirit - without plans or permits. Somebody would just bring some friends out and they would put up a house. Lumber from the Fox movie sets nearby that weren't being used anymore was stolen on a regular basis."

GT: "In the 1920's, Lakeside lots sold for \$600 to \$700, and during the depression, they went for as little as \$50. It took until the mid-1950's for the prices to come back up to \$600 to \$700. A graded view lot with a pre-installed septic system however, sold for the hefty sum of \$5,000."

LL: "I was living in Pacoima at the time. My daughter Kathie was two years old and my then-wife Frances was saying that Kathie just didn't look well. The smog was very heavy in those days - much worse than now. By some strange coincidence, Frances' family had also taken drives when she was younger and she knew of Malibou Lake from her childhood as I did. After looking at several homes, we selected the house at the corner of Malibu Drive and Lookout.

It was a very different house then - one of the old shack style houses. We bought that one bedroom place for \$5,000 and three contiguous lots for \$250 each. When we moved in there were no locks on the door and it stayed that way for years. The house wasn't level. A round object would roll across the floor from a still position. We lived in that small shack from 1955 until December of 1958 when a big brush fire came through and burned our house down.* I commuted from Lakeside to Los Angeles everyday for 17 years while working for Technicolor in Hollywood - without the benefit of a regular freeway. (*After losing his first home to fire, Leon bought another Lakeside home just a few blocks away)

"In the 20's, Lakeside lots sold for \$600 to \$700, and during the depression, they went for as little as \$50."

-Gordon Thomas

"We bought that one bedroom place for \$5,000 and three contiguous lots for \$250 each. When we moved in there were no locks on the door and it stayed that way for years."

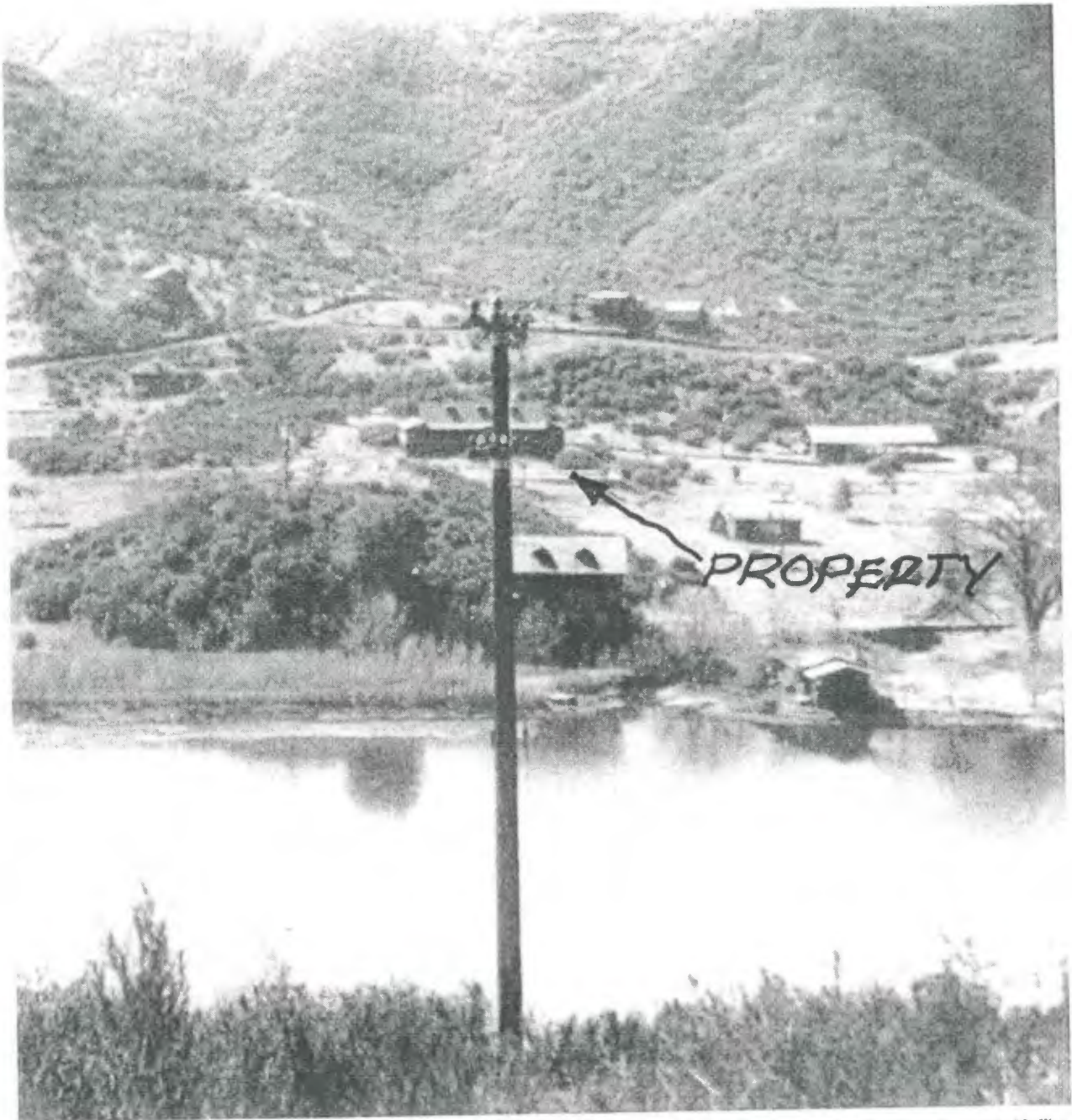
-Leon Levinson

OVERS ADD CONSTITUT WITH THESE

3 LARGE HOUSES ON OLIVERA DRIVE



1-A



Utility poles were hard to avoid in pictures even in 1926! Shot from Sugarloaf Peak across the water, this shows the early Malibu Lakeside community with the clubhouse and pool just behind the pole. The open structure to the right of the clubhouse is the Lakeside horse stables. Photo: Nan Carlson Archives

PRIVATE CLUB BUILT
IN 1926 BEFORE THE SMALL
LOT SUBDIVISION

Here is the list of houses in the area in the R-R zone.

From: Jarod Nygren
Sent: Monday, October 15, 2012 8:44 AM
To: karen
Cc: Jonathan Stout
Subject: RE: Putting Green

Don,

The previous zoning surrounding the subject properties until the 2002 Santa Monica Mountains North Area Plan was adopted was R-1-7,500 (single-family, 7,500 minimum lot size). The 2002 plan changed the zoning to R-1-1 (single-family, 1 acre minimum lot size). Because of this up-zoning most of the properties area now sub standard and don't meet what the zoning requirements would be today (although they are still legal lots). Accordingly, your two parcels are more in line with the current zoning than any of the surrounding parcels. As you mentioned previously large lots in the area do usually have large homes on them

Here are the R-R parcels within ½ mile of project with single-family homes you requested:

29734 Mulholland

29722 Mulholland

29708 Mulholland

29680 Mulholland

2117 Shadow Creek Drive

2128 Shadow Creek Drive

2116 Shadow Creek Drive

29607 Hidden Park Drive

29480 Lake Vista

These are only addresses with single-family homes in the R-R zone that are close to your property. This doesn't include addresses in other zones in the area that also have large lots and large homes. I did forward your email regarding the two large homes on large lots to the Hearing Officer a few weeks ago

Malibu Lake - Proposed Building Site - Craggs Dr. Agoura, CA

Richard [rich426@sbcglobal.net]

Sent: Tuesday, November 27, 2012 12:08 PM

To: Rosie Ruiz; Jarod Nygren; Annie Lin

Dear Planning Members,

I am a local resident within visual distance from the proposed properties to be built.

We are very concerned our community will dramatically change due to the proposed development in the heart of our community.

Developing will impede on the current natural existing flood plane creek that runs through the area, which will affect the wildlife corridor, which literally is Craggs Dr, that runs directly into State, and Federal Park lands.

If the large structures are built, it will most like "not adhere" to the Agoura City "Dark Sky Ordinance". If you have not visited Malibu Lake at any time of day, or season, you would be witness to an ever changing painting, changing by the hour, and by the season. A true rare gem in the small micro climate area nestled in the Santa Monica Mountains. Nocturnal animals from the park take refuge in this area in the evenings, ranging from Owls, Bobcats, Fox, Hawks, many species of birds, including the "migrating seasonal" birds, which are magnificent to view in their tropical multi colors.

The proposed area is also considered a local Historical Landmark.

If we continue to allow such development as other areas have recently, example. Turning the mountains into large wineries off of Kanan Rd, it will slowly degrade the natural area that the Santa Monica, region exhibits, as the Santa Monica Range is Los Angeles's small picturesque range, and a true gem of the Santa Monicas.

10,000 sq foot homes would certainly not fit into the quaint mom pop small town community that current neighbors home are.

Building: The traffic imposed by the building of such structures would certainly impede on traffic and existing homeowners as our roads are only 15 feet wide.

Emergency Access: If such structures were built the area would no longer be available for Emergency Staging which it has been used for many years in the past, most for Fire Department Staging as the area is in a very large high fire danger zone which has not had a fire in 40 years, and surrounded by 40 years of built up fuel.

Small Community Example.

Recently a home across the from my home was built and completed. As the new members to the community moved in, they lit up the exterior of the home with powerful lights from all angles, lighting up the entire hill, and beyond, as if it were Dodger Stadium. Neighbors had praised nice look and feel, however with the evening lights on with times all through the night, our nighttime blanket of evening stars had disappeared entirely. The new neighbors, "city people", were adamant about the tremendous lighting, even though community members politely urged them of the nighttime beauty of no lights, nocturnal animals, or small unobtrusive eco friendly low level, low sodium yellow lights. After a month, the neighbors on their own realized what a rare community gem of Los Angeles we have, and praised our efforts in helping them understand the area, and the proximity to State and Federal Parks. They are now thrilled with no evening lighting unless needed.

Once again, we wish for your re-consideration of the proposal to help preserve our area.

Richard Breene
1924 Flathead Trail
Agoura Hills, CA 91301

Fw: Permit R2010-01071, CUP 201100012 ENV 01100019

Jerlyn Priest [jerlynpriest@yahoo.com]

Sent: Monday, November 26, 2012 8:11 PM

To: Rosie Ruiz; Annie Lin; Jarod Nygren

----- Forwarded Message -----

From: Jerlyn Priest <jerlynpriest@yahoo.com>

To: "JNygren@planning.lacounty.gov" <JNygren@planning.lacounty.gov>

Sent: Tuesday, October 9, 2012 11:05 PM

Subject: RE: Permit R2010-01071, CUP 201100012 ENV 01100019

And RE: Project Location: 29153 Craggs Drive, Agoura (Malibou Lake), Assessor's Parcel Number 4462-005-022

Dear Jarod Nygren,

My name is Jerlyn Priest and I have lived at 1922 N. Seminole Drive, just across the road from this project location since April of 1972. I have been through many fires and floods here at Malibou Lake over these 40 plus years, and this proposed project will be a threat to the safety of this community and will devastate the unique character and the cultural and wild life environment we live in. Because of the high fire risk and narrow road which surrounds the 29153 Craggs Drive project and which is the only way to get out, we have recently been charged a fire service fee for this high fire risk community. I have been through fires where we have been unable to get out when evacuation was called for because it was impossible or blocked because of the number of persons, cars and homes in this small community and the one narrow road access. During floods, the road in front of my house (across road from project) and the roads surrounding the project location have been raging with rivers of water flowing down from the surrounding mountains and I have been trapped in my home and also been unable to get my car home through these flooded roads. The land on the project location is the lowest point in the neighborhood and rivers of water flow above and below the project's ground. The project property becomes a swamp during rains and long afterward and is not fit for a healthy and safe septic/sewage system. The magnitude of the proposed homes will destroy the environment, view, the character and the wildlife corridor of this small Malibou Lake community, which is the reason we chose to live here 40+ years ago. The size of these proposed homes far exceeds the largest home here, which is across the road on Craggs from the project location. These proposed homes would make a horrendous negative impact on life here and I strongly object!

Jerlyn Priest
1922 N. Seminole Drive
Agoura (Malibou Lake), CA 91301
jerlynpriest@yahoo.com

MITIGATED NEGATIVE DECLARATION...ASSESSORS PARCEL # 4462-005-022 & 4462-005-023

Dina Lasky [dina.lasky@frosch.com]

Sent: Tuesday, November 27, 2012 9:40 AM

To: Rosie Ruiz; Jarod Nygren; Annie Lin

I am writing this letter in response to the above subject. I have lived in this Malibu lake Neighborhood for the last 9 years and the thought of these large homes being built is very disturbing. I have been riding my horses through this area, walking my dogs and enjoying the open space with my neighbors and friends. The roads are very tight up here, and the thought of the Fire season ahead and possibly being blocked by the Construction is very scary. There is only one road in and one road out. The sight is a important wild life corridor.

The size of the homes that are planned to be built do not go with the existing homes in the neighborhood.

Dina Lasky

Travel Specialist

FROSCH CLASSIC AND CRUISE TRAVEL

5850 Canoga Avenue, #550

Woodland Hills, Ca 91367

C: 310-748-6041

O:818-936-2000

dina.lasky@frosch.com

www.froschclassic.com

**LAW OFFICE OF
ALYSE M. LAZAR
Attorney at law**

3075 East Thousand Oaks Blvd.
Thousand Oaks, California 91362

Admitted to practice
STATE BAR OF CALIFORNIA
NEW YORK STATE BAR

Telephone: (805) 496-5390
e-mail: alyselazar.esq@verizon.net

November 28, 2012

Los Angeles County Regional Planning Commission
c/o Dept. of Regional Planning (Jarod Nygren)
320 W. Temple Street
Los Angeles, California 90012
[sent by mail and by e-mail to Rosie Ruiz, Annie Lin and Jarod Nygren]

Re: Project # R2010-01071-3 (CUP #201100012; Environmental Assessment #201100019)
[submitted for consideration by Commission at 12/5/2012 hearing, agenda item 7]

Dear Commissioners Valadez, Louie, Helsley, Petersen and Modugno:

I am writing to you on behalf of the Malibu Lakeside Homeowners who reside in the unincorporated area of Los Angeles County known as Malibu Lakeside and are also referenced as The Circle Movement. We respectfully request this Commission *deny* the application of Donald Haskin (Leight Sales, Inc.) for a Conditional Use Permit (CUP) for 29153 Craggs Drive, which would forever negatively change this community and its ability to use and enjoy and/or provide a public benefit on the only portion of Malibu Lakeside which has a zoning and a history of use as a resort and recreational area.

History of Project Site

The baseline to be considered by this Commission regarding use of this site is not its present vacant and degraded condition as set forth in the misleading site description, but rather the continuous use of this property for over 60 years as a resort and recreational area that was built for and enjoyed by the surrounding residents. The original developer, H.I. Averill, established a community center on this land which was considered the heart of the community. The brochure for prospective property owners represented that all owners would "acquire an interest in the civic center, assuring [them]...a place to entertain [their] friends at any time of the year." The property contained a large outdoor pool, clubhouse and ballroom, fully-equipped children's playground, sports courts and picnic areas. The property also contained pumping facilities to obtain potable water which was provided to all homeowners, who were all shareholders in the Malibu Lakeside Mutual Water Company. The property was maintained primarily from the revenues generated by this company. (source Rooney, Brian. Three Magical Miles (R7Media, 2006.) This property was developed and continually used for the benefit of the community.

The property was and is ideal for community recreation and resort purposes as it is located in the center of Malibu Lakeside. It was ideal as a source of water supply, because water drained down from the surrounding hillsides onto this low-lying property which has regularly experienced flooding in the rainy season and has a high ground water table. Consistent with its zoning as R-R (Resort and Recreation), until recently, this has been a place for community meetings and celebrations. It is still the only location for school buses transporting neighborhood children to public schools. This is the only property in the entire vicinity that has been traditionally available to residents for active recreation. There are no active public park properties within this residential area and therefore, until recently this land served as the functional equivalent of private community parkland. The Mitigated Negative Declaration (MND) fails to disclose and evaluate this impact and to share any information regarding Tract 7374 (legal lots 19 and 60) of this subdivision and whether or not this land was dedicated or otherwise restricted for recreational use above and beyond its zoning restriction as represented by Mr. Averill.

The R-R zoning of the County enables many different types of uses by the property owners, without the need to obtain a CUP, that are consistent with its purposes of providing resort and/or recreational opportunities to the public for a fee. All of the allowed uses in the R-R zone envision public access and public use of the property and/or some public benefit. In order to be consistent with the general plan and to avoid negatively impacting the Malibu Lakeside community, if the property is re-developed, it is essential that any such development is consistent with the intent and application of its R-R zoning, namely to once again provide a public benefit to the community albeit at a profitable fee to the property owners.

Granting the CUP would constitute a *de facto* rezoning of the property to the detriment of current and future Malibu Lakeside property owners.

Whereas many conditional use permits are granted for finite periods of time, subject to renewal by the original applicant, this permit application seeks a CUP which will run with the land and is transferable to future property owners. Consequently, while the current property owners have no right or expectation enabling use of this property for private residential purposes due to the R-R zoning, if the CUP were to be granted as requested, future property owners would have a vested right to use and sell this property as if it were zoned R-1 without ever undergoing the rigorous analysis of the County's rezoning process.

Current property owners will be significantly harmed if this CUP is granted because one of the benefits to these landowners is their proximity to land zoned R-R which could provide public resort and recreational opportunities once again to the neighborhood, enhancing the value of living in this community. Due to the fact that applicant has not sought a zone change, future landowners will be duped into believing that they are purchasing homes in close proximity to land that could be developed for recreational use, when, as a practicality, no future owners of the project site will have the incentive to use the property in contradiction to the residential use afforded through this unusual CUP.

Consequently, granting the CUP would forever negatively change the character of Malibu Lakeside through the foreseeable permanent elimination of any land that could be used by the community for active recreation and/or resort activities.

Applicant has no reasonable expectation nor right to residential use.

The project site was purchased by the current owners as distressed property through a quick sale at a fraction of market value. Applicant purchased the property knowing that its use was restricted to those uses itemized in section 22.40.190 of the County's zoning ordinance. While applicant has the opportunity to seek an alternative use of the property for two private mansions and sports facilities for exclusive use by the residents, it had no reasonable expectation upon purchasing the land or at present that such use will ever be granted, as it is wholly discretionary and not a "right".

The burden is not on the community to establish why the CUP should not be granted. Instead, the law requires the applicant to present satisfactory evidence/substantiation to support a conclusion that granting the CUP will have no negative ramifications to the area's residents and/or their properties and/or public or private service facilities and/or the public's health, safety and welfare as set forth in County Code §22.56.040. The criteria for denial of the CUP are set forth in each subsection of §22.56.040(a) in the alternative (i.e. "or" not "and".) Consequently, Applicant must affirmatively prove that granting a CUP for these unauthorized uses of the project site for private mansions and accompanying exclusive sports facilities for single family use "will not : 1. *Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area*", and will not "2. *Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site*" and will not "3. *Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.*" The requirements of §22.56.040 (b) and (c) regarding integration with the surrounding community and no impacts on public and private service facilities (including recreational) must also be proven.

Therefore, if the Commission determines that applicant has not proven that even just one of these potentially negative impacts would not foreseeably result from the granting of the application, the permit must be denied. Applicant has failed to meet its burden of proof.

Granting the CUP would adversely affect the health, peace, comfort and/or welfare of Malibu Lakeside residents.

Many current residents purchased their homes when the project site was functioning as a community resort. The availability of a neighborhood pool, tennis courts and a lodge was an important benefit to these residents, many of whom have parcels that are either too small and/or too hilly to enable the construction of pools, sports courts and large entertainment areas on their individual properties. The use of these facilities provided daily benefits to the health, comfort and welfare of the residents. It also reduced the need for residents to use their properties which are in close proximity to neighbors' lots for large social gathering, resulting in less noise and traffic in the surrounding community. Even residents who purchased their properties after the project site went into disrepair had the reasonable expectation that this property would never be used for a completely private purpose, but rather would be redeveloped some day to provide the area with some type of beneficial quasi-public use consistent with its R-R zoning.

If this current zoning and its restricted “of right” (non-CUP) uses for the R-R zone are not upheld, the residents of this community will lose the ability to ever again use this property as paid invitees for much needed active recreation or other similar purposes. Considering the appropriate baseline of the project site’s 60 plus years of usage, it is reasonable for this Commission to find that the granting of the CUP will “adversely affect the health, peace, comfort and/or welfare of persons residing in the surrounding area.”

Applicant has ignored this issue, summarily stating “This parcel is zoned R-R and the development of a single family house would be compatible with the area.” No information has been submitted by applicant explaining the long-term importance of the R-R zoning to this community and why the loss of use of this property for community recreation or other public serving uses would have no negative impacts on Malibu Lakeside.

The Mitigated Negative Declaration erroneously concludes that “the addition of two residences is not expected to have a significant effect on local parks capacity.” The analysis resulting in this determination only considers the impact of the addition of residents living in two new estate homes to the community, it does not consider the loss of 4.65 acres of land set apart from the remainder of the community for resort/recreational use for a fee, which will not only impact current but all future residents of the community.

While applicant desires to have this Commission evaluate the property based on its current degraded condition, the California Supreme Court explained in *Communities for a Better Environment v. South Coast Air Quality Management Dist.* (2010)48 Cal.4th 310 that “the date for establishing baseline cannot be a rigid one. Environmental conditions may vary from year to year and in some cases it is necessary to consider conditions over a range of time periods.” (at 327-8.) This is one of those cases. If the R-R zoning were maintained without granting an exceptional use through a CUP, it is reasonably foreseeable that a property owner interested in profiting from the land would develop one of the public serving uses for R-R zoned County land on the project site. It is not reasonable to conclude that the land will forever remain vacant if this CUP is not granted, based on its history of active use and enjoyment by most members of the community willing to pay the fees.

Granting the CUP would be materially detrimental to the use, enjoyment and/or valuation of other Malibu Lakeside properties.

Applicant is attempting to utilize a loophole in the County’s code to avoid seeking rezoning of this property which would foreseeably be denied due to its inconsistency with the General Plan including the North Area Plan, which is a duly adopted part of the County’s General Plan. As discussed above, the granting of a virtually permanent CUP that would vest a right in subsequent landowners to use the project site for two residential mansions, will negatively impact the value, use and enjoyment of surrounding properties.

As this Commission knows, the availability of recreational facilities in a community such as private community pools, sports courts and spas enhances the attractiveness and value of a residential area, especially when Los Angeles County has very limited community parkland in many of its residential areas. If the CUP is granted, it is reasonably foreseeable that it will

negatively impact the home values of the existing homes in this community. The only property owners who will have increased value are those owning the project site who will be able to develop unique oversized parcels with extravagant private sports facilities for the exclusive use of the parcels' residents.

The project site was zoned by the County with the intent and understanding that its use would provide some type of recreational/resort activities inuring to the benefit of the entire community and not just the property owner. Eliminating any public benefits from this property will diminish the use and enjoyment of surrounding properties due to the fact that the project site is considered to be an adjunct community resource for entertaining and recreating for any residents willing to pay to use any such facilities developed on the site.

The MND incorrectly states that "there are plentiful parks and recreational facilities currently serving the area." In fact, the land use and zoning maps prepared for the MND, while containing inaccurate information regarding lots that are developed and shown as vacant, do correctly show no land other than the project site available for active recreational use by the Malibu Lakeside residents. There is a substantial difference between wilderness areas which are considered passive recreational areas and developed parkland with the type of active recreational facilities that encourage community use by all persons and which are definitionally considered as "parks" for housing development purposes. The need for active local public parks is recognized in the Santa Monica Mountains North Area Plan, however, there are no plans to develop new active local parks in this area of the county (Plan, IV-29). The Plan states, "One of the most important functions of this portion of the Santa Monica Mountains is its ability to provide the Los Angeles metropolitan region with a wide range of public and private recreational opportunities... Although existing parks and recreational facilities are the basis for experiencing the area's recreational opportunities, the system is insufficient to meet regional needs."(IV-28)

Based on the actual facts establishing that there are insufficient local and regional active parks and recreational facilities to serve this community, there will be a foreseeable potentially significant impact to the Malibu Lakeside community with regard to available active recreational resources if this Commission grants the CUP.

Building Private Mansions on the project site is inconsistent with the County's General Plan, Area Plan, the Community Plan, and the County's Municipal Code.

In response to the question regarding inconsistency with any of the County's land use plans covering the subject property, the MND contains the misleading and non-responsive statement that "the community plan designation for the subject properties is Rural Residential I. Rural Residential I allows for the development of single-family homes." (p. 28)

The Community Plan applicable to this area is the Santa Monica Mountains North Area Plan (Plan). While the Plan contains an overall designation for the area as N1, the actual zoning for each parcel of property is also contained in the plan and the project site continues to be zoned solely for the special use of Resort and Recreation (R-R). In fact, N1 is not a type of zoning recognized in the adopted municipal code for the County and the project site has never been zoned for residential use. No evidence has been presented by applicant to establish that

changing the use of this land when it is designated in the Plan as R-R would be consistent with the county's plans.

As a caveat to use of the Plan, it clarifies that zoning regulations apply countywide (I-4) and that the "Land Use Policy Map is never to be interpreted by itself, but must be interpreted in light of applicable written policies." (I-3.) How these policies are to be interpreted is governed by the Plan's "Guiding Principles" (*id.*) The Plan's policy IV-52 regarding recreation opportunities provides for "the development of new, and the retention of existing, private recreational facilities" in the Plan's rural and mountain areas (such as Malibu Lakeside), "where such uses would be compatible with surrounding land uses."

In other words, enforcing the restrictions of the R-R zoning and limiting the use of the project site for recreational facilities to be offered to the public which will enhance recreational opportunities for the Santa Monica Mountains North Area, is consistent with the community plan. Modifying its use to residential, while on paper retaining the R-R zoning would be contrary to the County's written policy for this area.

Moreover, the zoning code itself supports denial of the CUP in this case. Code §22.12.010 explains that the purpose of the various zoning classifications, including R-R, is to restrict the uses of land at various locations "for the general welfare of the county of Los Angeles." The primary purpose of land zoned R-R is for "outdoor recreation and agricultural uses" (Code §22.40.180) Using R-R land for single-family residences is "subject to review and conditions to protect natural resources and recreational value." (*id.*) Development of the project site as proposed will destroy, not protect, its recreational value to the community and will have a negative impact on natural resources as well.

This property is located within the Santa Monica Mountains National Recreation Area and is subject to the statutory restrictions of this area. Because of its location between surrounding wilderness areas and Malibou Lake, native wildlife, such as bobcats and deer, have been regularly observed by local residents on the project site, which is a natural wildlife corridor. The elusive mountain lion has been spotted in the neighborhood (Dr. Suzanne Cooper letter date 10/1/12) and the site is within the range of the mountain lions inhabiting this area of the Santa Monica Mountains. GPS tracking data shows that Mountain Lion Ranges are as much as 140 square miles and lions travel as much as 20 mile per day in the Santa Monica Mountains. (sources the National Park Service/SMMNRA, Urban Carnivores, The Mountain Lion Foundation and the Cougar Network.) This potentially significant impact on an endangered species has not been considered in the MND.

The proposed development of the site will jeopardize, endanger or otherwise constitute a menace to the public health, safety and general welfare.

Comment letters have been submitted by long-term residents of the community sharing information regarding the history of this site, rain-fall levels, flooding, and other geotechnical and hydrological information that is not contained in the MND. These comments, based upon observation made over many decades by members of the community are important, relevant and reliable evidence to be considered by this Commission. These comments pertain to the regular

flooding that occurs on site due to hillside runoff into this low-lying property, failed septic systems on similar soils in the area due to excessive groundwater, and existing significant groundwater run-off from the project site through adjacent residential properties into Malibu Lake.

The MND states that there will be “no impact” to the wastewater treatment requirements of the Regional Water Quality Control Board because “the project will have a private septic system.” This conclusion is premature and not supported by the evidence. This same deficiency applies to the conclusion that there will not be any significant drainage system capacity problems resulting from the proposed development of the project site.

CEQA requires informed decision-making and public disclosure of all the potentially significant environmental impacts of a project before it is approved. For this reason, if a fair argument can be made based on facts and reasonable assumptions that there exists even one potentially significant environmental effect that has not been shown to be mitigated, an agency must prepare an Environmental Impact Report (EIR) for the project.

In this case, insufficient information has been obtained by the County regarding the ability to use a septic system on the property and to prevent off-site run-off of groundwater and potentially contaminated wastewater.

County staff from public works and health services have not affirmatively determined that a septic system can be safely installed and operated on the project site as well as what would be required and whether or not the procedures are feasible to ‘eliminate sheet overflow, ponding and protect the lots from high velocity scouring action.’ In fact, insufficient testing and analysis has been conducted for these experts to make a final determination on these issues. Instead, they have improperly deferred the testing and analysis of these issues until after the project has been approved, denying the public access to the information and the ability to participate in the decision making process regarding matters which could impact the health and safety of the community.

The July 11, 2012 letter from the County’s Department of Public Health states that “the consent granted herein is intended for the CUP review process only that encompasses the requirements applicable to OWTS [onsite wastewater treatment systems], and does not authorize any land development until all conditions set forth here have been satisfactorily fulfilled.” It then states, if the requirements cannot be met based on information not yet obtained and provided to the county, “this conceptual approval shall be deemed void.” These statements clearly show that more data must be obtained and that the decision to proceed with the project at that time will no longer be in the hands of this Commission, and the public will be barred from providing information to the County in its post-approval decision-making process. Such a procedure contradicts the purpose and mandates of CEQA.

The MND confirms that its determinations that there will be no significant impacts resulting from geologic, soils, and hydrologic issues are based on an unsupported supposition that, once the requisite testing is done and analysis conducted, they will without a doubt result in the same conclusion. This speculation has no factual basis. The county’s own experts are unwilling to give

an unconditional green light to this project and say that it will not have any health or safety impacts for the residents and properties of Malibu Lakeside. Because there is no alternative to septic systems in this community, the current facts do not support a conclusion of no potentially significant impacts.

This project is within an ecological sensitive area of the county. "Drainage from the Santa Monica Mountains' watershed impact water quality and water flows into ...the Santa Monica Bay and the Pacific Ocean." (Plan, II-13) This project cannot be approved when there is insufficient information to conclude that there will not be any resulting negative neighborhood or countywide impacts.

Applicant has failed to meet its burden of proof and the CUP must be denied.

Based on the above-referenced facts and law, there is sufficient evidence to support the Commission finding that applicant has failed to meet its burden of proof and has not presented the evidence required to establish that the project will not "1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area", and will not "2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site" and will not "3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare."

The proposed private resort estates are also inconsistent with the character and charm of this community which has predominately small homes on small lots that were built in reliance upon a central community recreational and social area. The Santa Monica Mountains North Area Plan emphasizes the importance to the County of maintaining the unique identity of its non-urban enclaves within this area by ensuring "that new development is compatible with and enhances the quality of existing communities." (Plan. II-10.) Therefore, Applicant has also failed to satisfy the requirements of L.A. Muni. Code §22.56.040 (b) and (c) regarding integration with the surrounding community and no impacts on public and private service facilities, including recreational.

For all the reasons stated herein and in the 30+ letters already submitted by residents of Malibu Lakeside for consideration by this Commission, the CUP must be denied. We appreciate your time and attention to this matter and, to the extent that community members are able to attend, we will follow up with verbal comments at the December 5, 2012 hearing.

Very truly yours,

Alyse M. Lazar

Fwd: Crags Drive development in Agoura

Suzanne Cooper [suzc33@aol.com]

Sent: Monday, November 26, 2012 8:23 PM

To: Rosie Ruiz; Jarod Nygren; Annie Lin

LETTER IN PROTEST OF MALIBU LAKESIDE CRAGS ROAD DEVELOPMENT
3RD SEND

-----Original Message-----

From: Suzanne Cooper <suzc33@aol.com>
To: jnygren <jnygren@planning.lacounty.gov>
Sent: Sat, Sep 29, 2012 4:57 pm
Subject: Crags Drive development in Agoura

Good Afternoon Mr Nygren,

I have never written a similar letter, but feel compelled to do so regarding the proposed development for Crags drive on parcels numbered:

4462 005 022
4462 005 023

I have lived in Malibu Lakeside for over a decade having been attracted to the area for its rural character and relaxed atmosphere. In general, this neighborhood consists of hard working folks including many business professionals, artists and educators. We have an appreciation of, if not love for black, starry night skies, wildlife running through our yards (including mountain lions), the midnight howl of coyotes, domesticated animals such as horses, goats, and geese roaming the streets.

We have small homes without sidewalks or street lights, there are no tall fences keeping people out (or in), we stop in the street to greet each other and our dogs whom we all know by name. We help each other and band together in times of trouble and during fires and floods that we face nearly yearly.

This is not a neighborhood of mansions with gates and high walls, of bright security lights that pollute the night skies. Private putting greens and large pools for a privileged few who will have difficulty integrating into their rural, neighborhood surroundings. There are many similar homes to that you propose, sitting unsold just over a mile away.

I respectfully ask that the Conditional Use Permit be DENIED for the following reasons:

1. Most importantly, the proposed development is entirely out of character for the existing neighborhood. Given that this is the entrance to the Malibu Lakeside community, this large lot and proposed development sets the tone for the entire community. Please understand that we are not against development, we simply ask that it blends seamlessly with the established eclectic character of our existing neighborhood.
2. The Santa Monica Mountains North Area Plan was established in part to address development concerns such as ours. I will not reiterate all 11 goals of the General Plan, but will offer that the proposed Crags development conflicts with 9 of the 11 goals. Denial of this project permit could stand on this premise alone.
3. No development should occur without an EIR for this lot. As you know, it is a large lot that is heavily wooded and home vs thoroughfare for many local wildlife species. It is common to see owls and hawks, deer, raccoons, snakes, rabbits, ground squirrels and on occasion the local bobcat hunting all of the above.
4. Historically the lot could not address waste water/septic system issues due to inability of the soils to percolate. In addition, the northwest end of the lot has a creek that tends to flood with winter rains. Given that the topography and water table of the area has not changed, I am concerned about waste disposal and waste runoff finding its way into Malibu Lake and the fragile Malibu Creek watershed.
5. I have seen many projects in these beautiful local mountains get underway with grading and destruction of natural landscape. Then for a variety of reasons, the development gets stalled or worse yet, bankrupt such that

the land sits vacant for years - a glaring eyesore in what was once pristine landscape. Should similar events or circumstances occur with the Craggs project, this would be the ultimate tragedy. For this reason and as a neighborhood group, we will be very insistent on the developer's purchase of a Completion and Restoration Bond.

The above listed are only a few of my concerns. I will continue to email as more come to mind and are formalized. I realize that you have many projects under review and comparatively, this proposal may seem small and low impact.

However, this lot is the jewel of the neighborhood and first impressions are everything - it will forever change the charm of our small, eclectic and rustic mountain community.

Thank you for your time and attention

Suzanne Cooper MD
Department of Emergency Medicine
Kaiser Woodland Hills

Fwd: Proposed Development Craggs Drive in Agoura

Dayle Dalton [dayledalton@me.com]

Sent: Wednesday, November 28, 2012 4:16 AM

To: Rosie Ruiz

Cc: Annie Lin; Jarod Nygren

As a resident for near 10 years, living on Paiute Dr., within 500 feet and directly across the street from this proposed massive project which will totally transform the unique nature of our neighborhood, I am sending these to you, to make sure that you have them and know my opposition to the request for Conditional Use Permit. I am urging you to do the right thing and deny this request for a CUP so that the integrity and character of our unique rural neighborhood not be destroyed forever! Deny this CUP!

Begin forwarded message:

From: Dayle Dalton <dayledalton@me.com>
Subject: Proposed Development Craggs Drive in Agoura
Date: September 30, 2012 3:40:42 PM PDT
To: jnygren@planning.lacounty.gov
Cc: Dayle Dalton <dayledalton@me.com>, Dayle Dalton <dayledalton@charter.net>

Mr. Nygren,

As a resident of Malibu Lakeside community for nearly 10 years, I am writing this letter regarding the proposed development at 29153 Craggs Drive in Agoura, parcels numbered 4462 005 022 and 4462 005 023. I wrote to you back in the latter 2010 with my concerns about this proposed project and I am writing to you again with my continued resolve.

I am requesting that the "Conditional Use Permit" for this project be DENIED for the following reasons.

First and foremost this project is in violation of the Santa Monica Mountains North Area Plan established in part to address development of projects such as this. My understanding of the North Area Plan was to preserve the unique culture, quality and character of our Malibu Lakeside community. This Conditional Use Permit should be denied based on this alone. This is a community of small homes, without street lights, without sidewalks and without tall fences. Those of us who live here, came to this rural neighborhood community for these very reasons. The size of the proposed homes will exceed the existing homes. I believe that the largest home within 500 ft of the project is 3000 sq. ft. The proposed homes should be more in keeping with the existing residences. This proposed development will totally transform the nature and character of our neighborhood in a most negative way.

This project will have a detrimental impact on the wildlife corridor, which is home to local species such as deer, rabbits, ground squirrels, owls, hawks, raccoons, coyotes, bobcats and even parrots. I have experienced them all not only in and around the neighborhood,

but in my yards. An Environmental Impact Report must be obtained, before anything is considered for this lot.

I am concerned about flooding and fire safety! Our creek tends to flood with winter rains and I am deeply concerned about waste disposal and waste runoff going into Malibu Lake and the Malibu Creek watershed. My understanding for many years now is that this property could not address the septic system issues, due to inability to percolate. What has changed in this regard? With regard to fire safety - we have one road in and one road out for all residences. Ingress and egress needs to be considered for the safety of the entire community.

As stated, this project will forever change the integrity and character of our neighborhood. Therefore, I implore you to DENY this "Conditional Use Permit", based on all of the reasons stated above.

Thank you.

Dayle Dalton
29155 Paiute Dr.
Agoura, CA 91301
818-707-3302

From: Dayle Dalton <dayledalton@me.com>
Subject: Deny Conditional Use Permit Craggs Drive Proposed Development
Date: October 14, 2012 6:28:45 PM PDT
To: Jarod Nygren <jnygren@planning.lacounty.gov>

Mr. Nygren,
Since I have not heard back from you with regard to my previous communication, I am writing again asking your assistance in rejecting the Conditional Use Permit application for the Craggs drive proposal in the Malibu Lakeside Community. (4462 005 022 and 4462 005 023)

It is unconscionable that you would even consider approving this project with all of the concerns regarding safety, drainage, flooding, septic seepage, wildlife disturbance and destruction and last but not least it is in VIOLATION OF THE Santa Monica Mountains North Area Plan, all being left unanswered! Therefore - there should be no way that you could possibly approve a conditional use permit. At the very least I would expect you to order an Environmental Impact report. How can a development of this size even be approved in the first place without an environmental Impact report.

I urge you to DO WHAT IS RIGHT for this rural neighborhood community and reject the conditional use permit.

Dayle Dalton
29155 Paiute Dr.

Fw: 29153 Craggs Drive, Malibu Lake, CA- per your request

Kathleen Thomas [sassykt3@yahoo.com]

Sent: Wednesday, November 28, 2012 4:48 PM

To: Jarod Nygren; Annie Lin

The following are some of the major reasons why granting a CUP would be detrimental to the property owners of Malibu Lakeside. It should be mentioned that a CUP would forever negatively change the character of Malibu Lakeside by eliminating RR land that could be used and always has been used for recreation and resort activities. The Malibu Lakeside Clubhouse, including pool, tennis court, ping pong table, baseball diamond, swings, etc. served the community for decades. The Clubhouse held many activities all year round for families.

This CUP and other types of zoning are completely inconsistent with The Santa Monica Mountains North Area Plan adopted in 2000. The points below further expound the problems with building the proposed homes.

1. Flooding. a) When the Clubhouse existed there were many problems with septic issues. Certainly the proposed two homes at 7,885 square feet and 7,503 square feet with septic systems would impact the area, especially considering there is a creek running into Malibu Lake through Malibu Canyon to the beach. Any runoff of a faulty septic system will end up in the Pacific Ocean. b) During the rainy season the creek fills up at the end of the proposed site (Craggs and Paiute) and overflows into neighboring properties. It also causes Craggs Drive to become flooded (seasonal "lake") where the runoff comes from the mountains, across Craggs Drives onto the proposed building site. This can be a traffic hazard.
2. Fire. This is a huge issue, as long term neighbors know evacuation is difficult at best. There is only one way in and out. Traffic backs up on Craggs and people have no where to go to evacuate. Furthermore, during some of the past fires in the 70's and 80's this RR property was used for staging horses and vehicles that needed to be moved out of the fire path.
3. Peace and Harmony. This RR property has always been a peaceful, relaxing property with recreational facilities. The original developer always planned it would be for recreational purposes, since it is in the heart (center) of Malibu Lakeside - with homes surrounding it.
4. School bus site. On the corner of this property (Craggs and Seminole) is situated a bus stop serving the elementary, middle and high school students. The bus stop has been serving the children on the corner for fifty years.
5. Parking. The flat portion of the perimeter of this parcel have always been used for parking. The width of the roadways has been impacted by the current developer placing poles, tree stumps, boulders to impede parking. There is no alternative parking for homeowners owning homes around this property.
6. Wildlife. This property has been home to coyotes, bobcats, nesting herons, bats, birds, and recently a mountain lion has been seen in the near vicinity. Many of these animals travel through the park to get to Malibu Lake for water.

7. Lighting. Dark Sky Ordinance is a major concern. Malibu Lakeside enjoys no street lighting, sidewalks, etc. and therefore, one of the features of living in this area is being able to see the stars. Animals also need darkness to survive. With the proposed housing by this developer, a putting green, lights surrounding his property and gates are a problem for both lighting and wildlife.

8. Oak Trees. The current Staff Analysis for this CUP indicates the proposed developer plans to remove an oak tree. However, who will be monitoring this since there are over 40 oak trees on this property? Furthermore, it has been noticed by homeowners that holes have been dug around oak trees and moisture occurs in the immediate oak tree base. That is a questionable procedure and we must be sure that the Oak trees are preserved.

9. Safety. The placement of the potential driveways by this developer is planned on Craggs Drive. The main road out of this area. They are placed at a blind hill, where two accidents have occurred in the last decade. Families turning in and out of these driveway are placing themselves and others in jeopardy.

It must be stated that this type of development clearly degrades the quality of life in this RR specified property. Further, the reference by builder of two family residences is understated, since most family residences do not equal 7,885 square feet and 7,503 square feet.

We must prioritize our Santa Monica Mountains resources since this property has been preserved open space with natural wildlife habitat and no artificial lighting. This property was always intended to remain RR for surrounding homes at Malibu Lakeside to enjoy as a recreational space.

Kathleen Thomas
29118 Craggs Drive
Malibu Lakeside

FW: 29153 Craggs Drive, Agoura

Rosie Ruiz

Sent: Wednesday, November 28, 2012 4:47 PM

To: Jarod Nygren; Annie Lin

Please include this for tomorrow's mailing. Thank you.

Rosie O. Ruiz
Commission Services
(213) 974-6409

From: Bronwen Li-Paz [mailto:lipazbronwen@gmail.com]

Sent: Wednesday, November 28, 2012 4:45 PM

To: Rosie Ruiz

Subject: 29153 Craggs Drive, Agoura

I am very sad to hear that permission is being considered to build large houses on the empty space on Craggs Drive, Malibu Lakeside, Agoura. Please will you consider the following points before granting approval for the "Conditional Use Permit" ("Mitigated Negative Declaration") on 29153 Craggs Drive, Assessor's Parcel Numbers: 4462-005-022 and 4462-005-023.

18 months ago my family and I moved from a beautiful home in the traditional suburb community of Oak Park and came to what we consider to be the pearl of the Conejo Valley, Malibu Lake. It is the only remaining rural community that looks like Agoura Hills did 30 years ago when my husband grew up here. We reside at 28951 Craggs Drive and have the thrill of driving past the above lots to and from work and taking our children to school each day. We walk our two dogs past that land twice a day and never know what we will see. Apart from the squirrels and rabbits, we have had the privilege of seeing a bob cat, coyotes, a stork, skunks, raccoons and most recently, a nearly full grown male deer crossing from the land and up the Craggs Drive to Circle Drive. When we walk at night we love to watch members of the local owl population swooping out of the trees and in the mornings there is a chorus of bird song. I consider it would be a tragedy not only for the human residents but for all of the above if the land were razed for such huge houses. And what about the trees – including Oak trees?

Please consider the character of this unique area and the size of the houses in the area when considering this construction. We are a close community, and although my family is one of the newest residents, we were welcomed with open arms by our neighbors. We are not people of closed doors and high walls, but of sharing produce, eggs, news or at least a smile and a wave when we pass each other. It is a simple neighborhood with professional, hard working residents who all came to this area for the character of the houses and surrounding countryside and the people that attracts.

I urge you to look at an environmental impact report made before this can continue.

Thank you for considering this request.

Respectfully,

Bronwen Li-Paz



Save Open Space ✧ P. O. Box 1284 ✧ Agoura, CA 91376

November 29, 2012

Re: Malibu Lake Project #R2010-01071-3 CUP #201100012

Dear Commissioners Valadez, Louie, Helsley, Petersen and Modugno:

This private estate development project of two massive homes and private urban uses requires a full EIR for adequate impact analysis and adequate disclosure under CEQA law.

- 1) The proposed residential use is inconsistent with the zoning and how Tract 7374 was planned. The small lot substandard subdivision was allowed with the setting aside of this 4 acre area for the subdivision's recreation. There is no room to put in pools and or play areas in the small substandard lots. Hence, the compatible zoning of RR (Resort Recreation) for this 4 acre parcel on Tract map 7374. This property is part of the subdivision Tract 7374 as disclosed on the Title report for this property but unfortunately not disclosed.
- 2) Tract 7374- of which this property is a part- is not even mentioned and discussed as required by CEQA law and full disclosure. This Tract map must be a part of the accurate description of the property as required by CEQA.
- 3) The comments include a statement that the property has a high water table. That makes sense historically since this property was the source of pumped potable water for the small lot subdivision development. If the water table is too high, the property will not perc for its planned septic system and its anticipated effluent discharge. A geology review with log tests is required to analyze if septic will work here at all.
- 4) Fish and Game needs to determine the status of this stream where Sycamores grow and if any endangered species reside here and the impacts of a large septic system, urban runoff, the putting green, pool, and the grading. Fish and Game has not yet weighed in on this project probably because the significance of the watercourse's ecosystem was not analyzed during wet weather conditions.
- 5) Mountain lions, signature species at the top of the food chain, have been known to use this property. This is not mentioned. Nor is it mentioned that this property is within the boundaries of the Santa Monica Mountain National Recreation Area. (SMMNRA) Security lighting cannot be allowed because this will impact the mountain lions and other national park animals from going through this property on their way to get water from the lake. Even allowing low lighting needs to be analyzed for its impact on the nocturnal wildlife of our national park.
- 6) Alternatives need to be explored. No residential development project here is the environmentally superior alternative which upholds the existing RR zoning.

- 7) A zone change should have been required.
- 8) The environmental assessment looking at only the Oak Tree Permit is grossly inadequate. A full EIR is required to comply with CEQA law, Los Angeles County's Zoning Ordinance and the Subdivision Map Act.

Sincerely,

Mary E. Wiesbrock, Chair Save Open Space

29136 Craggs Dr.
Malibu Lake, CA 91301

September 21, 2012

Mr. Jarod Nygren
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012

RE: 29153 Craggs Dr.

Dear Mr. Nygren:

We are writing to share reactions, raise concerns, and ask questions about the proposed CUP # 201100012 and Mitigated Negative Declaration for Project # R2010-01071-(3) located at 29153 Craggs Drive, Agoura, Malibu Lake.

We appreciate the significant investment of time and resources by the applicant in pursuing development of the property. While we do believe that private land owners should be able to develop their property to the extent allowed by ordinance, several issues are as yet unresolved in this case.

1. The location of the driveway on the eastern end of the property poses a safety problem under "17. Transportation/Traffic. Would the project: d) substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections)?" (p. 35/39). Traffic traveling from the eastern end of Craggs must pass through a blind "alley-oop" as vehicles ascend the hill immediately in front of the proposed driveway. The addition of a driveway would exacerbate the hazards of this already dangerous stretch of road. Oncoming traffic has insufficient visibility to detect vehicles entering Craggs from the driveway or to detect cars crossing the opposing lane of traffic to enter the driveway. Cars entering or exiting the subject property likewise have no visibility of cars, trucks, motorcycles, and bicyclists approaching from the eastern end of Craggs until those vehicles crest the hill.

2. The location of both driveways on Craggs would exacerbate storm-water drainage issues already encountered at the western end of the property on Craggs Drive. At the natural valley created in the spot where the stream bed goes under the street, a small lake appears each year as downhill runoff from both ends of Craggs Drive pools at the bottom of the two hills and then drains into the stream bed. The presence of this seasonal "lake" already creates a traffic hazard. Adding runoff from two driveways that will also drain onto Craggs will exacerbate this drainage problem and will cause more runoff to enter the stream instead of being diverted from it as the plans call for. This matter is not addressed in Section 17 above, nor in "10: Hydrology and Water Quality. Would the project: h) Result in point or nonpoint source pollutant discharges into State Water Resources Control Board-designated Areas of Special Biological Significance?" And "j) Otherwise substantially degrade water quality?" (p. 26/39).

3. The parcel in question provides territory to coyotes, bobcat, and nesting herons among many other species of wildlife. The characterization by the applicant that "some coyote scat was found there" (p. 12/39) does not adequately portray the use of this parcel by this and other native resident California species. All through the fall and winter not a day or night goes by when we do not see and hear coyotes on the subject property. During the spring and summer, the coyotes are less frequent visitors to the subject parcel, but this is when the herons arrive to perform their rituals of building and guarding nests. Recently, the parcel in question has also been home to a bobcat who has been sighted by many neighbors in the past months. Mitigation for this Endangered Species and other native resident wildlife species is not adequately addressed in the Environmental Checklist Form in response to either,

"Part 4. Biological Resources. Would the project: a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status special in local or regional plans, policies, etc.?" (p. 12/39)

Or

"d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?" (p. 13/39)

Or

"Part 19. Mandatory Findings of Significance a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, . . . restrict the range of a rare or endangered plant or animal . . . ?" (p. 39/39).

4. The subject property has several pathways that are used on a daily basis by members of the community and it is unclear how the proposed development would address the question posed in "11. Land Use and Planning Would the project: a) physically divide an established community?" (p. 28/39). The dirt road that bisects the property and connects Craggs Drive to Paiute is a historic route for pedestrians walking from one side of the Malibu Lake and Lakeside communities to the other. The Environmental Checklist Form shows a response of "No Impact" by the applicant. Does this mean that the road would remain open to the community?

5. What are the plans for the school bus stop that has served local elementary, middle school, and high school students for decades and has been historically located on the Seminole side of the subject property?

6. How does a putting green comply with the requirement for native plants and drought-tolerant landscaping?

7. The flat portions of the perimeter of this parcel have historically been used for off-street parking along the narrow roads of Craggs, Seminole, and Paiute. These streets are currently posted with "Park off Pavement" and/or "No Parking" signs due to the insufficient width of the roadways. For homes located across the street and on uphill slopes from the subject property, there is no alternate off-street parking available. In the "Conditional Use Permit Burden of Proof" document, however, the applicant does not address whether the recently erected barriers

to such off-street parking (which are made of downed telephone poles, tree stumps, and other eye sores), will be removed and the historic use necessitated by the local topography and roadway restrictions be resumed. If not, will the county reduce or eliminate parking restrictions on these narrow roads? Or will the county widen the roads to accommodate parking needs of the community?

We look forward to receiving a more detailed response to the issues and questions we have raised in respect to the development of the vacant parcel identified as 29153 Craggs Drive.

Sincerely,

Davidson & Debby Pattiz

Jarod Nygren

From: Pamela Pearl [pamelaapearl@sbcglobal.net]
Sent: Wednesday, September 12, 2012 4:39 PM
To: Jarod Nygren
Subject: RE: 29153 Crags Drive Agoura Hills, CA

DEAR MR NYGREN,

I HAVE READ THE ENVIRONMENTAL IMPACT STUDY AND DO NOT BELIEVE THE CONCLUSIONS ARE IN KEEPING WITH THE GUIDING PRINCIPLES OF THE SANTA MONICA MOUNTAINS NORTH AREA PLAN AS ADOPTED BY THE COUNTY OF LA REGIONAL PLANNING BOARD ON OCT. 24, 2000.

MALIBOU LAKESIDE RESIDENTS HAVE A VISION OF OUR COMMUNITY AND IT'S RESOURCES. WE WANT TO PRESERVE AND PROTECT THE UNIQUE BEAUTY, HABITATS, HUMAN LIFESTYLE AND RURAL INTEGRITY OF OUR LAKESIDE CANYON.

WE MUST PRIORITIZE OUR SANTA MONICA MOUNTAIN RESOURCES OVER DEVELOPMENT. THE 4.6 ACRE PIECE OF LAND IN QUESTION IS AN UNBROKEN BLOCK OF NATURAL OPEN SPACE AND WILDLIFE HABIT LINKAGE. THERE IS AN IMPORTANT WATER COURSE ON THIS LAND DRAINING INTO MALIBOU LAKE. THE MALIBU CREEK WATERSHED IS ONE OF THE MOST IMPORTANT RESOURCES IN SOUTHERN CALIFORNIA AND MUST BE PROTECTED.

THE SHEER ENORMOUS BULK OF THESE PROPOSED HOUSES DO NOT RELATE TO OUR NEIGHBORHOOD OF SMALL HOUSES AND SMALL LOTS. IN FACT, THE PROPOSED HOMES WOULD BE 4-5 TIMES LARGER THAN THEIR NEIGHBORS. OF COURSE, THESE HUGE BUILDINGS AND MANY PEOPLE WHO WOULD LIVE THERE WOULD NEGATIVELY IMPACT ALL FIVE HUMAN SENSES OF THE PEOPLE WHO LIVE HERE AND ALL THE CREATURES WHO NOW LIVE ON THAT OPEN LAND. THE CONCLUSIONS OF THE ENVIRONMENTAL STUDY THAT THE PROJECT WOULD HAVE NO SUBSTANTIAL IMPACT ON THE NEIGHBORS IS BIZARRE AT BEST.

PLEASE DO NOT PROVIDE THIS PROPOSED PROJECT WITH A CONDITIONAL USE PERMIT AS IT IS NOT IN KEEPING WITH THE SANTA MONICA MOUNTAINS NORTH AREA PLAN.

SINCERELY YOURS, PAMELA A PEARL

--- On Wed, 9/12/12, Jarod Nygren <jnygren@planning.lacounty.gov> wrote:

> From: Jarod Nygren <jnygren@planning.lacounty.gov>
> Subject: RE: 29153 Crags Drive Agoura Hills, CA
> To: "Pamela Pearl" <pamelaapearl@sbcglobal.net>
> Date: Wednesday, September 12, 2012, 1:35 PM Here is one last document
> that was not attached to the previous email.

>

> -----Original Message-----

> From: Pamela Pearl [mailto:pamelaapearl@sbcglobal.net]

>

> Sent: Sunday, September 02, 2012 5:55 PM

> To: Jarod Nygren

> Subject: RE: 29153 Crags Drive Agoura Hills, CA

>

>

> DEAR MR NYGREN,

> I OWN THE PROPERTY AT 29144 CRAGS DR ACROSS FROM THE PROPOSED
> DEVELOPMENT.

> WHY DID THIS PROJECT GET A NEGATIVE DECLARATION THE FIRST TIME?

> WHAT WERE THE ENVIRONMENTAL FINDINGS? ISN'T THE DRAINAGE COURSE ON THE

> WEST SIDE OF THE PROPERTY A BLUE LINE STREAM? COYOTES AND BOBCATS ARE

> FREQUENTLY USING THAT PROPERTY. CONSIDERING THE NUMBER OF OAKS AND

> SYCAMORES IS THE SUBJECT PROPERTY A RIPARIAN WOODLAND? ISN'T THE
> SLOPE GREATER THAN 25%?
> WOULDN'T A SETIC FAILURE DRAIN INTO MALIBU LAGOON? I KNOW RAIN WATER
> FROM ALL OF THE BUTTES DRAINS ACROSS THERE. I AM STUDYING THE SMM
> NORTH AREA PLAN ADOPTED BY REGIONAL PLANNING IN THE YEAR 2000. IT
> SEEMS TO ME THAT THIS DEVELOPMENT CAN NEVER PASS IF THOSE GUIDELINES
> ARE GOING TO BE UPHELD. PLEASE ADVISE ME ON ABOVE AS YOU ARE ABLE.

>
>
>
> THANK YOU,

>
> PAMELA A PEARL

> --- On Thu, 8/30/12, Jarod Nygren <jnygren@planning.lacounty.gov>
> wrote:

>
> > From: Jarod Nygren <jnygren@planning.lacounty.gov>
> > Subject: RE: 29153 Craggs Drive Agoura Hills, CA
> > To: "Pamela Pearl" <pamelaapearl@sbcglobal.net>
> > Date: Thursday, August 30, 2012, 11:07 AM The hearing
> has been
> > rescheduled for October 16th. You will be getting new
> notices
> > reflecting that change.
> >
> > FYI - The hearing is not for a zone change. The hearing
> is for a
> > Conditional Use Permit for single-family homes in the
> R-R zone. The
> > zoning will remain R-R.

> > -----Original Message-----

> > From: Pamela Pearl [mailto:pamelaapearl@sbcglobal.net]
> >
> > Sent: Thursday, August 30, 2012 10:44 AM
> > To: Jarod Nygren
> > Cc: Alextextor@ATT.NET
> > Subject: 29153 Craggs Drive Agoura Hills, CA

> > Dear Mr Nygren,

> >
> > RE permit R2010-01071 CUP 201100012 ENV
> > 201100019- Project location 29153 Craggs Drive Agoura
> Hills, CA.

> >
> > A group of property owners adjacent to this proposed
> project are
> > planning to attend the Sept. 4, 2012 meeting to oppose
> the adoption of
> > a mitigated negative declaration. Is the meeting
> going forth as
> > planned?

> >
> > We do not want to change the zoning from the current
> Resort Recreation

> > (R-R) zone.
> >
> > We collectively have many concerns including
> environmental impact,
> > flooding, traffic, safe egress from disasters, star
> light ordinance
> > and that the property in question is the only flat area
> in this
> > boxed/closed canyon of 168 homes that could stage
> rescue equipment and
> > personnel or provide a safe haven if the Craggs Drive
> escape route is
> > cut off.
> >
> > Please confirm that the 1 pm meeting is going to be
> held and that
> > there will be a forum for a group of us to attend.
> >
> >
> >
> > Sincerely yours,
> >
> >
> > Pamela A. Pearl
> >
> >
>

Jarod Nygren

From: alexandra textor [alextextor@att.net]
Sent: Sunday, September 02, 2012 7:19 PM
To: Jarod Nygren
Subject: Permit R2010-01071 CUP 201100012 ENV 201100019

Dear Mr. Nygren:

This property has been zoned RESORT RECREATION for many ,many years. It has a high water table and being that we are on the down grade we must certainly be under water during a heavy rain storm.

We as neighbors have many more concerns Including ENVIRONMENTAL IMPACT,TRAFFIC EGRESS FROM DISASTERS, FLOODING AND IT IS THE ONLY FLAT OPEN AREA IN CASE OF A DISASTER.

Sincerely Yours
Alexandra S. Textor

Jarod Nygren

From: brad oskow [bradoskow@att.net]
Sent: Thursday, August 30, 2012 1:51 PM
To: Jarod Nygren
Subject: R2010-01071 cup201100012 Malibu Lake permits

This is a formal request that I Brad oskow "do not want the Zoning changes requested to take place " ... Because of Drainage and landscape run off into the lake, Street flooding on Paiute dr. where I own a home is seen each rain season , The Fire Danger ,Changes to the rustic charm of Lakeside a 90 year community .Street lighting, concrete curbs and roof run off that will flow into the near by creek that feeds Malibu lake...I strongly Protest the site plan approval Request...Thank you Brad Oskow A- 26 year lakeside resident .

Jarod Nygren

From: Lise Morris [lise.morris@yahoo.com]
Sent: Thursday, August 30, 2012 12:44 PM
To: Jarod Nygren
Subject: Malibou Lake

Project Location: 29153 Craggs Drive, Agoura (Malibou Lake)
Permit(s): R2010-01071, CUP 201100012 ENV 201100019
Parcel # 4462-005-022 and #4462-005-023

This email is in response to the above Project that is being proposed.

I do not agree with this zoning change. It would do best to stay as a empty lot as nature has made it to be. It was Historically zoned in the 1920's as a Resort Recreation area, for which it should stay.

The 168 homes in this community have all purchased thier homes with the knowledge that this area would not be changed. Yes more homes would be nice, but let's look at the issues at hand.

SAFETY issues are of the utmost:

- *Draining & Flooding (the water barely has a place to run off now as it is)

- *Septic

- *Water Table is 6'-10' (high water table) & in my case my house is way under the water table.

- *Where do we go in case of a fire. There is only one way in & out. This area can be a staging area for us.

When and if there is construction, the blocking of the passage ways from the equipment is going to be dangerous. Parking is going to be a problem as well.

Thank you for taking the time to read my email.

Lise Textor-Morris
29157 Paiute Dr.
Agoura, CA 91301

Jarod Nygren

From: Pat Henkel [pathenkel@earthlink.net]
Sent: Wednesday, August 29, 2012 10:41 PM
To: Jarod Nygren
Cc: dickhenkel@earthlink.net
Subject: Notice of Intent to Adopt A Mitigated Negative Declaration

Subject: R2010-01071 CUP 201100012 EVN20110001

Project Location

29153 Craggs Dr. Agoura (Malibu Lake) Assessor's Parcel Number 4462-005-022
Assessor's Parcel Number 4462-005-023

Mr. Jared Nygren:

In response to your Notice of Public Hearing on Tuesday Sept. 4th. 2012 we don't agree with the zoning change. There are 168 homes in this community. This parcel has been zoned since the early 1920's as a Resort Recreation. We have built our home with the knowledge that it would stay as a Resort Recreation area.

Our Concern on the changes to the property are:

Issues on drainage and flooding in the past especially on Mr. Bob Textor home on Paiute.

Septic system

Water table is 6ft to 10 ft. high water table.

Safety issue during a fire if the road is block due to construction.

Richard and Patricia Henkel

Jarod Nygren

From: Trevor Niblock [trevor@magzor.com]
Sent: Friday, September 28, 2012 3:46 PM
To: Jarod Nygren
Subject: Adoption of Mitigated Negative Declaration for 29153 Craggs Drive, Agoura Hills

Dear Mr Nygren,

I am a resident at 28954 Craggs drive and understand that you have the option to reject the adoption of the "Mitigated Negative Declaration" for the building project to build two larger houses on 29153 Craggs Drive in Agoura Hills.

I would strongly urge you to reject this proposal for the following reasons.

1. Firstly, the site is a wonderful wildlife haven in the middle of our community. It is a refuge for smaller animals and offers a path in all directions through the neighborhood for a multitude of animals that keeps the neighborhood rural in character; something that is so lacking and sought after in the Los Angeles area; it would be a terrible shame to spoil such a beautiful site.
2. Safety due to fires is a big concern in our neighborhood. This is the only road out and there is no way you could perform this enormous construction without blocking it. I have a 2 year old child as do many of our neighbors. It is unrealistic to expect to block the only entrance in and out especially when you consider that there are many factors that may cause the need to evacuate, not least of which is the risk of Fire. In such a case, this construction site would be endangering the lives of countless residents.
3. The size of the homes being proposed is ridiculous. Most houses in the vicinity of the site are ~800 Square feet in size. This house is ten times that size. The neighborhood has a wonderful character due to the size and nature of the houses it is made up of, these are mainly older quaint properties with character and style. A set of 8000 square foot houses with all the amenities is going to look like a monstrosity that will ruin a tranquil neighborhood.
4. The site is flooded every winter when it rains, indeed a creek feeding the lake forms during this time. If you walked your dog through the ground (as I do) you would know that at this time of year the plot becomes boggy as it is at the lowest lying point. Indeed, the ground oozes water when it is very rainy as the water table rises above the level of the plot. It is inconceivable and ridiculous to me to see how someone can get this land to perk or find an alternative for a septic system. It would be a clear threat to public health to allow these buildings to be developed.

Due to the fact that the project clearly poses so many threats to the neighborhood, I would urge you to reject it outright. As a minimum, I would request an environmental Impact report and certainly demand a completion and restoration bond from the developer.

I appreciate that you are busy and may have many requests regarding this and other projects that you have to deal with. Nonetheless, I urge you to consider what I have said and do all that is in your power to ensure that correct processes are adhered to in ensuring that this project meets statutory environmental requirements on all levels.

I thank you for your time and look forward to your response and action.

Trevor Niblock.

Jarod Nygren

From: Timothy Carhart [timothycarhart8@gmail.com]
Sent: Monday, October 01, 2012 7:27 AM
To: Jarod Nygren
Subject: Construction at Craggs Drive

Dear Mr. Nygren,
I forward and wholeheartedly second MS. Coopers letter as follows...

Good Afternoon Mr Nygren,

I have never written a similar letter, but feel compelled to do so regarding the proposed development for Craggs drive on parcels numbered:

4462 005 022
4462 005 023

I have lived in Malibu Lakeside for over a decade having been attracted to the area for its rural character and relaxed atmosphere. In general, this neighborhood consists of hard working folks including many business professionals, artists and educators. We have an appreciation of, if not love for black, starry night skies, wildlife running through our yards (including mountain lions), the midnight howl of coyotes, domesticated animals such as horses, goats, and geese roaming the streets.

We have small homes without sidewalks or street lights, there are no tall fences keeping people out (or in), we stop in the street to greet each other and our dogs whom we all know by name. We help each other and band together in times of trouble and during fires and floods that we face nearly yearly.

This is not a neighborhood of mansions with gates and high walls, of bright security lights that pollute the night skies. Private putting greens and large pools for a privileged few who will have difficulty integrating into their rural, neighborhood surroundings. There are many similar homes like that you propose, sitting unsold just over a mile away.

I respectfully ask that the Conditional Use Permit be DENIED for the following reasons:

1. Most importantly, the proposed development is entirely out of character for the existing neighborhood. Given that this is the entrance to the Malibu Lakeside community, this large lot and proposed development sets the tone for the entire community. Please understand that we are not against development, we simply ask that it blends seamlessly with the established eclectic character of our existing neighborhood.
2. The Santa Monica Mountains North Area Plan was established in part to address development concerns such as ours. I will not reiterate all 11 goals of the General Plan, but will offer that the proposed Craggs development conflicts with 9 of the 11 goals. Denial of this project permit could stand on this premise alone.
3. No development should occur without an EIR for this lot. As you know, it is a large lot that is heavily wooded and home vs thoroughfare for many local wildlife species. It is common to see owls and hawks, deer, raccoons, snakes, rabbits, ground squirrels and on occasion the local bobcat hunting all of the above.
4. Historically the lot could not address waste water/septic system issues due to inability of the soils to percolate. In addition, the northwest end of the lot has a creek that tends to flood with winter rains. Given that the topography and water table of the area has not changed, I am concerned about waste disposal and waste runoff finding its way into Malibu Lake and the fragile Malibu Creek watershed.
5. I have seen many projects in these beautiful local mountains get underway with grading and destruction of natural landscape. Then for a variety of reasons, the development gets stalled or worse yet, bankrupt such that the land sits vacant for years - a glaring eyesore in what was once pristine landscape. Should similar events or circumstances occur with the Craggs project, this would be the ultimate tragedy. For this reason and as a neighborhood group, we will be very insistent on the developer's purchase of a Completion and Restoration Bond.

The above listed are only a few of my concerns. I will continue to email as more come to mind and are formalized. I realize that you have many projects under review and comparatively, this proposal may seem small and low impact. However, this lot is the jewel of the neighborhood and first impressions are everything - it will forever change the charm of our small, eclectic and rustic mountain community.

Thank you for your time and attention

Suzanne Cooper MD
Department of Emergency Medicine
Kaiser Woodland Hills

Jarod Nygren

From: Susan Van Vonderen [susanvanvonderen@sbcglobal.net]
Sent: Friday, September 28, 2012 12:13 PM
To: Jarod Nygren
Subject: stop planned development on Craggs Drive



Hello! My husband and I moved to Malibu Lake 15 years ago because of it's rural and natural appeal. We are opposed to the big development planned in our area. It is out of place and would seriously affect the natural environment. Please consider an environmental impact study prior to going forward with this project. Thank you!
Susan VanVonderen and Mark Waldman. 1605 Lookout Drive Agoura Hills, Ca 93010

Jarod Nygren

From: Sandy Guthrie [sg@antennafilms.com]
Sent: Friday, September 28, 2012 3:13 PM
To: Jarod Nygren
Subject: Malibu Lake Proposed zoning change.

Dear Supervisor Nygren,

I am writing to you today to express my concern about the proposed zoning change on the center lot in Malibu Lake. I have lived in Malibu Lake for almost 10 years and I am concerned about the impact the proposed construction will have on our community. Malibu Lake is a unique community whose rural setting and unique old world charm would be destroyed by placing two large suburb type homes in the middle of our rural community. Malibu Lake is an open community, with few fences or walled off compounds. We coexist with the wild life that has inhabited this area for centuries allowing their natural trails to cross our property. I am concerned that there is not a recent environmental impact study. This is low lying bottom land that to date has not shown the ability to perk and these large home will require large septic systems.

In addition our area is in a high fire risk zone and it is of concern that our one road our can accommodate the traffic if there needs to be an evacuation.

In summary Malibu Lake is one of the last remaining gems in the Santa Monica Mountain North area plan. Our area is an area that stays true to the vision of this plan and maintains a respect and coexistence with the nature and wild life we share the region with.

I strongly feel that two large suburb homes set down into the middle of our rural community will have a deep impact on the rural charm and significance of the area we live in.

Please disallow the proposed change to the current zoning on this piece of land.

Regards,

Sandra Guthrie
1820 Lookout Drive
Malibu Lake , CA 91301
818.707.0033

Jarod Nygren

From: Rowena Muldavin [therow@charter.net]
Sent: Friday, September 28, 2012 5:05 PM
To: Jarod Nygren
Subject: 29153 Craggs Dr., Agoura

Dear Mr. Nygren,

I own and live in the house located at 28960 Craggs Dr. a short distance from the property at 29153 Craggs Dr. I read the environmental impact study and am very concerned about the building plans for this property for several reasons. Those of us who live here love the area because of the unique rural beauty it offers. The kind of structures proposed are in conflict with the concept of development and preservation of this unique area as outlined in the October 24, 2000 in the Santa Monica Mountains North Area Plan. There was a great amount of effort that went into crafting this plan, and if the current Regional Planning Board allows this proposed project to go through, it will result in a severe negative impact not only on the property itself, but on our entire community.

As you are well aware, the risk of wildfires always has to be considered. There is only one exit from our neighborhood to safety, and it is already compromised by development that has been completed over the years. Another variable that must be considered is the heavy traffic on Kanan Rd., due to not only residential traffic, but to many, many more people who use this route to go to the beach or visit the park, and others who use it to travel to and from work. When there is heavy rain, there are parts of Craggs Dr. that experience flooding that has impacted some houses. I'm also concerned about the natural waterway that finds its way to Malibu Lake being impacted by the proposed development as well as the centuries' old habitat migration trails. A development like the one proposed would be devastating to all.

This proposed development is entirely out of character with the area and the lifestyle enjoyed by the people who live here, and, as stated earlier, it in no way acknowledges the Santa Monica Mountains North Area Plan that was adopted by the Regional Planning Board in 2000.

Kindest regards,

Rowena Muldavin

Jarod Nygren

From: Ron Li-Paz [lipazron@gmail.com]
Sent: Saturday, September 29, 2012 6:18 PM
To: Jarod Nygren
Subject: Craggs Drive, Agoura

Dr. Mr. Nygren,

I want to share a homeowner's perspective on the proposed development for Craggs Drive., parcels: 4462 005 022 and 4462 005 023.

My family and I live on Craggs Drive, a very short distance from the proposed development. As you presumably know, this is a rural community with relatively small houses, no sidewalks nor any street lighting. The night sky here is therefore starlit and the the area is extraordinarily quiet except from the noises of wild and domesticated animals. This community is truly a retreat from the norms of the surrounding residential tracts.

Our home is approximately 2300 ft.² and it is a large home relative to others on Craggs Drive. The proposal to build two 7000+ square-foot houses on this particular road, and in this community seems incongruous. Having read the proposals for the properties, I believe that they are not suited to their environment and will actually cause damage to both the community and the physical integrity of the site.

The proposed construction would be detrimental on the basis of fire and other emergency evacuation risks, impact on animal habitat, impact on night light, disproportionate size, the land's apparent inability to absorb winter water, the fact that the lots are viewed as a beautiful wooded environment in our rural community and the negative impact that these two home properties could possibly have on relative home prices in Malibou Lake.

I respectfully request that the permits to build these homes as proposed be denied.

With gratitude for your consideration,

Cantor Ron Li-Paz
Valley Outreach Synagogue
818-879-8087

Jarod Nygren

From: Renate Damhuis [ladyfacemountain@gmail.com]
Sent: Friday, September 28, 2012 2:58 PM
To: Jarod Nygren
Subject: Please Reject Adoption of Mitigated Negative Declaration for 29153 Craggs Drive, Agoura Hills

Dear Mr Nygren,

I respectfully request for you to reject the Adoption of Mitigated Negative Declaration for project location 29153 Craggs Drive in Agoura Hills. My name is Mrs Renate Damhuis and I am a resident on 28954 Craggs Drive.

My objections for the project plans are as follow:

1. The size of the proposed homes are too large for this community. The largest home within 500ft is only 3000 sq ft. The proposed homes are more then twice the size, which would be totally out of line with the Santa Mountains North Area Plan, taking away the unique culture quality and character of our beautiful neighborhood.
2. The sight is an beautiful wild life corridor which would be destroyed and changes the character of our neighborhood and negatively impacts our quality of life. We regularly see kyotes, bob cats, birds of prey on the sight
3. Fire Safety: we live in a fire danger zone and construction will block the only exit road that we have in case of fire. This poses a severe danger to the many residents that live on the many roads off Craggs Drive and all have to take the same exit route in case of fire emergency.
4. Flooding & Septic System: there is seasonal flooding on Craggs Drive every year that goes onto the project location. The site is the lowest in the neighborhood and has a high water table. I have doubts about the perc reports and believe septic systems will spill to Malibu Lake. If the perc tests where done on the highest point of the site and during construction this 'perc' site will be leveled, surely that will cause a negative impact?
5. Completion & Restoration Bond
In light of the current economy I request for this to be put on place to insure the community on completion of this development.

In light of points 2 and 4 I would to request an Environment Impact Report from the developer, which has not been produced to date and absolutely necessary before such a mega construction project would get the go ahead in our beautiful neighborhood.

Thank you for your time and consideration.

Sincerely,

Renate Damhuis

Jarod Nygren

From: Kathleen Thomas [sassykt3@yahoo.com]
Sent: Monday, October 01, 2012 4:49 PM
To: Jarod Nygren
Subject: Project Location 29153 Craggs Drive, Malibou Lake

Sent from: 29118 Craggs Drive, Malibou Lake

As a homeowner of the above address, I have serious concerns regarding the Notice of Intent to Adopt a Mitigate Negative Declaration for Project: R2010-01071-(3) located at subject address. I have been a homeowner at 29118 Craggs Drive for 35 years.

The issues that are troubling and could have a devastating impact on this area are:

I would like to point out that the study that I read continues to refer to these enormous monster homes as 2 single family residences. Well, in this area, 2 single family residences are not 7,885 sf and 7,053 sf. Which begs you to realize that these potential homes are not consistent with the homes in the area.

1. I am requesting that an Environmental Impact Report be prepared on this project location. Too many issues are unresolved as I will state below.
2. The driveway placement on Craggs could be a serious driving hazard. Anyone attempting to pull in or depart this proposed driveway will face a blind hill for traffic descending down that blind hill.
3. There are issues on Craggs Drive at the creek, which already puddles seriously every winter with the rains. The addition of more runoff from a driveway could cause the stream to overflow and worsen the pools of water. This is a traffic hazard and with the addition of driveway entrances - the hazard could be huge. With a decent rainy season - this could be disastrous. Runoff from this property would also be likely to drain into the stream which ultimately drains into Malibou Lake which then drains in the Pacific Ocean. Concerns need to be addressed regarding the runoff from this building process and plan, as well as proposed septic systems.
4. The area in question for building could cause major issues to the wildlife that exists and has for decades or more. The many endangered species, i.e., herons, bobcats, etc. is not properly addressed in the Environmental checklist.
5. I question how a putting green is environmentally all right for native plants and drought tolerant landscaping.
6. The applicant has limited the parking on the perimeter of this parcel by placing telephone poles, rocks, tree stumps and rounds. However, the placement of these miscellaneous items does not allow for a sufficient setback from the road for parking and certainly in case of fire a fire truck will have issues accessing the roads surrounding the property. And further regarding fire issues, this is a community with one way in and one way out. I was evacuated in 1978 and 1980 (and the traffic was backed up then) - and if there is construction, etc. in the center of the evacuation route - this could be deadly. And certainly fire trucks will have a hassle getting in and out as well.

7. The study I read indicated one oak tree removal - which I understand isn't true, that the number is three. And further states that tree would be replaced with (2) 15-gallon trees - that isn't acceptable - these oaks trees are probably 100 years old or more. How long would it take for a 15 gallon tree to become a "mighty oak".

In summary, this is a peaceful, quiet neighborhood. We do not have gutters, street lights, etc.

I also question that various agencies will be monitoring/reviewing the potential building construction i.e., Santa Monica Conservancy, National Parks, Santa Monica Mountains Area, State Department of Fish and Game, Fire/Health/Sheriff.

I look forward to a response to my questions and issues.

Kathleen Thomas
29118 Craggs Drive
Malibu Lake
818-991-5574

Jarod Nygren

From: Cindy Sweem [clsweem@gmail.com]
Sent: Friday, September 28, 2012 12:04 AM
To: Jarod Nygren
Subject: 29153 Craggs Drive Agoura Hills, CA

I am a property owner at 29144 Craggs Drive. I am opposed to the massive buildings that these developers want to build across the street from my house. The project is not in character and keeping with the rural nature of my neighborhood. I enjoy all the wildlife in that woodland and do not want a CUP to be granted on that R-R zoned lot. My house's 650 square foot footprint takes up only 4% of my property. If you allow those houses then the view from my bedroom would be of large buildings instead of the natural beauty I so love. I bought my home here for the peace and harmony which would be seriously negatively impacted by the 20,000 sf of construction.. During the rainy season we have serious flooding on Craggs which can only be made worse by more concreted areas emptying onto the road. As of now there is no parking on either side of the street and more traffic cannot make this a safer situation. Please respect the SMM North Area Plan. Thank you, Cindy L. Sweem

Jarod Nygren

From: Dan Greco [percodann@charter.net]
Sent: Monday, October 01, 2012 3:44 PM
To: Jarod Nygren
Subject: Project # R2010-01071-3

My address is 1904 Olivera Drive, Malibou Lake, CA. 91301

Please deny the conditional use permit on the above project as the development has no relationship to our rural neighborhoods' size and character. Also, there are significant traffic, fire, environmental, and natural habitat concerns.

Thank you

Dan Greco.

Jarod Nygren

From: Bronwen Li-Paz [lipazbronwen@gmail.com]
Sent: Sunday, September 30, 2012 3:14 PM
To: Jarod Nygren
Subject: Craggs Drive House Construction - Project #: R2010-01071, CUP 201100012 EVN 2011000191

Dear Mr. Nygren,

I am very sad to hear that permission is being considered to build large houses on the empty space on Craggs Drive, Malibou Lake. Please will you consider the following points before granting approval for the "Conditional Use Permit" ("Mitigated Negative Declaration") on 29153 Craggs Drive, Assessor's Parcel Numbers: 4462-005-022 and 4462-005-023.

18 months ago my family and I moved from a beautiful home in the traditional suburb community of Oak Park and came to what we consider to be the pearl of the Conejo Valley, Malibou Lake. It is the only remaining rural community that looks like Agoura Hills did 30 years ago when my husband grew up here. We reside at 28951 Craggs Drive and have the thrill of driving past the above lots to and from work and taking our children to school each day. We walk our two dogs past that land twice a day and never know what we will see. Apart from the squirrels and rabbits, we have had the privilege of seeing a bob cat, coyotes, a stork, skunks, raccoons and most recently, a nearly full grown male deer crossing from the land and up the Craggs Drive to Circle Drive. When we walk at night we love to watch members of the local owl population swooping out of the trees and in the mornings there is a chorus of bird song. I consider it would be a tragedy not only for the human residents but for all of the above if the land were razed for such huge houses. And what about the trees – including Oak trees?

Please consider the character of this unique area and the size of the houses in the area when considering this construction. We are a close community, and although my family is one of the newest residents, we were welcomed with open arms by our neighbors. We are not people of closed doors and high walls, but of sharing produce, eggs, news or at least a smile and a wave when we pass each other. It is a simple neighborhood with professional, hard working residents who all came to this area for the character of the houses and surrounding countryside and the people that attracts.

I urge you to at least have an environmental impact report made before this can continue.

Thank you for considering this request.

Respectfully,

Bronwen Li-Paz

Jarod Nygren

From: Debbie Larson [debbieatlakeside@gmail.com]
Sent: Monday, October 01, 2012 1:39 PM
To: Jarod Nygren
Cc: Debbie Larson
Subject: Conditional Use Permit for 29153 Craggs Drive
Attachments: Lakeside Visuals[1]_Page_1.jpg; Lakeside Visuals[1]_Page_2.jpg

Dear Jarod Nygren,

I am writing to you in regards to the following project located at 29153 Craggs Drive, Assessor's Parcel Numbers: 4462-005-022 and 4462-005-023, project # R2010-01071, CUP 201100012 EVN 2011000191.

I am concerned that the proposed project will be detrimental to the look and character of the immediate surrounding Malibou Lakeside community. This area, as you know, is rural and quaint.

Please take a look at the attached visuals. As you can see, the proposed project's residential house size is extremely out of proportion to the small to moderate cabin-like homes.

Thank you in advance for your consideration of the denial of the Conditional Use Permit.

Debbie Larson
28930 Craggs Drive
Agoura, CA 91301

Proposed development is HIGHLY out of character with the community



Likely value of two
proposed homes:

\$2.0 to \$2.5 million each

Average value of homes
surrounding the lot:

\$603,000

Average value of properties
surrounding the lot includ-
ing undeveloped parcels:

\$327,000

Proposed development increases the already high fire evacuation risk

Typical cul-de-sac: 4-12 homes



Malibu Lakeside cul-de-sac: 140 homes



Jarod Nygren

From: Jerlyn Priest [jerlynpriest@yahoo.com]
Sent: Tuesday, October 09, 2012 11:06 PM
To: Jarod Nygren
Subject: RE: Permit R2010-01071, CUP 201100012 ENV 01100019

And RE: Project Location: 29153 Craggs Drive, Agoura (Malibou Lake), Assessor's Parcel Number 4462-005-022

Dear Jarod Nygren,

My name is Jerlyn Priest and I have lived at 1922 N. Seminole Drive, just across the road from this project location since April of 1972. I have been through many fires and floods here at Malibou Lake over these 40 plus years, and this proposed project will be a threat to the safety of this community and will devastate the unique character and the cultural and wild life environment we live in. Because of the high fire risk and narrow road which surrounds the 29153 Craggs Drive project and which is the only way to get out, we have recently been charged a fire service fee for this high fire risk community. I have been through fires where we have been unable to get out when evacuation was called for because it was impossible or blocked because of the number of persons, cars and homes in this small community and the one narrow road access. During floods, the road in front of my house (across road from project) and the roads surrounding the project location have been raging with rivers of water flowing down from the surrounding mountains and I have been trapped in my home and also been unable to get my car home through these flooded roads. The land on the project location is the lowest point in the neighborhood and rivers of water flow above and below the project's ground. The project property becomes a swamp during rains and long afterward and is not fit for a healthy and safe septic/sewage system. The magnitude of the proposed homes will destroy the environment, view, the character and the wildlife corridor of this small Malibou Lake community, which is the reason we chose to live here 40+ years ago. The size of these proposed homes far exceeds the largest home here, which is across the road on Craggs from the project location. These proposed homes would make a horrendous negative impact on life here and I strongly object!

Jerlyn Priest
1922 N. Seminole Drive
Agoura (Malibou Lake), CA 91301
jerlynpriest@yahoo.com

★ *and [unclear] [unclear]*

Jarod Nygren

From: Kathleen Thomas [sassykt3@yahoo.com]
Sent: Sunday, October 07, 2012 2:01 PM
To: Jarod Nygren
Subject: Fw: Project Location 29153 Craggs Drive, Malibu Lake

From 29118 Craggs Drive.

I would first like to stress that generally TWO SINGLE FAMILY DWELLINGS are not 7,885 square feet and 7,503 square feet. This area is rustic and most homes are maximum 2,500 square feet, most are smaller than that. The proposed dwellings triple what is typical.

After reviewing the Burden of Proof for the above property I have the following comments:

1. Re: adversely affecting peace, comfort in residing surrounding area:
 - Peace - noise construction will definitely affect peace and quiet for an unpredictable amount of time - based on the size of these houses.
 - Health - the location of driveways are definitely a traffic hazard. I have lived here 35 years and have seen two horrific accidents exactly where driveway is planned, due to the blind hill where the driveway entrance is suggested.
 - Comfort - this area is a peaceful, rustic area with no sidewalks, street lights, gated homes, putting greens, etc. This proposed plan is so out of the realm of this area.
2. Re: detrimental
 - by building the open space that has been a home to birds, coyotes, bats, bobcats and other wildlife will be destroyed.
 - I repeat the driveway is a menace based on its location - disastrous accidents waiting to happen
 - health could be an issue with the drainage of septic - there already exists a natural pooling at the creek on Craggs Drive and that creek drains into Malibu Lake, then to the ocean. If there is any septic seepage health issues become enormous draining into the lake and ocean.
3. Re: size and shape
 - bottom line these homes are not consistent with surrounding homes.

Oak Tree issues:

1. - the removal of any oak tree is horrendous. Replacement with 2 (15 gal.) oak trees is a joke - the oak trees in this space are hundreds of years old.
 - it also appears that "someone" is purposely poisoning an oak tree on the property. One that interestingly would be in the way of the proposed building.

Please please review these issues, as well as the many neighbors that are imploring your assistance in this matter.

Previously sent:

As a homeowner of the above address, I have serious concerns regarding the Notice of Intent to Adopt a Mitigate Negative Declaration for Project: R2010-01071-(3) located at subject address. I have been a homeowner at 29118 Craggs Drive for 35 years.

29118 Craggs Drive
Malibou Lake
818-991-5574

Jarod Nygren

From: Dina Lasky [dina.lasky@frosch.com]
Sent: Monday, October 08, 2012 12:10 PM
To: Jarod Nygren
Subject: Fw: Notice of intent to adopt a Mitigated Negative Declaration...Assessors Parcel # 4462-005-022 & 4462-005-023

Jared,

I am writing this letter in response to the above subject. I have lived in this Malibu lake Neighborhood for the last 9 years and the thought of these large homes being built is very disturbing. I have been riding my horses through this area, walking my dogs and enjoying the open space with my neighbors and friends. The roads are very tight up here, and the thought of the Fire season ahead and possibly being blocked by the Construction is very scary. There is only one road in and one road out. The sight is a important wild life corridor.

The size of the homes that are planned to be built do not go with the existing homes in the neighborhood.

Dina Lasky

Travel Specialist

FROSCH CLASSIC AND CRUISE TRAVEL

5850 Canoga Avenue, #550

Woodland Hills, Ca 91367

C: 310-748-6041

O:818-936-2000

dina.lasky@frosch.com

www.froschclassic.com

Jarod Nygren

From: FAURE Nicolas [Nicolas.FAURE@3ds.com]
Sent: Monday, October 08, 2012 12:06 PM
To: Jarod Nygren
Subject: Project location: 29153 Craggs Drive

Mr. Nygren,

On behalf of our Malibou Lake community, please do not issue building permits for the extremely large, out of place proposed development of 20,000 sf homes on Craggs Drive in ... [View more](#) Malibou Lake.

The character and rural beauty of our neighborhood would be destroyed. The peaceful nature of our surroundings would be squashed with such a grotesque building right smack in the middle of our community. Currently, the area is serene and the birds and local creatures roam through the neighborhood, and the proposed development would destroy the nature that lives on Craggs.

We URGE you to conduct an Environment Impact Study on the development. We have ENOUGH GIGANTIC homes on Mulholland Drive down from Lake Vista in the Vintage at Hidden Park development. We DO NOT want these MANSIONS in the middle of our unique, quaint, rustic neighborhood.

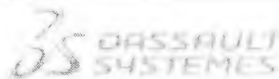
We are counting on you to DO THE RIGHT THING!! Thank you

Best Regards,

Nicolas FAURE
Director, Technical Sales CATIA NAM

Office: +1 81 8673 2113
Mobile: +1 81 8312 8556
nicolas.faure@3ds.com

3DS.COM/CATIA

 DASSAULT
SYSTEMES

A 3D EXPERIENCE Company

Dassault Systemes Americas Corp. | 6320 Canoga avenue, 3rd floor, Trillium East Tower Building | Woodland Hills, CA 91367-2526 | United States

This email and any attachments are intended solely for the use of the individual or entity to whom it is addressed and may be confidential and/or privileged.

If you are not one of the named recipients or have received this email in error,

(i) you should not read, disclose, or copy it,

(ii) please notify sender of your receipt by reply email and delete this email and all attachments,

(iii) Dassault Systemes does not accept or assume any liability or responsibility for any use of or reliance on this email.

For other languages, go to <http://www.3ds.com/terms/email-disclaimer>

Jarod Nygren

From: Brian Rooney [elroon@earthlink.net]
Sent: Thursday, October 04, 2012 2:47 PM
To: Jarod Nygren
Attachments: Lakeside Visuals.pdf

Concerning: 29153 Craggs Drive **Parcel Numbers:** 4462-005-022 & 4462-005-023 **Project #:** R2010-01071, CUP 201100012 EVN 2011000191.

Dear Mr. Nygren:

With this message, I wanted to express my deep concern for the planned development of large houses in the Malibu Lakeside community.

My neighbors and I are not opposed to houses being built, it's their size that alarms us as they will essentially be mansions surrounded by small cabins. Among the problems that this development holds is the very real fear that these homes will sit unsold for years. Malibu Lakeside is a rustic neighborhood where homes average \$600,000. Those with the money to buy a \$2 million home (like those proposed here), won't spend that for a house in this neighborhood. They want to be in an upper class neighborhood and that is *not* Malibu Lakeside. Please see attachment here.

Because of the financial risk of this development and the unproven track record of the developers, it is imperative that the Completion and Restoration Bond has enough money to complete the project.

These houses will sit only a few hundred feet from Malibu Lake on land that was not been compatible with septic systems for decades. We fear that the septic approval was done on a piece of the property where the septic system cannot be placed, thus canceling out a valid septic approval. With the area a known flood zone, any septic issues can cause major health problems for those living around this proposed development.

This proposed development will be in the heart of the Santa Monica Mountains, a heavy wildlife zone that is protected by the North Area Plan and one that is a dangerous wildfire area. The Malibu Lakeside tract is 140 homes with only one small road in and out. Already dangerous in a fire, it will be made worse with the addition of these large homes.

For all of these reasons, I implore you to deny the Conditional Use Permit as part of the Mitigated Negative Declaration.

Thank you.

Brian Rooney
(310) 280-0200
elroon@earthlink.net



Likely value
proposed

\$2.0 to \$2

Average value
surrounding

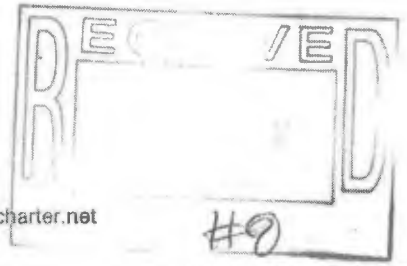
\$603,000

Average value
surrounding undeveloped

\$327,000

#13

From: Shepha Vainstein <shephav@earthlink.net>
Subject: Faxing In our objection to the County before 5 pm this Friday
Date: December 28, 2011 9:16:09 AM PST
To: realbeat@aol.com, holmes.c@earthlink.net, Arthur Hurt <achurt3@gmail.com>, yabitsu@charter.net
1 Attachment, 17.0 KB



Hi Everyone,

This morning I spoke with Tyler Montgomery from the Department of Regional Planning regarding the zoning application to cut the oak tree to build a 6,500 sq. foot house on Lake Vista. Tyler said that if they received two or more letters objecting to the permit, then this would automatically make the County deny the permit request and then the applicant would have to file for a CUP. If the applicant then followed up and filed for a CUP, this would make the county follow up with a more in-depth study of the permit, looking at the general character of the neighborhood, overall sizes of the houses, and a variety of other conditions before deciding if they would hold hearings to grant the permit.

The earlier 2004 permit that the previous owner, Ty Breitman obtained was for a much smaller house that only encroached on the oak tree - not cutting it down! I believe this is an important precedent for the county. I made sure Tyler Montgomery knew this so he was aware of the ridiculous attempt this current owner is trying to make to recoup his losses for the diminishing prices on the property since he bought it at the high end of the market. Tyler believed that earlier permit expired in 2006.

Sorry to say I have been so out of the local environmental issues, focusing on our Middle East peace projects, that I didn't know Hal Helsley was still our regional planning commissioner! This was a wonderful piece of news! I am confident that if we send in our letters, Hal will be very diligent on our behalf in monitoring the CUP.

This seems to be a great way to stop a foolish, ignorant act in our neighborhood with very little effort. Could you please let me know if you will fax a letter to object to the permit. I will call Tyler Montgomery Friday to see how many letters he has received and update you on developments. Cal and I will each fax ours in individually so each of our voices are counted.

For faxing the letter objecting to the permit, here is the information to include (in case you want to forward this to others to fax in their letter). I am also attaching a copy of Cal's letter we just faxed in should people want to use that template.

Heartiest regards,
Shepha

Permit: R2011-10087, ROAK 201100028 RRR 201100920

Project Location: 29470 Lake Vista Drive, Santa Monica Mtns. North Area

Project Description: Construction of a single family-resident in the R-R05 (Resort and Recreation - Five Acre Minimum Required Lot Area) zone and the removal of the one oak tree.

Contact: Tyler Montgomery, Department of Regional Planning, 320 W. Temple St., Los Angeles, CA 90012

(Sample language for your letter):

To Whom It May Concern,

I object to Permit: R2011-10087, ROAK 201100028 RRR 201100920. The proposed residence is not in character with our rustic neighborhood.

Thank you,

Your Name



Objection to ...ac (17.0 KB)

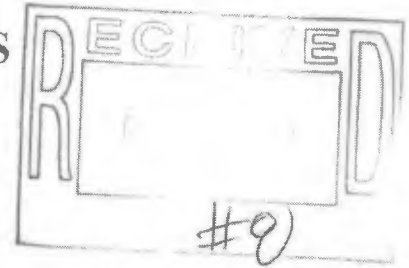


GAIL FARBER, Director

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>



ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

September 20, 2011

IN REPLY PLEASE
REFER TO FILE:

WM-3

Mr. Robert Textor, Trust
Ms. Alexandra Textor, Trust
29157 Paiute Drive Agoura, CA 91301

Dear Mr. Textor and Ms. Textor:

NATIONAL FLOOD INSURANCE PROGRAM
REPETITIVE LOSS AREA OUTREACH

Your property is located in an area which has at least one home that has had two or more flood insurance claims of at least \$1,000 within a 10-year period. As your property may be subject to the same flood hazards, the County of Los Angeles Department of Public Works is providing you the following information to help you protect your property. This includes a description of the local flood hazards and a Compact Disk with various flood mitigation publications including:

- *Elevated Residential Structures (FEMA-54)*
- *Design Manual for Retrofitting Floodprone Residential Structures (FEMA-114)*
- *Repairing Your Flooded Home (FEMA-234)*
- *Homeowner's Guide to Retrofitting (FEMA-312)*
- *Homeowner's Guide for Flood, Debris, and Erosion Control*
- *Are You Prepared for a Flood? (Public Works)*

These publications include permanent retrofitting measures for your home, as well as temporary and inexpensive solutions that can be implemented prior to a major storm. If you would like to request hard copies of the above documents, please call (626) 458-4321. These publications are also available at the following libraries:

- Malibu Library, 23519 West Civic Center Way, Malibu, CA 90265-4804
- Rosemead Library, 8800 Valley Boulevard, Rosemead, CA 91770-1714
- Valencia Library, 23743 West Valencia Boulevard, Santa Clarita, CA 91355-2105

Also, as the storm season approaches, it is recommended that you review your insurance policy to determine if your property is covered for a flood. If your property is located outside of the Federal Emergency Management Agency's Special Flood Hazard Area, you may be eligible for a lower cost Preferred Risk Policy. You can also protect your personal property from floods with contents coverage on your flood insurance

Mr. Robert Textor, Trust
Ms. Alexandra Textor, Trust
September 20, 2011
Page 2

policy. Contact your insurance broker for more information. Please note there is typically a 30-day waiting period before flood insurance coverage goes into effect. If you seek financial assistance from the government for flooding issues, you may apply for government aid through the website <http://www.disasterassistance.gov>.

If you have any questions, please contact Mr. George De La O at (626) 458-7155 or gdelao@dpw.lacounty.gov.

Very truly yours,

GAIL FARBER
Director of Public Works



GARY HILDEBRAND
Assistant Deputy Director
Watershed Management Division

CL:sw

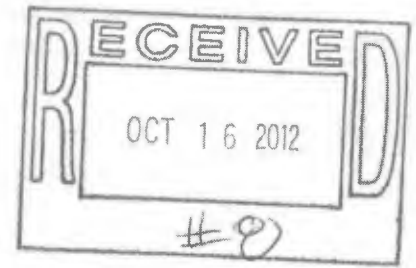
P:\wmpub\Secretarial\2011 Documents\Letters\2011 CRS\RepetitiveLossOutreach2011.doc\C11287

Enc.

cc: Federal Emergency Management Agency – Region IX (Cynthia McKenzie)
Insurance Services Office, Inc. (Dave Arkens)

29153 Craggs Dr., Malibou Lake

Subject: 29153 Craggs Dr., Malibou Lake
From: Peter Pryor <peter.pryor@runbox.com>
Date: Mon, 15 Oct 2012 17:21:48 -0700
To: Jarod Nygren <jnygren@planning.lacounty.gov>
BCC: wlfpryor@full-moon.com, sbsaltsman@lacbos.org



Oct. 15, 2012

To: Jared Nygren
Los Angeles County Dept. of Regional Planning
jnygren@planning.lacounty.gov

From: Peter Pryor
1912 Seminole Dr.
Agoura, CA 91301

Re: Project Number R2010-01071-(3)
Conditional Use Permit No. 201100012
Environmental Assessment No. 201100019
Assessors Parcel No. 4462-005-022, 4462-005-023
Location: 29153 Craggs Drive

I have owned and been a resident of the property at 1912 Seminole Dr., facing the proposed development, since the mid-1970s.

Granting of the Conditional Use Permit referenced above would have a multitude of undesirable, damaging and potentially dangerous consequences:

--There is one ingress/egress available to the Malibou Lakeside community and the residences on the South shore of the Malibou Lake Mountain Club community. The single ingress-egress is a two-lane road over a bridge. Fire events in past years resulting in evacuation recommendations have resulted in

significant backups of cars, vehicles towing livestock trailers, recreational vehicles, etc. The inevitable construction congestion would only add to the problem.

-- The geography of the area often results in significantly more rainfall than is recorded by the National Weather Service Agoura Hills reporting station. I have personally recorded numerous years of 20 and 30-plus inches of precipitation, with one year totally slightly more than 60 inches. During heavy rain events Craggs Dr. and Paiute Dr. have on occasion been awash with water, mud and/or rocks across the width of the roadway.

-- The seasonal creek which crosses the property in question can be very impressive during heavy rain events, and even if channeled effectively to mitigate roadway and property impact this creek (and the runoff from adjacent properties that increase its volume and flow rate) terminates into Malibou Lake on its South shore, exacerbating the flooding problems that long have effected numerous houses in the Malibou Lake Mountain Club community in addition to some properties along Paiute Dr. The increased runoff that would result in a reduction in water-absorbable square footage on the property in question would only serve to exacerbate those problems.

-- The property in question tends to develop several marsh-like areas during the rainy season due to high water table.

Exactly what sort of "private septic system" (is there any other kind?) would be installed to provide adequate sewage and disposal the magnitude of which would be generated by residences the size of those proposed?

-- The property in question is often host to transient wildlife -- hawks, coyotes, bobcat, raccoons, skunks, owls, bats -- all of which form a part of the intrinsic charm and attraction of the community. Certainly, the development in question due to its sheer magnitude would have a deleterious effect on this wildlife. Also, the removal of oak trees, probably hundreds of years old, only to be replaced by 15-gallon oaks is not acceptable. In December 2011 a proposed single-family house of 6,500 square Lake Vista

Drive (not, however, part of the Malibou Lake Mountain Club property) requiring removal of a 24" heritage oak for expansion of the building/driveway was deemed extra-ordinarily large for this area and the oak tree was not removed (29470 Lake Vista Drive, Agoura, Ca. Tract No 2804, Parcel 49, Permits: R2011-01187, ROAK T2011-0028, RPP T2011-00920). A proper Environmental Impact Report as opposed to the an Environmental Assessment would be desirable.

-- The Malibou Lake community population comprises professionals employed in various fields, educators, artists, people involved in various aspects of the entertainment and media industries, retirees, families with children of various ages. It is the atmosphere, flavor, ambiance (natural, structural and social) that lures people to the Malibou Lake community. The absurdly large size and scale of the proposed development -- right in the center of the Malibou Lake community -- is grotesquely out of step with the character of the neighborhood (the largest home in the immediate vicinity of the proposed development is in the mid-2,000-square-foot area and the majority are far smaller. At the very least, any development on the property in question should be compatible with the surroundings and the community. The proposed development might be fine in Pacific Palisades, Beverly Hills or Brentwood, but it is simply not compatible with the Malibou Lake community. A community that has been in existence since the 1920s should not be compelled to relinquish its character and essence to satisfy the demands of speculative investors who knew, or should have known, the nature of the location of the property they decided to invest in.

-- Under all circumstances a Completion and Restoration bond should be required.

--

Peter Pryor

wifpryor@runbox.com

29153 Crags Dr., Agoura (Malibou Lake)

Subject: 29153 Crags Dr., Agoura (Malibou Lake)
From: Barbara Coppos <bcoppos@charter.net>
Date: Fri, 12 Oct 2012 17:45:24 -0700
To: Jarod Nygren <jnygren@planning.lacounty.gov>
BCC: bcoppos@charter.net, bsaltsman@lacbos.org



October 12, 2012

To: Jared Nygren
Department of Regional Planning
JNygren@planning.lacounty.gov

From: Barbara Coppos Pryor
1912 Seminole Drive
Agoura, CA 91301

REGARDING:

Project No. R2020-01071/CUP No. 201100012
Oak Tree Permit No. 201100011/EAC No. 201100019
Assessors Parcel No. 4462-005-022, 4462-005-023
Location 29153 Crags Drive, unincorporated area Malibou Lake in the Malibu Zoned District

Mitigating the negative declaration is not adequate for the following reasons and is not consistent with the Santa Monica Mountains North Area Plan:

The owners of 29153 Crags Drive may have a right to build, but not a right to destroy the character of the neighborhood. Nor to increase the fire danger, increase flooding hazard, nor to destroy the wildlife habitat.

They do not have a right to build to "hotel-like" structures of near 8,000 square feet plus 3-car garages and swimming pools, walkways, and patios. This will cause more water displacement and increase flooding to the surround

homes and produce faster and more water runoff to Malibou Lake.

The two parcels have a high water table of 6 to 10ft., which during heavy rain years will recharge and several marsh like areas develop and remain through 9 months of the year. My husband and have lived here since 1976. My husband has measured rain fall with a rain gauge of up to 60 inches a year. We are nestled in the Santa Monica Mountains, which often receive more rain than out by the freeway or in the City of Agoura Hills.

We have a good mix of wildlife that help balance our community environment. I have observed blue heron, bats that live in the oaks are out nightly, bobtail, hawks, owls and deer. There is also a seasonal creek that roars during heavy rains.

This development with these huge houses will most likely require its own electrical transformer, which would be buzzing and loud and will echo and disturb the surrounding homes. This area also sits at the lowest point of the neighborhood and is entirely surrounded by much smaller homes.

The septic system has already been approved. The percolation test never passed before. So, how did this happen? I would like to request another review of the perc test. Even if there is an "enclosed private septic system" it has to go somewhere. Where? I would also like to request a full environmental impact report.

The proposed structures would be entirely out of character with the neighborhood, creating a negative visual impact on the entire neighborhood.

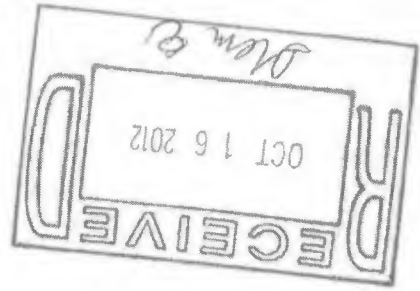
Regarding the oak trees: None should be taken out. This is not an acceptable option. In December 2011 a single family house of 6500 square feet plus removal of a 24" heritage oak for expansion of the building/driveway was deemed extra-ordinarily large for this area along Lake Vista Drive (not the Malibou Lake Property), and the oak tree was not removed.

29470 Lake Vista Drive, Agoura Ca. Tract No 2804, Parcel 49, Permits:

R2011-01187, ROAK T2011-0028, RPP T2011-00920

Our community is rural and natural composed of professionals, nurses, doctors, musicians, film producers, retirees and young working families with many young children. We have chosen to live here for the atmosphere of our community, if we wanted to live across the freeway in the City of Agoura Hills we would have. People greet and wave to each other when out walking. Many of our community have lived here more than 30 years paying taxes and voting. These speculation houses should not be built, but if they must be, then they must fit within the character, size and atmosphere of the community.

From: Dayle Dalton <dayledalton@me.com>
Subject: Proposed Development Craggs Drive in Agoura
Date: September 30, 2012 3:40:42 PM PDT
To: jnygren@planning.lacounty.gov
Cc: Dayle Dalton <dayledalton@me.com>, Dayle Dalton <dayledalton@charter.net>



Mr. Nygren,

As a resident of Malibu Lakeside community for nearly 10 years, I am writing this letter regarding the proposed development at 29153 Craggs Drive in Agoura, parcels numbered 4462 005 022 and 4462 005 023. I wrote to you back in the latter 2010 with my concerns about this proposed project and I am writing to you again with my continued resolve.

I am requesting that the "Conditional Use Permit" for this project be DENIED for the following reasons.

First and foremost this project is in violation of the Santa Monica Mountains North Area Plan established in part to address development of projects such as this. My understanding of the North Area Plan was to preserve the unique culture, quality and character of our Malibu Lakeside community. This Conditional Use Permit should be denied based on this alone. This is a community of small homes, without street lights, without sidewalks and without tall fences. Those of us who live here, came to this rural neighborhood community for these very reasons. The size of the proposed homes will exceed the existing homes. I believe that the largest home within 500 ft of the project is 3000 sq. ft. The proposed homes should be more in keeping with the existing residences. This proposed development will totally transform the nature and character of our neighborhood in a most negative way.

This project will have a detrimental impact on the wildlife corridor, which is home to local species such as deer, rabbits, ground squirrels, owls, hawks, raccoons, coyotes, bobcats and even parrots. I have experienced them all not only in and around the neighborhood, but in my yards. An Environmental Impact Report must be obtained, before anything is considered for this lot.

I am concerned about flooding and fire safety! Our creek tends to flood with winter rains and I am deeply concerned about waste disposal and waste runoff going into Malibu Lake and the Malibu Creek watershed. My understanding for many years now is that this property could not address the septic system issues, due to inability to percolate. What has changed in this regard? With regard to fire safety - we have one road in and one road out for all residences. Ingress and egress needs to be considered for the safety of the entire community.

As stated, this project will forever change the integrity and character of our neighborhood. Therefore, I implore you to DENY this "Conditional Use Permit", based on all of the reasons stated above.

Thank you.

Dayle Dalton

From: Dayle Dalton <dayledalton@me.com>
Subject: Deny Conditional Use Permit Craggs Drive Proposed Development
Date: October 14, 2012 6:28:45 PM PDT
To: jnygren@planning.lacounty.gov
Bcc: Dayle Dalton <dayledalton@me.com>



Mr. Nygren,
Since I have not heard back from you with regard to my previous communication, I am writing again asking your assistance in rejecting the Conditional Use Permit application for the Craggs drive proposal in the Malibu Lakeside Community. (4462 005 022 and 4462 005 023)

It is unconscionable that you would even consider approving this project with all of the concerns regarding safety, drainage, flooding, septic seepage, wildlife disturbance and destruction and last but not least it is in VIOLATION OF THE Santa Monica Mountains North Area Plan, all being left unanswered! Therefore - there should be no way that you could possibly approve a conditional use permit. At the very least I would expect you to order an Environmental Impact report. How can a development of this size even be approved in the first place without an environmental Impact report.

I urge you to DO WHAT IS RIGHT for this rural neighborhood community and reject the conditional use permit.

Dayle Dalton
29155 Paiute Dr.
Agoura, CA 91301

Annie Lin

From: Jarod Nygren
Sent: Tuesday, October 16, 2012 7:26 AM
To: Annie Lin
Subject: FW: Old Clubhouse Lot/Malibu Lake area-Notice of Intent to Adopt Mitigated Negative Declaration

From: Susan Laronge [susanlaronge@gmail.com]
Sent: Sunday, October 14, 2012 4:49 PM
To: Jarod Nygren
Subject: Old Clubhouse Lot/Malibu Lake area-Notice of Intent to Adopt Mitigated Negative Declaration

Subject: R2010-01071-CUP201100012, EVN201100019
Project Location: 29153 Craggs Drive, Agoura, CA 91301
Assessor's Parcel Number 4462-005-022
Assessor's Parcel Number 4462-005-023

Mr. Nygren:

As a resident of Malibu Lake since 1986, all of those years in two houses within 500 feet of the above-mentioned project, I want to express to you several thoughts as to why this project is ill-conceived in its current proposed state.

For years, the Santa Monica Mountains North Area Plan struggled to get approved. Now that it is, it is important to understand why the above-mentioned project does not abide by the tenants of the Plan. Two huge homes such as those proposed are redundant to the concept of maintaining the unique quality and rural character of our community. One only needs to look across the street at the houses built by a developer who was not stopped in the early stages of construction to understand this important point.

For as long as I can remember, there has been flooding around this property in heavy rains and in altering the route of a blue water creek running through this property. Looking at the volume of the two proposed houses raises the question about water runoff from the rooflines, and from the high water table itself. Looking at the existing structures within 500 feet of the proposed project, the largest home is at maximum 3000 square feet. This is less than half of the size of each of the proposed structures.

It goes without saying that this piece of property is in the center of an important wildlife corridor. Across the street from this project, our neighbor saw a bobcat in her front yard on Craggs Drive two weeks ago. Earlier this week, Brad was walking our dog early in the morning and ran into a 165-pound buck at the end of Craggs at Lake Vista. These are unusual incidents that do not occur in suburbia across the freeway, but are unique to our surroundings of Malibu Creek State Park.

You are no doubt familiar with the complaints about congestion with this project and fire safety at Malibu Lake. Six years ago, my original house in this neighborhood, located within 500 feet of this project, had a fire on a Sunday afternoon that blocked access to the neighborhood for at least six hours, while fire hoses and equipment clogged Craggs Drive. Imagine if this had been a wildfire and had been less contained.

Neighbors with children to pack up, and those with horses to trailer and remove expeditiously would have had a difficult exit at best. These larger houses in the middle of all this probable congestion suggest a very scary scenario.

As residents of Malibu Lake, we are in agreement that there is a need for a Completion and Restoration Bond for this project, should the builder/developers fail to see this project through or try to sell "approved" plans to yet another prospective developer. I became president of our then-homeowners association in 1986 to stop the first developer. That was, by my count, four developers ago. Yet, here we are, still requesting your help in reviewing one more set of building plans.

Thank you for your serious consideration of the wisdom of this project.

Susan Laronge
29205 Craggs Drive
Malibu Lake

Annie Lin

From: Jarod Nygren
Sent: Tuesday, October 16, 2012 7:28 AM
To: Annie Lin
Subject: FW: Malibu Lakeside proposal--No!

-----Original Message-----

From: rquist@uclabruins.net [<mailto:rquist@uclabruins.net>]
Sent: Friday, October 12, 2012 12:32 PM
To: Jarod Nygren
Subject: Malibu Lakeside proposal--No!

Dear Mr. Nygren

I am writing to express my opposition to the proposed development at 29153 Craggs Drive in Agoura, parcels numbered 4462 005 022 and 4462 005 023.

Although not a resident of the Malibu Lakeside or Malibu Lake communities I have known the area for more than forty years and consider them to be among the scenic treasures of the Santa Monica Mountains. I often go out of my way to drive through the area and recently took relatives from Sweden to see it.

While the lake is picturesque on its own, the dwellings around it enhance the beauty. Unlike the situation in many other areas, the housing does not detract from its setting.

The Malibu Lakeside community dates back to the 1920s. Since then, many much younger housing developments have been built and fallen into decay. Malibu Lakeside has not. It is not a problem that needs to be fixed. Just the opposite. It is a stable community that should not be disrupted. The proposal under consideration IS disruptive and would adversely affect the lives of many current residents. I urge that the "Conditional Use Permit" for this project be rejected.

Thank you

Richard Quist
P.O. Box 922797
Sylmar, CA 91392
818.365.2255

Annie Lin

From: Jarod Nygren
Sent: Tuesday, October 16, 2012 7:28 AM
To: Annie Lin
Subject: FW: Re: R2010-01071 cup201100012 Malibu Lake permits

From: brad oskow [mailto:bradoskow@att.net]
Sent: Friday, October 12, 2012 1:25 PM
To: Jarod Nygren
Subject: Fw: Re: R2010-01071 cup201100012 Malibu Lake permits

--- On Fri, 10/12/12, brad oskow <bradoskow@att.net> wrote:

From: brad oskow <bradoskow@att.net>
Subject: Re: R2010-01071 cup201100012 Malibu Lake permits
To: JNygren@planning.lacount.gov
Date: Friday, October 12, 2012, 8:09 PM

Hi, This is my 2nd letter on the 2 large homes to be built on the old large property..This letter is for the Hearing @ the hall of records on 10/16/12 ..The points that I feel strong about are as follows: The " Santa Mountain, Area Plan" was designed to preserve our unique "culture" Quality and character of the Malibou Lake Side Community..Please do not destroy the Beauty of My Homes by allowing [2,] 8,000 square foot Homes to be built @ 32 feet tall.....I Own " 4 COUNTRY HOMES at Lakeside" and love our country feel here and that is why I chose to live here! 26 years, My biggest home is only 1500 sq ft and 3 of them are within the 500 foot range of new site..The size of the proposed homes will FOREVER change every thing that makes Lakeside Special....My Strong Request is to please down size the 2 homes to 3,000 sq. ft.. and to have the Owners do a Full Enviornmental

Inpact Report.. before any permits are issued..Please give me your responce, Thank you Brad Oskow..bradoskow@att.net

--- On Thu, 8/30/12, brad oskow <bradoskow@att.net> wrote:

From: brad oskow <bradoskow@att.net>
Subject: R2010-01071 cup201100012 Malibu Lake permits
To: JNygren@planning.lacounty.gov
Date: Thursday, August 30, 2012, 8:51 PM

This is a formal request that I Brad oskow "do not want the Zoning changes requested to take place " ... Because of Drainage and landscape run off into the lake, Street flooding on Paiute dr. where I own a home is seen each rain season , The Fire Danger ,Changes to the rustic charm of Lakeside a 90 year community .Street lighting, concrete curbs and roof run off that will flow into the near by creek that feeds Malibu lake...I strongly Protest the site plan approval Request...Thank you Brad Oskow A- 26 year lakeside resident .

Dick Henkel

From: "Pat Henkel" <pathenkel@earthlink.net>
To: <dickhenkel@earthlink.net>
Sent: Thursday, October 11, 2012 9:34 PM
Subject: Fw: Meeting schedule for Oct. 16,2012



-----Forwarded Message-----

>From: Pat Henkel <pathenkel@earthlink.net>
 >Sent: Oct 11, 2012 9:32 PM
 >To: JNygren@planning.lacounty.gov
 >Cc: bsaltsman@lacbos.org
 >Subject: Meeting schedule for Oct. 16,2012

>
 >Reference to
 >Permits R2010-01071,CUP201100012 ENV20110001
 >Project Location 29153 Crag Drive Agoura (Malibou Lake)
 >Assessor's Parsel Number 4462-005-022
 >Assessor's Parsel Number 4462-005-023

>
 >Mitigating the negative declaration is not adequate for the following reasons and not consistent with the Santa Monica Mountain North Area Plan.

>Houses Size

>The exiting homes in the 500 feet area, doesn't exceed 3000 square ft.

>Reference to Malibou Lake Community Standard District.

>Reference The North Area Plan

>The coloration and architectural-rendering of the dwelling must be such that they blend in and be compatible with the surrounding environment and neighborhood.

>Fire Safety

>Reference Malibou Lake Community Standard District

>Malibou Lake Evacuation Routes (Design by L.A. Fire Dept.)

>We were informed that during the Red Flag Alert construction would be stopped. Our concern is who would over see this during the Red Flag Alert. We are aware that a spark combined with high winds can have a blaze out of control in minutes.

>Our only way out of the community during a fire is Crag Rd. There is about 168 homes to exit with many people with horses.

>Flooding&Grading

>In the past,runoff(in rainier season)has been a huge issue with this parcel. There is only two channels for water to exit the property. One is a flood basin next to Dr. Barker's house where Paiute and Seminole meets. The other route for water to exit the property is the creekbed next to Bob Textor's home on Paiute. He currently is having significant erosion issue due to alteration of the creekbed during heavy rains.

>Septic System

>In Malibou Lakeside, septic systems are always a key issue in construction, and this project is no different. There has been perking problems in the past on this property. What proof do you have that a successful percolation plan has been developed? These houses will be in the middle of our community the last place we want to experience a failing septic system.

>Wild Life

>The lot has a high population of bats.

>Oak Trees

>We would like to know why the oak trees need to be removed.

>For nearly twenty-five years our residents have fought to maintain the unique atmosphere of Malibou Lake and the appropriate development of the old lodge property at the center of our community. Our goals now-as it was in 1986 when the lodge's survival was in doubt is to insure that whatever is built on this site will be an asset to our residents and to the Malibou Lake area.

>

>Yours truly,

>Pat & Dick Henkel

>1755 Lookout Dr.

>Agoura (Malibou Lake)

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

>

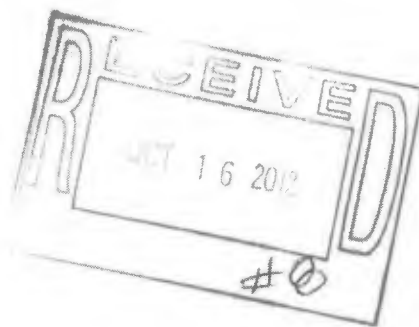
>

>

>

>Mitigating the negative declaration is not adequate for the following reasons and not consistent with the Santa

1 #3
From: Chester Yabitsu <yabitsu@charter.net>
Subject: **Permits R2011-01187, ROAK T2011-00028, RPP T2011-00920**
Date: December 28, 2011 3:55:53 PM PST
To: Tyler Montgomery <TMontgomery@planning.lacounty.gov>



29438 Mulholland Hwy.
Agoura, CA 91301

28 December 2011

Subject: Permits: R2011-01187, ROAK T2011-00028, RPP T2011-00920
29470 Lake Vista Drive, Agoura, CA 91301
Tract No. 2804, Parcel 49
Applicant: Roger Ebrahimi

Attention: Tyler Montgomery
Dept. of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012
(213)974-6462
<TMontgomery@planning.lacounty.gov>

TO WHOM IT MAY CONCERN:

The Notice Of Zoning Application on the subject matter, postmarked 15 December 2011, was received on December 20th only 10 days from the December 30th deadline to respond. **As this application reads, I oppose it. The removal of the oak tree is not an acceptable option.**

This notice will require a close scrutiny by the Regional Planning for the reasons stated below.

(1). This parcel is in the R-R-5 zone which is restricted to **single-family residence**. Yet, the applicant Mr. Roger Ebrahimi in his letter dated July 21, 2009 openly admits this dwelling will house **two sets of in-laws** in addition to his own family. By my count, this adds up to **3 distinct families** which is in violation to the zoning code.

Since this dwelling is planned to be a 2-story structure totaling 6500 square-feet, which is extra-ordinarily large for this area along Lake Vista Drive, one can surmise that the in-laws will have their own separate private kitchen, master bath, living room, nook, etc. under the same roof. This would also be in violation of the single-family zoning code.

(2). Under the previous owner of this subject parcel, Mr. Ty Breitman in his Plot Plan No. 49755 argued the point that the current physical location of Lake Vista Drive is 66 feet north of the location depicted on Tract Map No. 2804, Parcel 49.

With this in mind, he circulated among his neighbors within a 100 feet radius a **Suggested Letter of Consent For Modification Of Building Setbacks** (a county form) in the time period of February 27, 2004. This Letter Of Consent in essence granted Mr. Breitman to incorporate the 66-feet of frontage area to be part of his parcel. Hence, with this extra strip of land, Mr. Breitman was able to move his structure 66 feet closer to the to the actual Lake Vista Drive.

This allowed him to avoid the removal of a 24-inch Heritage oak tree, but instead apply for a **Permit To Encroach Into The Protected Zone** of this oak tree. This was the preferred option.

(3). Looking at the contour map of the subject parcel, it appears that 3 things can be considered by Mr. Ebrahimi in his plot plan to avoid the removal of the oak tree.

(a). The obvious is to consider down-sizing the structure to be more in line with the size of his neighbors' dwellings.

continued →

(b). Re-orient the position of his structure by installing retaining block walls to increase the buildable foot print. This is what the previous owner Mr. Breitman did.

(c). In Mr. Ebrahimi's proposed plot plan, he has an attached garage separated by an open car port. This is the area where the removal of the 24-inch oak tree is located. By re-orienting his resident structure and separating the garage structurally, I believe the Oak Tree Permit T2011-00028 can be changed to a **Permit To Encroach Into The Protected Zone** of this magnificent Heritage Oak Tree.

There are many subtle attributes which new dwellings in the North Area Plan should comply with. A few are listed below:

(1). The adjacent Triunfo Creek is classified by the state to be a **blue line stream**, a stream that is to be protected. There shall be no alterations, grading of its shoreline and removal of any Fauna and Flora.

(2). There shall be no run offs from the lawn into Triunfo Creek.

(3). The coloration and architectural-rendering of the dwellings must be such that they blend in and be compatible with the surrounding environment and neighborhood. (In contrast, a bad example is the former dwelling of Mr. Charlie Sheen located above Malibou Lake.)

(4). All outdoor lighting must be low light and pointed downward.

Thank you you for your consideration of this important input.

Sincerely,

Chester Yabitsu

October 30, 2012

TO: Jarod Nygren,
LA County Planning

FROM: Dayle Dalton 
29155 Paiute Dr., Agoura Hills, 91301

RE: Craggs Drive Circle Project – Owner's Request for Conditional Use Permit.

I just received word from a neighbor that you are holding a meeting today and those of us in the community who have raised concerns regarding this project and who attended the hearing on October 16, 2012 are expected to attend. However, I have not received any formal information regarding the nature of this meeting, nor an agenda and I live within 500 feet, directly across the street. I cannot speak for anyone else, but I find this to be at the very least, totally disrespectful. I have sent several emails to you, so I know that you have my email address. I am working today and unable to attend this informal meeting with such short notice.

I am sending this to you, to go on the record once again, to state that I have the same concerns that I have expressed previously in several communications, regarding this project, i.e. drainage, flooding, fire, wildlife, the monster size of the proposed structures themselves totally transforming the unique culture, quality and character of our neighborhood; not to mention the entire project being in violation of the Santa Monica Mountains North Area Plan. I don't understand why this keeps being ignored. I am also reiterating my last request, that an Environmental Impact report be required before any further movement of this project.

Of note: Since I had to work on October 16th and could not get the day off to attend the hearing, I sent a representative to attend on my behalf. This was Mr. Rick Quist. However, I will be attending the hearing on December 5th.

My contact information as follows:

dayledalton@charter.net
818-707-3302



From: Dayle Dalton <dayledalton@me.com>
Subject: Letter to Nygren: Proposed Development Craggs Drive in Agoura
Date: October 15, 2012 9:03:19 PM PDT
To: rquist Quist <rquist@uclabruins.net>

I think I sent this to you - but here it is again.

Begin forwarded message:

From: Dayle Dalton <dayledalton@me.com>
Subject: Proposed Development Craggs Drive in Agoura
Date: September 30, 2012 3:40:42 PM PDT
To: jnygren@planning.lacounty.gov
Cc: Dayle Dalton <dayledalton@me.com>, Dayle Dalton <dayledalton@charter.net>

Mr. Nygren,

As a resident of Malibu Lakeside community for nearly 10 years, I am writing this letter regarding the proposed development at 29153 Craggs Drive in Agoura, parcels numbered 4462 005 022 and 4462 005 023. I wrote to you back in the latter 2010 with my concerns about this proposed project and I am writing to you again with my continued resolve.

I am requesting that the "Conditional Use Permit" for this project be DENIED for the following reasons.

First and foremost this project is in violation of the Santa Monica Mountains North Area Plan established in part to address development of projects such as this. My understanding of the North Area Plan was to preserve the unique culture, quality and character of our Malibu Lakeside community. This Conditional Use Permit should be denied based on this alone. This is a community of small homes, without street lights, without sidewalks and without tall fences. Those of us who live here, came to this rural neighborhood community for these very reasons. The size of the proposed homes will exceed the existing homes. I believe that the largest home within 500 ft of the project is 3000 sq. ft. The proposed homes should be more in keeping with the existing residences. This proposed development will totally transform the nature and character of our neighborhood in a most negative way.

This project will have a detrimental impact on the wildlife corridor, which is home to local species such as deer, rabbits, ground squirrels, owls, hawks, raccoons, coyotes, bobcats and even parrots. I have experienced them all not only in and around the neighborhood, but in my yards. An Environmental Impact Report must be obtained, before anything is considered for this lot.

I am concerned about flooding and fire safety! Our creek tends to flood with winter rains and I am deeply concerned about waste disposal and waste runoff going into Malibu Lake and the Malibu Creek watershed. My understanding for many years now is that this property could not address the septic system issues, due to inability to percolate. What has changed in this regard? With regard to

fire safety - we have one road in and one road out for all residences. Ingress and egress needs to be considered for the safety of the entire community.

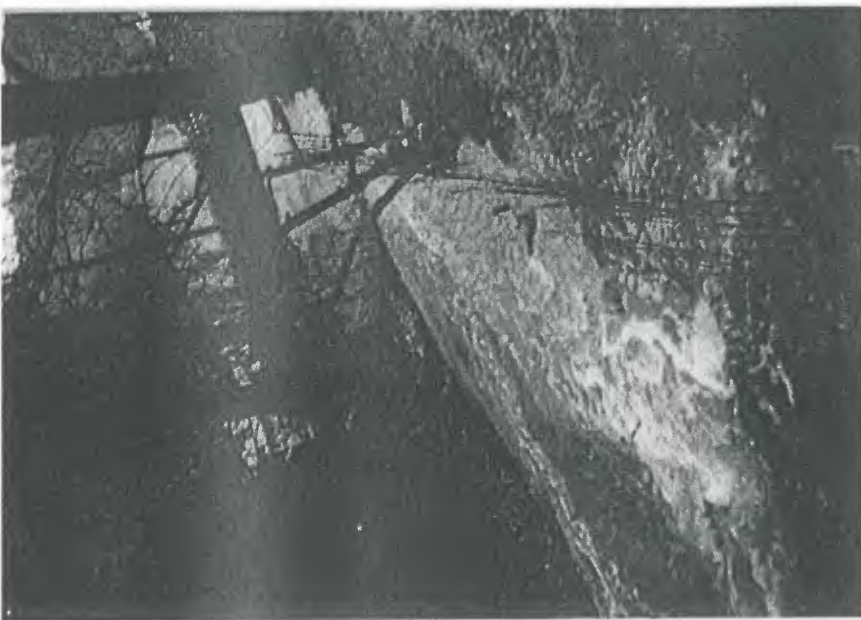
As stated, this project will forever change the integrity and character of our neighborhood. Therefore, I implore you to DENY this "Conditional Use Permit", based on all of the reasons stated above.

Thank you.

Dayle Dalton
29155 Paiute Dr.
Agoura, CA 91301
818-707-3302



Received
October 16th



Received
October 16th



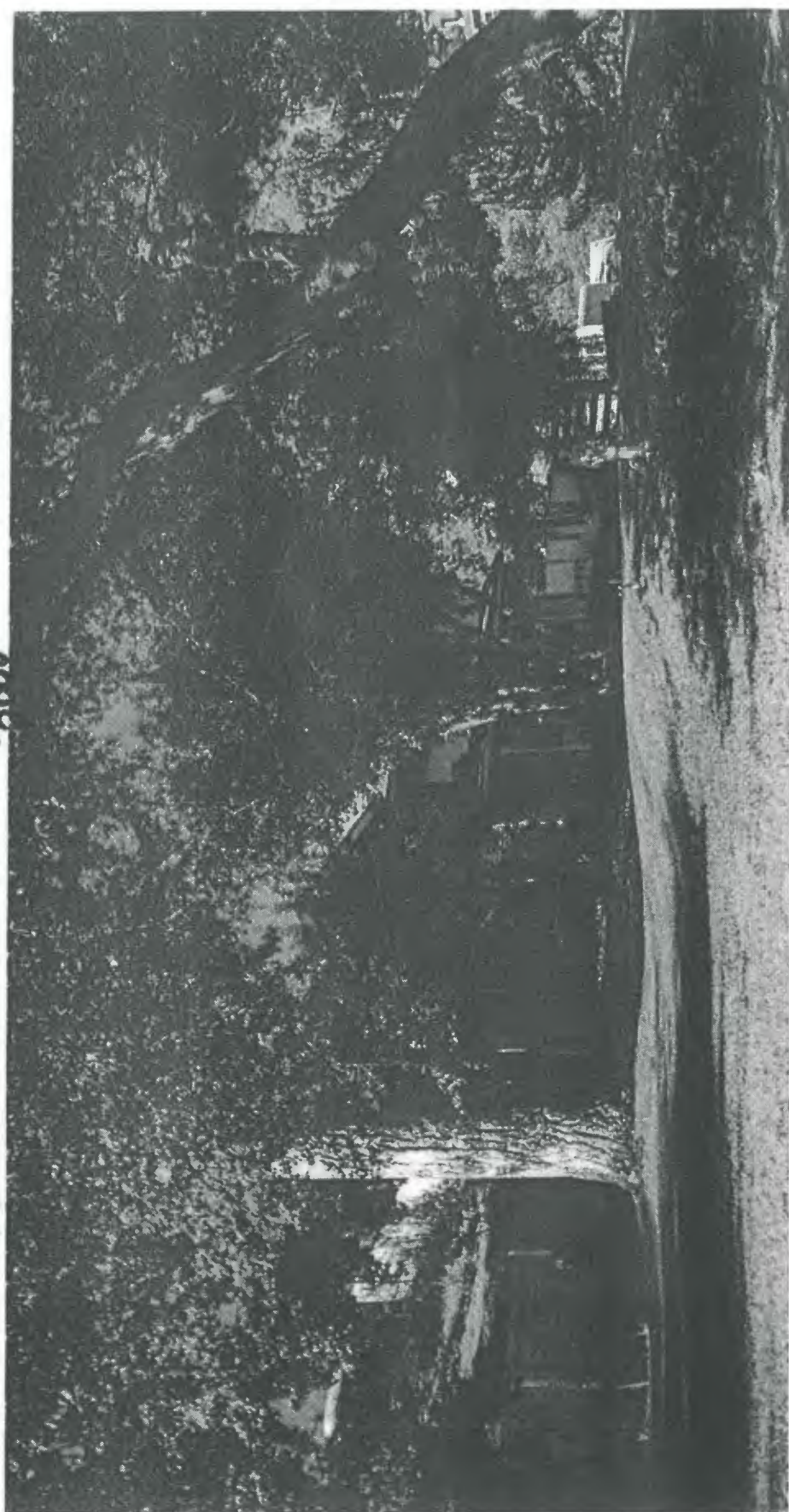
$\rightarrow 900$
 $\rightarrow 1000$
 $\rightarrow 1200$
 $\rightarrow 1200$

1101

1808

22

1350 →



1100
 1800
 1800
 1350



1100 → 1500 → 1400

← 1700
 → 1200
 → 1000
 → 900
 ← 500





Flood plain

Hse 1100 SF



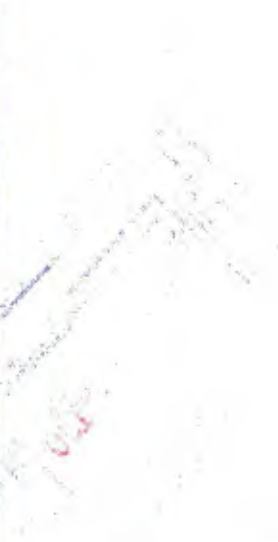


1200 SQ
house



Oliverway
#2
Blind
Curve





1820 SF HSE



1100 SF Hse



100's of
oaks, pines,
sycamores



stream
and
riparian
woodland





Legend

- Parcel Boundary
- Arterial Street
- Highway
- Freeway
- Master Plan of Highways
- Expressway - (e)
- Ltd. Secondary Highway - (e)
- Arterial - (a)
- Major Highway - (m)
- Secondary Highway - (s)
- Intersecting (12.5-9.954)
- Railroad or Rapid Transit
- Railroad
- Rapid Transit
- Underground Rapid Transit
- Significant Ridges
- Catastrophic CSD Boundary
- Catastrophic CSD Secondary
- SMMA Significant
- Census Tract (2000)
- Assessor Map Book (AMB) Box
- Zoning Index Map Grid
- USGS Quad Sheet Grid
- TB Internal Page Grid
- Very High Fire Hazard Severity
- Zone
- Community Standards District
- CSD Area Specific Boundary
- ESHA (Coast Only)
- Significant Ecological Area
- Section Line
- Township and Range
- National Forest
- Equestrian District (EOD)
- Sanitary Oriented District (TOD)
- Special District (SD)
- Supervisory District Boundary
- Safety Related Stations (From TB)
- Fire Station
- Highway Patrol
- Police Station
- Ranger Station
- Sheriff Station
- Inland Waterbody
- Perennial
- Intermittent
- Dry

- Zoning (Boundary)
- Zoning
- Zone A-1
- Zone A-2
- Zone B-1
- Zone B-2
- Zone C-1
- Zone C-2
- Zone C-3
- Zone C-4
- Zone C-5
- Zone C-6
- Zone C-7
- Zone C-8
- Zone C-9
- Zone C-10
- Zone C-11
- Zone C-12
- Zone C-13
- Zone C-14
- Zone C-15
- Zone C-16
- Zone C-17
- Zone C-18
- Zone C-19
- Zone C-20
- Zone C-21
- Zone C-22
- Zone C-23
- Zone C-24
- Zone C-25
- Zone C-26
- Zone C-27
- Zone C-28
- Zone C-29
- Zone C-30
- Zone C-31
- Zone C-32
- Zone C-33
- Zone C-34
- Zone C-35
- Zone C-36
- Zone C-37
- Zone C-38
- Zone C-39
- Zone C-40
- Zone C-41
- Zone C-42
- Zone C-43
- Zone C-44
- Zone C-45
- Zone C-46
- Zone C-47
- Zone C-48
- Zone C-49
- Zone C-50
- Zone C-51
- Zone C-52
- Zone C-53
- Zone C-54
- Zone C-55
- Zone C-56
- Zone C-57
- Zone C-58
- Zone C-59
- Zone C-60
- Zone C-61
- Zone C-62
- Zone C-63
- Zone C-64
- Zone C-65
- Zone C-66
- Zone C-67
- Zone C-68
- Zone C-69
- Zone C-70
- Zone C-71
- Zone C-72
- Zone C-73
- Zone C-74
- Zone C-75
- Zone C-76
- Zone C-77
- Zone C-78
- Zone C-79
- Zone C-80
- Zone C-81
- Zone C-82
- Zone C-83
- Zone C-84
- Zone C-85
- Zone C-86
- Zone C-87
- Zone C-88
- Zone C-89
- Zone C-90
- Zone C-91
- Zone C-92
- Zone C-93
- Zone C-94
- Zone C-95
- Zone C-96
- Zone C-97
- Zone C-98
- Zone C-99
- Zone C-100

Note: This is a static legend, which includes only a portion of layers. To get full legend, please use 'Display Map Legend tab' on the top left side of screen.



1



2 2



-4/



8



9



12



13



16



17



20



21



24



25



28



29



32



33



36



37





REQUEST TO ADDRESS
THE REGIONAL PLANNING COMMISSION
OF LOS ANGELES COUNTY

DATE 2/13/13

AGENDA ITEM No. 6

FAVOR ☒ OPPOSE/CONCERN ☐

☒ APPLICANT

PUBLIC COMMENT ☐
AGENDA ITEM

OTHER ☐

THE INFORMATION BELOW IS REQUIRED. ALL FUTURE CORRESPONDENCE WILL BE SENT USING THE INFORMATION YOU PROVIDE HERE.

---PLEASE PRINT CLEARLY---

HASKIN

LAST NAME

DONALD

FIRST NAME

ORGANIZATION (IF APPLICABLE)

2678 THUNDERBIRD DR.

STREET ADDRESS

THOUSAND OAKS

CITY

91302

ZIP CODE

DONHASKIN32@YAHOO.COM

EMAIL ADDRESS

805-495-2663

TELEPHONE NUMBER

SPEAKER CARDS

Summary of your position on this matter (optional)

☒ Check here if you would like to receive notification of future actions on this item.

☐ Check here if you DO NOT intend to testify today, but would like to receive notice of future actions on this item.



REQUEST TO ADDRESS

DATE 2/13/13AGENDA ITEM No. 6THE REGIONAL PLANNING COMMISSION
OF LOS ANGELES COUNTYFAVOR ☒ OPPOSE/CONCERN ☐☒ APPLICANT'S ATTORNEYPUBLIC COMMENT ☐
AGENDA ITEMOTHER ☐

THE INFORMATION BELOW IS REQUIRED. ALL FUTURE CORRESPONDENCE WILL BE SENT USING THE INFORMATION YOU PROVIDE HERE.

---PLEASE PRINT CLEARLY---

GAINES

LAST NAME

FRED

FIRST NAME

ORGANIZATION (IF APPLICABLE)

16633 VENTURA BLVD #1220

STREET ADDRESS

ENCINO, CA 91436

CITY

ZIP CODE

fgaines@fgaineslaw.com

EMAIL ADDRESS

818-933-0200

TELEPHONE NUMBER

SPEAKER CARDS

Summary of your position on this matter (optional)

Support Staff Recommendation

☒ Check here if you would like to receive notification of future actions on this item.☐ Check here if you DO NOT intend to testify today, but would like to receive notice of future actions on this item.



REQUEST TO ADDRESS
THE REGIONAL PLANNING COMMISSION
OF LOS ANGELES COUNTY

DATE 2/13/13

AGENDA ITEM No. 6

FAVOR ☒ OPPOSE/CONCERN ☐

☒ APPLICANT

PUBLIC COMMENT ☐
AGENDA ITEM

OTHER ☐

THE INFORMATION BELOW IS REQUIRED. ALL FUTURE CORRESPONDENCE WILL BE SENT USING THE INFORMATION YOU PROVIDE HERE.

—PLEASE PRINT CLEARLY—

MOSKOWITZ

LAST NAME

MARK

FIRST NAME

ORGANIZATION (IF APPLICABLE)

18335 LINWET ST

STREET ADDRESS

Tarzana

CITY

91356

ZIP CODE

MARKM4reswits@kw.com

EMAIL ADDRESS

818-970-8777

TELEPHONE NUMBER

SPEAKER CARDS

Summary of your position on this matter (optional)

- ☐ Check here if you would like to receive notification of future actions on this item.
- ☐ Check here if you DO NOT intend to testify today, but would like to receive notice of future actions on this item.



REQUEST TO ADDRESS

THE REGIONAL PLANNING COMMISSION
OF LOS ANGELES COUNTYDATE 2/13/13AGENDA ITEM No. 6FAVOR ☐OPPOSE/CONCERN ☒☐ APPLICANTPUBLIC COMMENT ☐

AGENDA ITEM

OTHER ☐

THE INFORMATION BELOW IS REQUIRED. ALL FUTURE CORRESPONDENCE WILL BE SENT USING THE INFORMATION YOU PROVIDE HERE.

---PLEASE PRINT CLEARLY---

BILLINGSLEY

LAST NAME

SCOTT

FIRST NAME

MLHOA

ORGANIZATION (IF APPLICABLE)

1820 LOOKOUT DR

STREET ADDRESS

AGOURA

CITY

91301

ZIP CODE

SB@ANTENNAFILMS.COM

EMAIL ADDRESS

818-707-0033

TELEPHONE NUMBER

SPEAKER CARDS

Summary of your position on this matter (optional)

(powerpoint presentation)
5 slides☐ Check here if you would like to receive notification of future actions on this item.☐ Check here if you DO NOT intend to testify today, but would like to receive notice of future actions.



REQUEST TO ADDRESS

DATE 2/13/13

AGENDA ITEM NO

6

THE REGIONAL PLANNING COMMISSION
OF LOS ANGELES COUNTYFAVOR ☐ OPPOSE/COMMENT ☒☐ APPLICANTPUBLIC COMMENT ☐
AGENDA ITEMOTHER ☐

THE INFORMATION BELOW IS REQUIRED. ALL FUTURE CORRESPONDENCE WILL BE SENT USING THE INFORMATION YOU PROVIDE HERE.

---PLEASE PRINT CLEARLY---

ROONEY

LAST NAME

BRIAN

FIRST NAME

MALIBU LAKESIDE

ORGANIZATION (IF APPLICABLE)

1961 LOOKOUT DRIVE

STREET ADDRESS

CORNELL

CITY

91301

ZIP CODE

elroon@earthlink.net

EMAIL ADDRESS

310-280-0200

TELEPHONE NUMBER

SPEAKER CARDS

Summary of your position on this matter (optional)

10 slides -
3 minutes power point☐ Check here if you would like to receive notification of future actions on this item.☐ Check here if you DO NOT intend to testify today, but would like to receive notice of future actions.



REQUEST TO ADDRESS
THE REGIONAL PLANNING COMMISSION
OF LOS ANGELES COUNTY

DATE 4/13/13

AGENDA ITEM No. 6

FAVOR ☐ OPPOSE/CONCERN ☐

☐ APPLICANT

PUBLIC COMMENT ☐
AGENDA ITEM

OTHER ☐

THE INFORMATION BELOW IS REQUIRED. ALL FUTURE CORRESPONDENCE WILL BE SENT USING THE INFORMATION YOU PROVIDE HERE.

---PLEASE PRINT CLEARLY---

✓ THOMAS
LAST NAME

KATHLEEN
FIRST NAME

MHNA
ORGANIZATION (IF APPLICABLE)

29118 CRAGS
STREET ADDRESS

AGOURA MALIBU LAKE 91301
CITY ZIP CODE

Sassyk+3@yahoo.com
EMAIL ADDRESS

818-991-5574
TELEPHONE NUMBER

SPEAKER CARDS

Summary of your position on this matter (optional)

☐ Check here if you would like to receive notification of future actions on this item.

☐ Check here if you DO NOT intend to testify today, but would like to receive notice of future actions on this item.



REQUEST TO ADDRESS
THE REGIONAL PLANNING COMMISSION
OF LOS ANGELES COUNTY

DATE 2/13/13 AGENDA ITEM No. 6

FAVOR ☐ OPPOSE/CONCERN ☐

☐ APPLICANT

PUBLIC COMMENT ☐
AGENDA ITEM

OTHER ☐

THE INFORMATION BELOW IS REQUIRED. ALL FUTURE CORRESPONDENCE WILL BE SENT USING THE INFORMATION YOU PROVIDE HERE.

---PLEASE PRINT CLEARLY---

O S K O W
LAST NAME

B r a d
FIRST NAME

M L H A
ORGANIZATION (IF APPLICABLE)

2 9 2 0 5 C r a g s
STREET ADDRESS

A G O U R A
CITY

9 1 3 0 1
ZIP CODE

B r a d O s k o w @ a t t . N e t
EMAIL ADDRESS

8 1 8 - 7 0 7 - 1 8 0 4
TELEPHONE NUMBER

SPEAKER CARDS

Summary of your position on this matter (optional)

☒ Check here if you would like to receive notification of future actions on this item.

☐ Check here if you DO NOT intend to testify today, but would like to receive notice of future actions on this item.



REQUEST TO ADDRESS
THE REGIONAL PLANNING COMMISSION
OF LOS ANGELES COUNTY

DATE 2/13/13

AGENDA ITEM No. 6

FAVOR ☐ OPPOSE/CONCERN ☐

☐ APPLICANT

PUBLIC COMMENT ☒
AGENDA ITEM

OTHER ☐

THE INFORMATION BELOW IS REQUIRED. ALL FUTURE CORRESPONDENCE WILL BE SENT USING THE INFORMATION YOU PROVIDE HERE.

---PLEASE PRINT CLEARLY---

L A R S O N

LAST NAME

D E B B I E

FIRST NAME

M L H A

ORGANIZATION (IF APPLICABLE)

2 8 9 3 0 C R A G S D R

STREET ADDRESS

M A L I B U L A K E

CITY

ZIP CODE

d e b b i e a t l a k e s i d e @ g m a i l . c o m

EMAIL ADDRESS

8 1 8 - 7 0 6 - 0 8 1 7

TELEPHONE NUMBER

SPEAKER CARDS

Summary of your position on this matter (optional)

☐ Check here if you would like to receive notification of future actions on this item.

☐ Check here if you DO NOT intend to testify today, but would like to receive notice of future actions on this item.



REQUEST TO ADDRESS
THE REGIONAL PLANNING COMMISSION
OF LOS ANGELES COUNTY

DATE 2/13/13

AGENDA ITEM No. 6

FAVOR ☐ OPPOSE/CONCERN ☐

☐ APPLICANT

PUBLIC COMMENT ☒
AGENDA ITEM

OTHER ☐

THE INFORMATION BELOW IS REQUIRED. ALL FUTURE CORRESPONDENCE WILL BE SENT USING THE INFORMATION YOU PROVIDE HERE.

—PLEASE PRINT CLEARLY—

H e n k e i

LAST NAME

P a t r i c i a

FIRST NAME

H O A

ORGANIZATION (IF APPLICABLE)

1 7 5 5 L o o k o u t D r

STREET ADDRESS

A g c u r a

CITY

9 1 3 0 0

ZIP CODE

P a t H e n K e i P e a r t h L i n k - N e t

EMAIL ADDRESS

8 1 5 - 9 9 1 - 4 0 5 3

TELEPHONE NUMBER

SPEAKER CARDS

Summary of your position on this matter (optional)

☒ Check here if you would like to receive notification of future actions on this item.

☐ Check here if you DO NOT intend to testify today, but would like to receive notice of future actions on this item.



REQUEST TO ADDRESS
THE REGIONAL PLANNING COMMISSION
OF LOS ANGELES COUNTY

DATE 2/13/17 AGENDA ITEM No. 6

FAVOR ☐ OPPOSE/CONCERN ☒

☐ APPLICANT

PUBLIC COMMENT ☒
AGENDA ITEM

OTHER ☐

THE INFORMATION BELOW IS REQUIRED. ALL FUTURE CORRESPONDENCE WILL BE SENT USING THE INFORMATION YOU PROVIDE HERE.

—PLEASE PRINT CLEARLY—

S U M N E R

LAST NAME

D. M U R R A Y

FIRST NAME

M A L I B O U L A K E S I D E H. O. A.

ORGANIZATION (IF APPLICABLE)

2 8 9 2 1 C R E S T D R.

STREET ADDRESS

A G O U R A

CITY

9 1 3 0 1

ZIP CODE

M U R R A Y S U M N E R @ G M A I L . C O M

EMAIL ADDRESS

8 1 8 - 4 0 4 - 2 5 2 0

TELEPHONE NUMBER

SPEAKER CARDS

Summary of your position on this matter (optional)

☒ Check here if you would like to receive notification of future actions on this item.

☐ Check here if you DO NOT intend to testify today, but would like to receive notice of future actions on this item.



REQUEST TO ADDRESS

DATE 2/13/13AGENDA ITEM No. 6THE REGIONAL PLANNING COMMISSION
OF LOS ANGELES COUNTYFAVOR ☐ OPPOSE/CONCERN ☒☐ APPLICANTPUBLIC COMMENT ☐
AGENDA ITEMOTHER ☐

THE INFORMATION BELOW IS REQUIRED. ALL FUTURE CORRESPONDENCE WILL BE SENT USING THE INFORMATION YOU PROVIDE HERE.

--PLEASE PRINT CLEARLY--

L A R S O N

LAST NAME

K E I T H

FIRST NAME

ORGANIZATION (IF APPLICABLE)

28930 CRAIGS DR.

STREET ADDRESS

A G O U R A H I L L S

CITY

91301

ZIP CODE

Keith.hat.lakeside@gmail.com

EMAIL ADDRESS

818-706-0817

TELEPHONE NUMBER

SPEAKER CARDS

Summary of your position on this matter (optional)

☐ Check here if you would like to receive notification of future actions on this item.☐ Check here if you DO NOT intend to testify today, but would like to receive notice of future actions on this item.



REQUEST TO ADDRESS

DATE 2/13/13AGENDA ITEM No. 6THE REGIONAL PLANNING COMMISSION
OF LOS ANGELES COUNTYFAVOR ☐ OPPOSE/CONCERN ☒☐ APPLICANTPUBLIC COMMENT ☐
AGENDA ITEMOTHER ☐

THE INFORMATION BELOW IS REQUIRED. ALL FUTURE CORRESPONDENCE WILL BE SENT USING THE INFORMATION YOU PROVIDE HERE.

---PLEASE PRINT CLEARLY---

SUTHERIA
LAST NAMESANDRA
FIRST NAME
ORGANIZATION (IF APPLICABLE)1820 LOOKOUT DR
STREET ADDRESSAGOURA
CITY91301
ZIP CODES60ANTENNAFILMS.COM
EMAIL ADDRESS018-707-0033
TELEPHONE NUMBER**SPEAKER CARDS**

Summary of your position on this matter (optional)

☐ Check here if you would like to receive notification of future actions on this item.☐ Check here if you DO NOT intend to testify today, but would like to receive notice of future actions on this item.



REQUEST TO ADDRESS
THE REGIONAL PLANNING COMMISSION
OF LOS ANGELES COUNTY

DATE 2 / 13 / 13

AGENDA ITEM No. 6

FAVOR ☐ OPPOSE/CONCERN ☒

☐ APPLICANT

PUBLIC COMMENT ☐
AGENDA ITEM

OTHER ☐

THE INFORMATION BELOW IS REQUIRED. ALL FUTURE CORRESPONDENCE WILL BE SENT USING THE INFORMATION YOU PROVIDE HERE.

—PLEASE PRINT CLEARLY—

M U L D A V I N

LAST NAME

R O W E N A

FIRST NAME

ORGANIZATION (IF APPLICABLE)

2 8 9 6 0 C R A G S D R .

STREET ADDRESS

A G D U R A

CITY

9 1 3 0 1

ZIP CODE

t h e r o w @ c h a r t e r . n e t

EMAIL ADDRESS

8 1 8 - 8 8 9 - 1 9 6 9

TELEPHONE NUMBER

SPEAKER CARDS

Summary of your position on this matter (optional)

☒ Check here if you would like to receive notification of future actions on this item.

☐ Check here if you DO NOT intend to testify today, but would like to receive notice of future actions on this item.



REQUEST TO ADDRESS
THE REGIONAL PLANNING COMMISSION
OF LOS ANGELES COUNTY

DATE 2/13/13

AGENDA ITEM No. 6

FAVOR ☐ OPPOSE/CONCERN ☒

☐ APPLICANT

PUBLIC COMMENT ☒
AGENDA ITEM

OTHER ☐

THE INFORMATION BELOW IS REQUIRED. ALL FUTURE CORRESPONDENCE WILL BE SENT USING THE INFORMATION YOU PROVIDE HERE.

---PLEASE PRINT CLEARLY---

COOPER

LAST NAME

SUZANNE

FIRST NAME

ORGANIZATION (IF APPLICABLE)

1616 LOOKOUT DR

STREET ADDRESS

AGOURA

CITY

91301

ZIP CODE

suzc33@gmail.com

EMAIL ADDRESS

818-613-9294

TELEPHONE NUMBER

SPEAKER CARDS

Summary of your position on this matter (optional)

Oppose approval of EUP since conditions listed as #1 and #2
burden of proof have not been met.

☒ Check here if you would like to receive notification of future actions on this item.

☐ Check here if you DO NOT intend to testify today, but would like to receive notice of future actions on this item.



REQUEST TO ADDRESS

DATE 2/3/12 AGENDA ITEM No. 6THE REGIONAL PLANNING COMMISSION
OF LOS ANGELES COUNTYFAVOR ☐ OPPOSE/CONCERN ☒☐ APPLICANTPUBLIC COMMENT ☐
AGENDA ITEMOTHER ☐

THE INFORMATION BELOW IS REQUIRED. ALL FUTURE CORRESPONDENCE WILL BE SENT USING THE INFORMATION YOU PROVIDE HERE.

---PLEASE PRINT CLEARLY---

LARONGE

LAST NAME

SUSAN

FIRST NAME

MALIBU LAKESIDE HOMEOWNER

ORGANIZATION (IF APPLICABLE)

29205 CRAES DRIVE

STREET ADDRESS

AGOURA

CITY

91301

ZIP CODE

SUSDALARONG@GMAIL.COM

EMAIL ADDRESS

805-338-3575

TELEPHONE NUMBER

SPEAKER CARDS

Summary of your position on this matter (optional)

☐ Check here if you would like to receive notification of future actions on this item.☐ Check here if you DO NOT intend to testify today, but would like to receive notice of future actions on this item.



REQUEST TO ADDRESS

DATE 2/13/13AGENDA ITEM No. 6THE REGIONAL PLANNING COMMISSION
OF LOS ANGELES COUNTYFAVOR ☐ OPPOSE/CONCERN ☒☐ APPLICANTPUBLIC COMMENT ☐
AGENDA ITEMOTHER ☐

THE INFORMATION BELOW IS REQUIRED. ALL FUTURE CORRESPONDENCE WILL BE SENT USING THE INFORMATION YOU PROVIDE HERE.

---PLEASE PRINT CLEARLY---

DALTON
LAST NAMEDAYLE
FIRST NAMEMALIBU LAKES, de HOMEOWNERS
ORGANIZATION (IF APPLICABLE) ASSOC29155 PRIVATE
STREET ADDRESSAGOURA
CITY91301
ZIP CODEdayledalton@charter.net
EMAIL ADDRESS818-707-3302
TELEPHONE NUMBER

SPEAKER CARD

Summary of your position on this matter (optional)

☐ Check here if you would like to receive notification of future actions on this item.☐ Check here if you DO NOT intend to testify today, but would like to receive notice of future actions on this item.



REQUEST TO ADDRESS

DATE 2/13/13AGENDA ITEM No. 6THE REGIONAL PLANNING COMMISSION
OF LOS ANGELES COUNTYFAVOR ☐ OPPOSE/CONCERN ☒☐ APPLICANTPUBLIC COMMENT ☐
AGENDA ITEMOTHER ☐

THE INFORMATION BELOW IS REQUIRED. ALL FUTURE CORRESPONDENCE WILL BE SENT USING THE INFORMATION YOU PROVIDE HERE.

---PLEASE PRINT CLEARLY---

QUIST

LAST NAME

RICHARD

FIRST NAME

ORGANIZATION (IF APPLICABLE)

PO BOX 922797

STREET ADDRESS

SYLMAR

CITY

91392

ZIP CODE

RQUISTOUCLABRVINGS.NET

EMAIL ADDRESS

818-365-2255

TELEPHONE NUMBER

SPEAKER CARDS

Summary of your position on this matter (optional)

speaking on Fire safety

☒ Check here if you would like to receive notification of future actions on this item.☐ Check here if you DO NOT intend to testify today, but would like to receive notice of future actions on this item.



REQUEST TO ADDRESS
THE REGIONAL PLANNING COMMISSION
OF LOS ANGELES COUNTY

DATE 2/13/2013 AGENDA ITEM No. 6

FAVOR ☐ OPPOSE/CONCERN ☒

☐ APPLICANT

PUBLIC COMMENT ☐
AGENDA ITEM

OTHER ☐

THE INFORMATION BELOW IS REQUIRED. ALL FUTURE CORRESPONDENCE WILL BE SENT USING THE INFORMATION YOU PROVIDE HERE.

---PLEASE PRINT CLEARLY---

TEXTOR

LAST NAME

ALEXANDRA

FIRST NAME

MAIIBU LAKESIDE HOMEOWNERS

ORGANIZATION (IF APPLICABLE)

29157 PAULTE AR

STREET ADDRESS

AGOURA, CA. 91301

CITY

ZIP CODE

alextextoreatt. ~~NET~~

EMAIL ADDRESS

818-735-0288

TELEPHONE NUMBER

SPEAKER CARDS

Summary of your position on this matter (optional)

☐ Check here if you would like to receive notification of future actions on this item.

☐ Check here if you DO NOT intend to testify today, but would like to receive notice of future actions on this item.



REQUEST TO ADDRESS
THE REGIONAL PLANNING COMMISSION
OF LOS ANGELES COUNTY

DATE 2/13/13 AGENDA ITEM No. 6

FAVOR ☐ OPPOSE/CONCERN ☒

☐ APPLICANT

PUBLIC COMMENT ☐
AGENDA ITEM

OTHER ☐

THE INFORMATION BELOW IS REQUIRED. ALL FUTURE CORRESPONDENCE WILL BE SENT USING THE INFORMATION YOU PROVIDE HERE.

---PLEASE PRINT CLEARLY---

Coutts

LAST NAME

Robert

FIRST NAME

ORGANIZATION (IF APPLICABLE)

1271 Briargate Ct

STREET ADDRESS

Oak Park

CITY

91377

ZIP CODE

bobcouzz@pacbell.net

EMAIL ADDRESS

818-889-7632

TELEPHONE NUMBER

SPEAKER CARDS

Summary of your position on this matter (optional)

☐ Check here if you would like to receive notification of future actions on this item.

☐ Check here if you DO NOT intend to testify today, but would like to receive notice of future actions on this item.



REQUEST TO ADDRESS

DATE 2/13/13AGENDA ITEM No. 6THE REGIONAL PLANNING COMMISSION
OF LOS ANGELES COUNTYFAVOR ☐ OPPOSE/CONCERN ☒☐ APPLICANTPUBLIC COMMENT ☐
AGENDA ITEMOTHER ☐

THE INFORMATION BELOW IS REQUIRED. ALL FUTURE CORRESPONDENCE WILL BE SENT USING THE INFORMATION YOU PROVIDE HERE.

—PLEASE PRINT CLEARLY—

N I E S B R O C K

LAST NAME

M A R Y

FIRST NAME

S A V E O P E N S P A C E

ORGANIZATION (IF APPLICABLE)

6 2 6 2 T I M B E R L A N E S T

STREET ADDRESS

A G O U R A H I L L S

CITY

9 1 3 0 1

ZIP CODE

M A R Y W I E S B R O C K @ S B C G L O B A L . N E T

EMAIL ADDRESS

- - - - -

TELEPHONE NUMBER

SPEAKER CARDS

Summary of your position on this matter (optional)

Legal Reasons - Cumulative effects - inadequate need
deny CUP☒ Check here if you would like to receive notification of future actions on this item.☐ Check here if you DO NOT intend to testify today, but would like to receive notice of future actions on this item.



REQUEST TO ADDRESS
THE REGIONAL PLANNING COMMISSION
OF LOS ANGELES COUNTY

DATE 2/13/13 AGENDA ITEM No. 6

FAVOR ☐ OPPOSE/CONCERN ☒

☐ APPLICANT

PUBLIC COMMENT ☐
AGENDA ITEM

OTHER ☐

THE INFORMATION BELOW IS REQUIRED. ALL FUTURE CORRESPONDENCE WILL BE SENT USING THE INFORMATION YOU PROVIDE HERE.

---PLEASE PRINT CLEARLY---

S L O S S O N

LAST NAME

T H O M

FIRST NAME

ORGANIZATION (IF APPLICABLE)

P O B O X 941053

STREET ADDRESS

S I M I V A L L E Y C A

CITY

93094

ZIP CODE

S L I D I N G S D A D L . C O M

EMAIL ADDRESS

805-501-274

TELEPHONE NUMBER

SPEAKER CARDS

Summary of your position on this matter (optional)

THERE ARE ITEMS OF CONCERN
THAT NEED TO BE ADDRESSED
Prior to approval

☒ Check here if you would like to receive notification of future actions on this item.

☐ Check here if you DO NOT intend to testify today, but would like to receive notice of future actions on this item.