Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Bruce W. McClendon FAICP
Director of Planning

January 11, 2007

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

Dear Supervisors:

CONDITIONAL USE PERMIT CASE NO. 97-178-(3)
OAK TREE PERMIT CASE NO. 97-178-(3)
VESTING TENTATIVE TRACT MAP NO. 52419-(3)
THE MALIBU ZONED DISTRICT
THIRD SUPERVISORIAL DISTRICT

On November 8, 2006, the Los Angeles County Regional Planning Commission ("Commission") **denied** Project No. 97-178-(3), which consisted of Conditional Use Permit Case No. 97-178-(3), Oak Tree Permit Case No. 97-178-(3) and Vesting Tentative Tract Map No. 52419.

The Commission, in their decision, directed staff to clearly convey to your Board of Supervisors the circumstances upon which they made their decision. The project underwent a total of six public hearings before the Commission between May of 2005 and September of 2006. During this time, the applicant proposed four project designs, with each redesign an attempt to address the Commission's concerns. At the last public hearing, the applicant requested that the Commission take an action on their project expressing an unwillingness to further redesign the project. As such, the Commission concluded the hearings and expressed their denial. The Commission wanted to be clear that the denial was as a result of the applicant's request for an action, and not necessarily on the larger merits of the project.

Respectfully Submitted,

DEPARTMENT OF REGIONAL PLANNING
Bruce W. McClendon, FAICP, Director of Planning

Frank Meneses, Administrator
Current Planning Division

FM:SMT:st

Attachments: Commission Findings; Commission Staff Report and Correspondence, Vesting Tentative Tract Map, Exhibit "A"

c: Director of Planning
Chief Administrative Officer
County Counsel
Director, Department of Public Works

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

Bruce W. McClendon FAICP
Director of Planning

CERTIFIED-RECEIPT REQUESTED

November 20, 2006

Halladay & Mim Mack, Inc.
201 E. Yorba Linda Boulevard
Placentia, California 92870
Attn: Dana Halladay

Gentlemen:

SUBJECT: VESTING TENTATIVE TRACT MAP NO. 52419
CONDITIONAL USE PERMIT CASE NO. 97-178-(3)
OAK TREE PERMIT CASE NO. 97-178-(3)
MAP DATE: August 1, 2006

A public hearing on Vesting Tentative Tract Map No. 52419, Conditional Use Pemit Case No. 97-178-(3) and Oak Tree Permit Case No. 02-201-(3) was held by the Regional Planning Commission of Los Angeles County on May 18, 2005, June 22, 2005, February 22, 2006, April 5, 2006, June 28, 2006, and September 20, 2006.

After considering the evidence presented, the Regional Planning Commission in their action on November 8, 2006, **DENIED** the tentative tract map, conditional use permit and oak tree permit in accordance with the Subdivision Map Act and Titles 21 (Subdivision Ordinance) and 22 (Zoning Ordinance) of the Los Angeles County Code subject to the recommendations and conditions of the Los Angeles County Subdivision Committee. A copy of the denial findings is attached.

The decision of the Regional Planning Commission regarding the tentative tract map, conditional use permit and oak tree permit shall become final and effective on the date of the decision, provided no appeal of the action taken has been filed with the Los Angeles County Board of Supervisors within the following time period:

- In accordance with the requirements of the State Map Act, the tentative tract map may be appealed within 10 days following the decision of the Regional Planning Commission.

- In accordance with requirements of the Los Angeles County Code (Zoning Ordinance), the conditional use permit and oak tree permit may be appealed during the 15-day period following your receipt of this letter.

The decision of the Regional Planning Commission regarding the tentative tract map and conditional use permit may be appealed to the Board of Supervisors. **If you wish to appeal the decision of the Commission to the Board of Supervisors, you must do so in writing and pay the appropriate fee.** The fee for appeal process is $1,437.00 for the applicant and $719.00 for non-applicant(s). To initiate the appeal, submit your appeal letter and a check made payable to the "County of Los Angeles" to the Clerk of the Board of Supervisors, Kenneth Hahn Hall of Administration, 500 West Temple Street. Please be advised that your appeal will be rejected of the check is not submitted with the letter.

If you have any questions regarding this matter, please contact Ms. Susan Tae of the Land Divisions Section of the Department of Regional Planning at (213) 974-6433 between the hours of 7:30 a.m. and 6 p.m., Monday through Thursday. Our offices are closed Fridays.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING
Bruce W. McClendon, FAICP
Director of Planning

Frank Meneses, Administrator
Current Planning Division

FM:SMT:st

Attachments: 1. Findings

c: Subdivision Committee
Board of Supervisors
Building and Safety
Sage Community Group, Attn: Diane Fradkin
Cox, Castle & Nicholson, Attn: Lisa Dittman
Weston Benshoof Rubalcava MacCuish, Attn: Linda Bernhardt
Steve Hess (letter only)
Matt Heerde (letter only)
Mary Altmann (letter only)
Tom Dodson (letter only)
Paul Edelman (letter only)
Colleen Holmes (letter only)

FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
FOR VESTING TENTATIVE TRACT MAP NO. 52419

1. The Los Angeles County Regional Planning Commission ("Commission") conducted duly noticed public hearings in the matter of Vesting Tentative Tract Map No. 52419 on May 18, 2005; June 22, 2005; February 22, 2006; April 5, 2006; June 28, 2006; and September 20, 2006. Vesting Tentative Tract Map No. 52419 was heard concurrently with Conditional Use Permit Case No. 98-178-(3) and Oak Tree Permit Case No. 97-178-(3).

2. Vesting Tentative Tract Map No. 52419 proposes a residential development of 66 single-family lots, five open space lots, six landscape lots and two public facility lots.

3. The subject site is located east and west of Kanan Road and Cornell Road in the unincorporated Santa Monica Mountains, south of the City of Agoura Hills, in The Malibu Zoned District.

4. The irregularly-shaped property is 320.3 gross acres in size in a mostly natural condition with level to steeply sloping topography.

5. Access to the proposed development is provided by Kanan Road, a 100-foot wide major highway, and Cornell Road, an 80-foot wide secondary highway.

6. The project site is currently zoned RPD-2-0.5U (Residential Planned Development – Two Acre Minimum Required Lot Area – 0.5 Dwelling Units per Net Acre), RPD-5-0.2U (Residential Planned Development – Five Acre Minimum Required Lot Area – 0.2 Dwelling Units per Net Acre), which were established by Ordinance No. 2002-0062-Z and became effective on September 19, 2002. A small portion of the property is also zoned A-1-5 (Light Agricultural – Five Acre Minimum Required Lot Area), which also became effective on September 19, 2002 with Ordinance No. 2002-0062-Z.

7. Surrounding zoning includes A-1-20 (Light Agricultural – 20 Acre Minimum Required Lot Area), A-1-10 (Light Agricultural – 10 Acre Minimum Required Lot Area) and O-S (Open Space) to the south; and A-1-20 and O-S to the west. The City of Agoura Hills lies to the north, east and west of the subject property.

8. The subject property consists of four unimproved lots. Surrounding uses include single-family residences with water tank to the north; religious facility and vacant property to the east; fire station and vacant property to the south; and vacant property also to the west. The City of Agoura Hills lies to the north, east and west of the subject property.

9. The project is consistent with the RPD-2-0.5U, RPD-5-0.2U and A-1-5 zoning classifications. Residential development is permitted in the RPD zone pursuant to Section 22.20.460 of the Los Angeles County Code ("County Code"). The proposed density of 66 dwelling units exceeds the maximum 44 dwelling units permitted by the RPD-5,000-8U zoning. However, the applicant has requested a conditional use permit ("CUP") to authorize concessions, including a density bonus, pursuant to Section 22.56.202 of the County Code, which increases the maximum density permitted to 66 dwelling units. The applicant has also requested a CUP for residential planned development pursuant to Section 22.56.020 of the County Code, which allows for greater flexibility in design while promoting residential amenities beyond those expected under conventional development.

10. The property is depicted in the Mountains Lands 2 ("N2") (One Dwelling Unit per Two Acres) and Mountain Lands 5 ("N5") (One Dwelling Unit per Five Acres) land use categories of the Santa Monica Mountains North Area Plan ("North Area Plan"), a component of the Los Angeles Countywide General Plan ("General Plan"). Residential development is permitted within the N2 and N5 land use categories. The proposed 81 dwelling units do not exceed the maximum 81 dwelling units permitted by the land use categories for nonurban hillside development.

11. This is a hillside project since the subject property exhibits natural slopes of 25 percent or greater. A conditional use permit is required for the project since the 81 dwelling units proposed exceeds the nonurban low-density threshold of established for the site.

12. Conditional Use Permit Case No. 97-178-(3) ("CUP") is a related request to ensure compliance with the requirements of hillside management, density-controlled development, planned residential development within the RPD zone, development within a Significant Ecological Area ("SEA"), and on-site project grading as well as off-site transport and grading within the Santa Monica Mountains North Area Community Standards District ("North Area CSD") pursuant to Sections 22.20.460, 22.44.133, 22.56.010, 22.56.205, 22.56.210, and 22.56.215 of the County Code.

13. Oak Tree Permit Case No. 97-178-(3) ("OTP") is a related request to authorize the removal of 21 oak trees, including two heritage oaks; and encroachment into the protected zone of 11 oak trees, including three heritage oaks, pursuant to Section 22.56.2060 of the County Code.

14. The project contains A-1-5 zoning which requires minimum lot sizes of five acres. As the proposed lot sizes of the project are less, the applicant has requested a CUP for density-controlled development pursuant to Section 22.56.205 of the County Code, which concentrates dwelling units to a portion of the property and

allows smaller lot sizes as long as the required size is achieved over the entire subject property. The remaining area is reserved as permanent open space.

15. The project site is approximately 320.3 gross acres, meeting the minimum five-acre requirement to qualify for a residential planned development. The project provides the minimum 30 percent required open space for a residential planned development (approximately 96 acres).

16. The portion of the subject property east of Cornell Road, is located within SEA No. 6 (Las Virgenes). A CUP is required prior to the approval of a subdivision on a lot or parcel that is within or partly in an area designated as an SEA, pursuant to Section 22.56.215 of the County Code.

17. Project grading for the subject property consists of 353,700 cubic yards of cut and 327,100 cubic yards of fill, with 20,600 cubic yards of earthwork proposed to be transported offsite to Ventura County.

18. The project was designed with 81 single-family lots, five open space lots, nine landscape lots, one street lot and one desilting basin lot for its first public hearing. Lots were clustered in three areas with 44 lots west of Kanan Road, 10 lots between Kanan Road and Cornell Road, and 27 lots east of Cornell Road within the SEA. Original project grading was proposed to be 498,000 cubic yards of cut and 427,000 cubic yards of fill to be balanced onsite. A 12-foot easement for the Zuma Ridge trail was depicted along Medea Creek within the center portion of the project. The CUP was filed as well as an OTP for removal of 18 oak trees, including two heritage oak trees; and encroachment into the protected zone of 17 oak trees, including five heritage oak trees.

19. During the May 18, 2005 public hearing, the Commission considered the 81-unit project. The Commission heard a presentation from staff and testimony from the applicant as well as the public.

20. Staff indicated in the May 18, 2005 public hearing presentation that the project as designed does not meet many of the goals and policies and, therefore, is inconsistent with the North Area Plan. While the project is clustered, the development directly impacts the threatened and endangered species and does not incorporate design features including smaller pads and contoured grading. The project also does not meet the CUP burdens of proof for hillside management, development within an SEA, and grading within the North Area CSD. Staff indicated that Alternative No. 4, as described in the Draft EIR, provides for a design that addresses concerns from the SEA Technical Advisory Committee ("SEATAC") as well as the County biologist, and was identified as the environmentally superior alternative. Staff also indicated that zoning violations

existed on the subject property, and a zoning enforcement case was pending. Disking was also found to have occurred on the property where a population of endangered Lyon's pentachaeta was mapped.

21. Seventy (70) comment letters were submitted to the Commission for the May 18, 2005 public hearing: 54 form letters in support (including 22 postcards), and 16 letters in opposition. Among the correspondence, letters were received from the California Department of Fish and Game, Santa Monica Mountains Conservancy, County of Ventura, City of Agoura Hills, and Tom Dodson & Associates on behalf of the Cornell Preservation Organization. Letters received in support of the project indicate the project's less-than-significant impact on the surrounding area and dedication of 85 percent of the property as open space. Additional benefits cited include the current proposal for 81 homes rather than 200 proposed many years ago. Correspondence in opposition to the project indicated concerns related to the Draft Environmental Impact Report ("Draft EIR") and need for updated biological surveys, opposition to any elimination or conversion of watercourses that will directly impact riparian habitat, call for additional mitigation measures for wildlife resources, request for dedication of open space lands to a public agency, and need for an alternative that reduces the development footprint rather than just number of units. Concerns were also raised with respect to the project's incompatibility with the North Area Plan; cumulative noise impacts from Kanan Road; impacts to the pattern, scale and character of the community; and offsite impacts to adjacent jurisdictions.

22. Eighteen (18) persons testified at the May 18, 2005 public hearing: three representing the applicant, five in support, and 10 in opposition or within concerns related to the project. Testimony in favor of the project cited a right for a reasonable return on investments and an account of the long history of this property within the Santa Monica Mountains community. Testimony in favor also cited the inability to see the project from the Ventura (US-101) Freeway to the north, and need for housing. Additional issues raised during the May 18 public hearing included concerns related to the disking disturbance of the endangered Lyon's pentachaeta; lack of master landscape plan; request for elimination of street curbs, gutters and sidewalks within the development; lack of discussion regarding limitations to future home size and building footprints. Other concerns or issues raised include the grading design of slopes, the retaining walls along public roads, and the lack of discussion on geology in the Draft EIR.

23. The Commission provided comments regarding the redesign of the project, and specifically to redesign in the 'spirit' of Alternative No. 4 in the Draft EIR. Those elements for incorporation included minimum cut slopes, smaller pad sizes, relocation of the road between Kanan Road and Cornell Road to serve as buffer, and inclusion of a berm along the slopes west of Kanan Road. The Commission

also expressed potential concerns of detailed direction given before all of the public testimony is taken, and continued to matter to June 22, 2005 to allow for remaining testimony to be taken and applicant rebuttal before Commission direction.

24. At the June 22, 2005 continued public hearing, a brief presentation was given by staff and additional testimony was taken both in favor and opposition to the project. Fourteen (14) persons testified: two in support and 12 in opposition. Additional benefits raised at the June 22 public hearing include a buffer this project will serve from commercial development along the Ventura (US-101) Freeway. Additional concerns raised in opposition include the project as a 'visual gateway' to the Santa Monica Mountains, impacts to City of Agoura Hills ("Agoura Hills") facilities, lack of information regarding economic data to verify need for applicant's economic returns, and additional traffic impacts from adjacent Agoura Village in Agoura Hills. Other concerns include history of catastrophic fire in the area, lack of traffic calming features, and impact to views of Ladyface Mountain from Kanan Road.

25. The applicant responded in rebuttal that consistency with the North Area Plan was demonstrated, and that the Draft EIR sufficiently analyzed the project. Agoura Village within Agoura Hills serves as further development, and the zoning was specifically selected for this property when the North Area Plan was developed. The project uses contour grading, grading is occurring in areas of least slope, and open space will be given to a public agency. The project will have minimum impacts to Lyon's pentachaeta and a long term maintenance plan will be provided. A site visit was also requested for the Commission's benefit in viewing the project.

26. During the June 22, 2005 public hearing, the Commission discussed many aspects of the project, including Lyon's pentachaeta, violations on the property, and the Agoura Village in adjacent Agoura Hills. The Commission questioned comments that within the mapped Lyon's pentachaeta population, very few species are identified. If action was requested on the 81-unit project, the action may be a denial. If the project moves closer to addressing concerns raised, then another action may be considered. The Commission also commented that additional information should be obtained from the adjacent Agoura Village project. The Commission indicated that activities affecting the endangered Lyon's pentachaeta are serious. The applicant was asked to comment that three potential actions were before the Commission: approval with modifications, continuance with direction for redesign, or denial. The applicant again requested a site visit, and indicated interest in a compromise that was good for everyone.

27. After hearing testimony, on June 22, 2005 the Commission directed the applicant to redesign the project to be more consistent with the North Area Plan, and took

the matter off calendar. This included redesign to reflect more sensitive development including reducing grading, requiring buffers from sensitive resources, prohibiting disturbance of protected species, and minimizing impervious surfaces and disturbance of natural drainages to protect water quality. The Commission also indicated that the matter was not to return until all violations have been abated.

28. On October 11, 2005, the applicant submitted a redesigned project of 71 dwelling units for Los Angeles County Subdivision Committee review. A revised Project Description to the Draft EIR was also prepared and recirculated for public review. The applicant had been working with Los Angeles County Zoning Enforcement staff and all violations discovered on the subject property had been abated. The 71-unit design was readvertised for a public hearing before the Commission on February 22, 2006.

29. For the February 22, 2006 public hearing, the applicant requested a continuance of 30 days. On February 22, the Commission continued the matter to April 5, 2006.

30. For April 5, 2006 public hearing, the applicant requested another 30-day continuance. As this was a consecutive request for continuance with no additional information provided, staff recommended to the Commission that the applicant be called to provide a status report on the project. Staff also recommended should a continuance be considered, that a short continuance be granted with at minimum, a conceptual presentation of the redesigned project.

31. On April 5, 2006, the Commission heard a presentation from staff and testimony from the public. The applicant thanked staff in working with the community for a redesigned project. A tentative redesign of 66 dwelling units has been developed with six dwelling units east of Cornell Road within the SEA; a reduction from 27 units first proposed in this area. Lots are clustered in distinct areas and the development will look nice once constructed. The applicant also requested a waiver of street standards to develop the property with rural street standards, including no curbs, gutters or sidewalks. As it is the applicant's desire to return with a project that the community will accept, the applicant requested a continuance of 90 days.

32. During the April 5, 2005 public hearing, the Commission indicated their satisfaction in a positive report, and reiterated the installation of a berm along Kanan Road to reduce noise impacts from Kanan. The Commission also requested clarification that the open space will be dedicated to a public agency. The Commission commented that with no members from the public present, that there was good communication with the community for the continuance. The applicant responded

that the homes will be far enough away from Kanan Road to create a rural feel. The applicant also reiterated their understanding that the community's participation was essential. The Commission continued the matter to June 28, 2006.

33. The project was redesigned to 66 single-family lots, five open space lots, six landscape lots and two public facility lots. Lots were clustered in four areas with 50 lots west of Kanan Road with clusters of 38 and 12 single-family lots northerly and southerly along Kana, respectively; 10 lots between Kanan Road and Cornell Road; and six lots east of Cornell Road within the SEA. Project grading was reduced to 379,700 cubic yards of cut and 319,100 cubic yards of fill with 60,600 cubic yards of earthwork to be transported offsite. A 12-foot easement for the Zuma Ridge trail continues to be depicted along Medea Creek within the center portion of the project. The OTP request was also revised for removal of 21 oak trees, including two heritage oak trees; and encroachment into the protected zone of 11 oak trees, including three heritage oak trees. Draft Design Guidelines have also been prepared by the applicant based on meetings with community representatives.

34. During the June 28, 2006 public hearing, the Commission considered the 66-unit project. The Commission heard a presentation from staff and testimony from the applicant as well as the public.

35. Staff indicated in the June 28, 2006 public hearing presentation that the redesigned project is overall more consistent with many of the goals and policies of the North Area Plan for sensitive, compatible design. Staff recommended additional changes to achieve greater consistency with the North Area Plan, including elimination of disturbance to protected biotic resources, which includes the endangered Lyon's pentachaeta. Additional design guidelines were also recommended to be included to address lot coverage and varied setbacks and building heights as well as an updated fuel modification plan. Technical information necessary for the construction of the Zuma Ridge Trail, including final alignment and any grading, was also recommended to be incorporated onto the tentative map for feasibility and evaluation of potential impacts. A haul route was also indicated required prior to final action on the CUP for offsite transport of earth material. An analysis of the Agoura Village within Agoura Hills was also provided to the Commission as requested.

36. Eighty-seven (87) comment letters were submitted to the Commission for the June 28, 2006 public hearing: 17 letters in support (including 13 form letters), 69 letters in opposition (including 54 form letters) and one petition in opposition with eight signatures; some of the correspondence may have been submitted more than once. Among the correspondence, letters were received from the California Department of Fish and Game, City of Agoura Hills, and National Park Service.

Letters received in support of the project cite the anticipated income tax stream from the new development as well as increases in sales tax revenue and major donation of open space. The need for affordable housing was also discussed, and was suggested that the project site could be an ideal place to have a little more upscale higher density with lower cost housing project. Correspondence in opposition to the project continued to cite concerns related to the Draft EIR, including the inadequacy of the document, erroneous reliance on unimplemented mitigation measures, impacts from fuel modification to endangered Lyon's pentachaeta and threatened Santa Monica Mountains dudleya, offsite impacts from the development. Recommended mitigation measures have been provided as well as additional comments on visual impacts and Zuma Ridge Trail dedication.

37. Sixteen (16) persons testified at the June 28, 2006 public hearing: one representing the applicant, two in support, and 13 in opposition or within concerns related to the project. Testimony in favor of the project stated that neighbors from this property would be farther than most in other developments, and that the developers were good corporate citizens and those in opposition appear to already live in the area. Additional issues raised during the June 28 public hearing included concerns that the redesigned project continues to not avoid significant adverse impacts and that the 10 lots between Kanan Road and Cornell Road was not adjusted as directed by the Commission. The community meetings to discuss design guidelines felt rushed to some participants, and questions posed were not addressed by the applicant. Other concerns raised include that buildout of the Agoura Village is unlikely and the development proposed within Agoura Village 'hugs' the Ventura (US-101) Freeway.

38. During the June 28, 2006 public hearing the applicant discussed their redesigned project and stated that of the approximately 320 acres, only 12 percent is to be developed. The applicant continues to seek community input on the landscape plan and design guidelines, and worked hard to reduce impacts, be consistent with the North Area Plan. The applicant stated their understanding of staff's concerns with respect to Lyon's pentachaeta, but desired to retain those lots. The design guidelines have been submitted and they are seeking to hire Mia Lehrer, landscape architect, to advise on this project. The applicant also looks to staff to determine the trail alignment for Zuma Ridge Trail, and the project is modest and a transition from the Agoura Village to the north. The Commission questioned why the impacts to oak trees had increased from the previous project design, to which the applicant responded that this was due to culvert access required after the initial project design.

39. After hearing testimony, on June 28, 2006 the Commission took the matter off calendar to allow the applicant time to finalize the design guidelines, update the

fuel modification plan, depict the desired alignment of the proposed trail, prepare the landscape plan, and redesign the project to be compatible with the North Area Plan. Projection of viewsheds was also requested as well as design of the center portion of the project between Kanan Road and Cornell Road, provide a haul route for the earthwork movement within the project site and offsite, consider a crib wall along Kanan Road to address grading design, and redesign lots that impact Lyon's pentachaeta and Santa Monica Mountains dudleya.

40. The project was redesigned and retained 66 single-family lots with five open space lots, six landscape lots and two public facility lots. Lots were clustered in four areas with 46 lots west of Kanan Road with clusters of 34 and 12 single-family lots northerly and southerly along Kana, respectively; 10 lots between Kanan Road and Cornell Road; and 10 lots east of Cornell Road within the SEA. Project grading was reduced to 353,700 cubic yards of cut and 327,100 cubic yards of fill with 20,600 cubic yards of earthwork to be transported offsite. Four lots were added to the eastern portion of the project within the SEA, with two within the previous 66-unit footprint and two lots added to the east and south of the fire station.

41. The revised 66-unit design was readvertised for a public hearing before the Commission on September 20, 2006. On September 20, the Commission heard a presentation from staff and testimony from the applicant as well as the public.

42. Staff indicated in the September 20, 2006 public hearing presentation that the redesigned project did address some of the Commission's concerns, but continued to show direct grading impacts to the endangered and threatened species. Additional potential impacts from fuel modification also resulted from the redesign within the SEA portion of the property. Buffer zones are required by the North Area Plan adjacent to natural streams and drainages to protect from grading. An updated fuel modification plan that was provided also did not address how modified fuel modification conditions will ensure protection of the sensitive species. Staff recommended additional changes including elimination of direct and additional impacts to protected biotic resources, which includes the endangered Lyon's pentachaeta and threatened Santa Monica Mountains dudleya. Elimination of adverse impacts to riparian habitat was also recommended to be incorporated into the project.

43. Seven letters in opposition to the project were submitted to the Commission for the September 20, 2006 public hearing, including three form letters. Concerns included additional project modifications required to be in compliance with the Draft EIR and call for redesign of the project in conformance with the parameters of Alternative No. 4 of the Draft EIR.

44. Thirteen (13) persons testified at the September 20, 2006 public hearing: one representing the Los Angeles County Department of Parks and Recreation ("Parks and Recreation"), two representing the applicant, and 10 in opposition or within concerns related to the project.

45. Testimony was taken from Parks and Recreation on September 20, 2006 with respect to the trail and the unsuitable location of the trail as depicted on the tentative map. Parks and Recreation had coordinated with Agoura Hills, National Park Service, Santa Monica Mountains Conservancy as well as Los Angeles County Department of Regional Planning ("Regional Planning") staff regarding a final County trail alignment. Conditions were recommended by Parks and Recreation to require the applicant to conduct a feasibility study for the Zuma Ridge trail alignment and to provide payment for the future construction of the trail.

46. During the September 20, 2006 public hearing, the applicant discussed the project changes and requested that the Commission take action regarding the project. Most if not all of the concerns were addressed in the revised 66-unit design, and the applicant felt that everything asked of them was accomplished while retaining 66 units. The applicant is not willing to lose additional lots in any redesign. The Commission clarified that the applicant would rather have a denial than incorporate changes to the project. The project engineer also stated that conceptually, additional changes could be done to eliminate impacts from direct grading, and the intent of the proposed lot along Cornell Road is to mirror those existing across the street.

47. Testimony in opposition to the project was taken on September 20, 2006, with additional concerns including the intent of the North Area Plan to prohibit disturbance of endangered and threatened species as well as no knowledge of successful Santa Monica Mountains dudleya transplant. The applicant in their rebuttal discussed the engineering requirements of avoiding development near some of the species, including requirement for retaining walls. Certain grading must be maintained so as to not to reduce the number of lots proposed for the project.

48. During the September 20, 2006 public hearing, the Commission discussed that the number of units may not be unreasonable; however, concerns with impacts to habitat must also be addressed. The language of the North Area Plan appears strict with respect to endangered and threatened species. There was a need to continue to balance development with the intent of the North Area Plan. County Counsel did advise the Commission that due to potential conflicting goals and policies in the North Area Plan, full compliance may not be achievable, but no policy is given greater weight than other policies. County Counsel went on to state that staff has taken the conservative approach in considering 'prohibit' as stated in

the North Area Plan. The Commission stated that 'prohibit' means 100 percent and that the Commission agreed with staff's conservative approach.

49. During the September 20, 2006 public hearing, the Commission also stated that the project over the number of revisions had improved, and strong efforts were made with respect to certain aspects of the project. The project continued to have room for improvement but the Commission has heard the applicant's request for action without any further modifications. Specific areas of improvement include the central portion of the project between Kanan Road and Cornell Road. However, while the recommendations provided by staff seemed reasonable, the applicant did not want to make changes at that time to make the project more compatible.

50. After hearing testimony on September 20, 2006 and with request from the applicant for action based on the project before them, the Commission closed the public hearing and indicated their intent to deny Vesting Tentative Tract Map No. 52419, Conditional Use Permit Case No. 97-178-(3) and Oak Tree Permit Case No. 97-178-(3).

51. This tract map has been submitted as a "vesting" tentative map. As such, it is subject to the provisions of Sections 21.38.010 through 21.38.080 of the County Code.

52. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on geotechnical (grading, seismicity), air quality, surface water runoff/hydrology, water quality, biological impacts, cultural resources, visual quality, land use, traffic, fire, sheriff, libraries, schools, water service, and mandatory findings. A Draft EIR has been prepared for this project. Conditions or changes in the proposed project are necessary in order to ensure the proposed project will not have a significant effect on the environment, and such conditions or changes have been included in the Mitigation Monitoring Program. Impacts that cannot be mitigated to less than significant include visual quality and biological resources.

53. This project is not *de minimus* in its effect on fish and wildlife resources. Therefore, the project is exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.

54. 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 the

Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Administrator of the Current Planning Division, Regional Planning.

THEREFORE, in view of the findings of fact and conclusions presented above, Vesting Tentative Tract Map No. 52419 is **DENIED.**

FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
FOR CONDITIONAL USE PERMIT CASE NO. 97-178-(3)

1. The Los Angeles County Regional Planning Commission ("Commission") conducted duly noticed public hearings in the matter of Conditional Use Permit Case No. 98-178-(3) on May 18, 2005; June 22, 2005; February 22, 2006; April 5, 2006; June 28, 2006; and September 20, 2006. Conditional Use Permit Case No. 98-178-(3) was heard concurrently with Vesting Tentative Tract Map No. 52419 and Oak Tree Permit Case No. 97-178-(3).

2. The applicant, Sage Community Group, is proposing a residential development of 66 single-family lots, five open space lots, six landscape lots and two public facility lots on approximately 320.3 gross acres.

3. A conditional use permit ("CUP") is required to ensure compliance with the requirements of hillside management, density-controlled development, planned residential development within the RPD zone, development within a Significant Ecological Area ("SEA"), and on-site project grading as well as off-site transport and grading within the Santa Monica Mountains North Area Community Standards District ("North Area CSD") pursuant to Sections 22.20.460, 22.44.133, 22.56.010, 22.56.205, 22.56.210, and 22.56.215 of the Los Angeles County Code ("County Code").

4. The subject site is located east and west of Kanan Road and Cornell Road in the unincorporated Santa Monica Mountains, south of the City of Agoura Hills, in The Malibu Zoned District.

5. The irregularly-shaped property is 320.3 gross acres in size in a mostly natural condition with level to steeply sloping topography.

6. Access to the proposed development is provided by Kanan Road, a 100-foot wide major highway, and Cornell Road, an 80-foot wide secondary highway.

7. The project site is currently zoned RPD-2-0.5U (Residential Planned Development – Two Acre Minimum Required Lot Area – 0.5 Dwelling Units per Net Acre), RPD-5-0.2U (Residential Planned Development – Five Acre Minimum Required Lot Area – 0.2 Dwelling Units per Net Acre), which were established by Ordinance No. 2002-0062-Z and became effective on September 19, 2002. A small portion of the property is also zoned A-1-5 (Light Agricultural – Five Acre Minimum Required Lot Area), which also became effective on September 19, 2002 with Ordinance No. 2002-0062-Z.

8. Surrounding zoning includes A-1-20 (Light Agricultural – 20 Acre Minimum Required Lot Area), A-1-10 (Light Agricultural – 10 Acre Minimum Required Lot

Area) and O-S (Open Space) to the south; and A-1-20 and O-S to the west. The City of Agoura Hills lies to the north, east and west of the subject property.

9. The subject property consists of four unimproved lots. Surrounding uses include single-family residences with water tank to the north; religious facility and vacant property to the east; fire station and vacant property to the south; and vacant property also to the west. The City of Agoura Hills lies to the north, east and west of the subject property.

10. The project is consistent with the RPD-2-0.5U, RPD-5-0.2U and A-1-5 zoning classifications. Residential development is permitted in the RPD zone pursuant to Section 22.20.460 of the Los Angeles County Code ("County Code"). The proposed density of 66 dwelling units exceeds the maximum 44 dwelling units permitted by the RPD-5,000-8U zoning. However, the applicant has requested a conditional use permit ("CUP") to authorize concessions, including a density bonus, pursuant to Section 22.56.202 of the County Code, which increases the maximum density permitted to 66 dwelling units. The applicant has also requested a CUP for residential planned development pursuant to Section 22.56.020 of the County Code, which allows for greater flexibility in design while promoting residential amenities beyond those expected under conventional development.

11. The property is depicted in the Mountains Lands 2 ("N2") (One Dwelling Unit per Two Acres) and Mountain Lands 5 ("N5") (One Dwelling Unit per Five Acres) land use categories of the Santa Monica Mountains North Area Plan ("North Area Plan"), a component of the Los Angeles Countywide General Plan ("General Plan"). Residential development is permitted within the N2 and N5 land use categories. The proposed 81 dwelling units does not exceed the maximum 81 dwelling units permitted by the land use categories for nonurban hillside development.

12. Vesting Tentative Tract Map No. 52419 is a related request to create 66 single-family lots, five open space lots, six landscape lots and two public facility lots.

13. Oak Tree Permit Case No. 97-178-(3) ("OTP") is a related request to authorize the removal of 21 oak trees, including two heritage oaks; and encroachment into the protected zone of 11 oak trees, including three heritage oaks, pursuant to Section 22.56.2060 of the County Code.

14. The applicant's site plan, labeled as "Exhibit A," depicts a 320.3-acre irregular-shaped parcel developed with 66 single family lots. Lots are clustered in four areas with 46 lots west of Kanan Road with clusters of 34 and 12 single-family lots northerly and southerly along Kanan, respectively; 10 lots between Kanan and Cornell Road; and 10 lots east of Cornell within the SEA. Project grading consists

of 353,700 cubic yards of cut and 327,100 cubic yards of fill with 20,600 cubic yards of earthwork to be transported offsite.

15. The project was designed with 81 single-family lots, five open space lots, nine landscape lots, one street lot and one desilting basin lot for its first public hearing. Lots were clustered in three areas with 44 lots west of Kanan Road, 10 lots between Kanan Road and Cornell Road, and 27 lots east of Cornell Road within the SEA. Original project grading was proposed to be 498,000 cubic yards of cut and 427,000 cubic yards of fill to be balanced onsite. A 12-foot easement for the Zuma Ridge trail was depicted along Medea Creek within the center portion of the project. The CUP was filed as well as an OTP for removal of 18 oak trees, including two heritage oak trees; and encroachment into the protected zone of 17 oak trees, including five heritage oak trees.

16. During the May 18, 2005 public hearing, the Commission considered the 81-unit project. The Commission heard a presentation from staff and testimony from the applicant as well as the public.

17. Staff indicated in the May 18, 2005 public hearing presentation that the project as designed does not meet many of the goals and policies and, therefore, is inconsistent with the North Area Plan. While the project is clustered, the development directly impacts the threatened and endangered species and does not incorporate design features including smaller pads and contoured grading. The project also does not meet the CUP burdens of proof for hillside management, development within an SEA, and grading within the North Area CSD. Staff indicated that Alternative No. 4, as described in the Draft EIR, provides for a design that addresses concerns from the SEA Technical Advisory Committee ("SEATAC") as well as the County biologist, and was identified as the environmentally superior alternative. Staff also indicated that zoning violations existed on the subject property, and a zoning enforcement case was pending. Disking was also found to have occurred on the property where a population of endangered Lyon's pentachaeta was mapped.

18. Seventy (70) comment letters were submitted to the Commission for the May 18, 2005 public hearing: 54 form letters in support (including 22 postcards), and 16 letters in opposition. Among the correspondence, letters were received from the California Department of Fish and Game, Santa Monica Mountains Conservancy, County of Ventura, City of Agoura Hills, and Tom Dodson & Associates on behalf of the Cornell Preservation Organization. Letters received in support of the project indicate the project's less-than-significant impact on the surrounding area and dedication of 85 percent of the property as open space. Additional benefits cited include the current proposal for 81 homes rather than 200 proposed many years ago. Correspondence in opposition to the project indicated concerns related to the

Draft Environmental Impact Report ("Draft EIR") and need for updated biological surveys, opposition to any elimination or conversion of watercourses that will directly impact riparian habitat, call for additional mitigation measures for wildlife resources, request for dedication of open space lands to a public agency, and need for an alternative that reduces the development footprint rather than just number of units. Concerns were also raised with respect to the project's incompatibility with the North Area Plan; cumulative noise impacts from Kanan Road; impacts to the pattern, scale and character of the community; and offsite impacts to adjacent jurisdictions.

19. Eighteen (18) persons testified at the May 18, 2005 public hearing: three representing the applicant, five in support, and 10 in opposition or within concerns related to the project. Testimony in favor of the project cited a right for a reasonable return on investments and an account of the long history of this property within the Santa Monica Mountains community. Testimony in favor also cited the inability to see the project from the Ventura (US-101) Freeway to the north, and need for housing. Additional issues raised during the May 18 public hearing included concerns related to the disking disturbance of the endangered Lyon's pentachaeta; lack of master landscape plan; request for elimination of street curbs, gutters and sidewalks within the development; lack of discussion regarding limitations to future home size and building footprints. Other concerns or issues raised include the grading design of slopes, the retaining walls along public roads, and the lack of discussion on geology in the Draft EIR.

20. The Commission provided comments regarding the redesign of the project, and specifically to redesign in the 'spirit' of Alternative No. 4 in the Draft EIR. Those elements for incorporation included minimum cut slopes, smaller pad sizes, relocation of the road between Kanan Road and Cornell Road to serve as buffer, and inclusion of a berm along the slopes west of Kanan Road. The Commission also expressed potential concerns of detailed direction given before all of the public testimony is taken, and continued to matter to June 22, 2005 to allow for remaining testimony to be taken and applicant rebuttal before Commission direction.

21. At the June 22, 2005 continued public hearing, a brief presentation was given by staff and additional testimony was taken both in favor and opposition to the project. Fourteen (14) persons testified: two in support and 12 in opposition. Additional benefits raised at the June 22 public hearing include a buffer this project will serve from commercial development along the Ventura (US-101) Freeway. Additional concerns raised in opposition include the project as a 'visual gateway' to the Santa Monica Mountains, impacts to City of Agoura Hills ("Agoura Hills") facilities, lack of information regarding economic data to verify need for applicant's economic returns, and additional traffic impacts from adjacent Agoura Village in

Agoura Hills. Other concerns include history of catastrophic fire in the area, lack of traffic calming features, and impact to views of Ladyface Mountain from Kanan Road.

22. The applicant responded in rebuttal that consistency with the North Area Plan was demonstrated, and that the Draft EIR sufficiently analyzed the project. Agoura Village within Agoura Hills serves as further development, and the zoning was specifically selected for this property when the North Area Plan was developed. The project uses contour grading, grading is occurring in areas of least slope, and open space will be given to a public agency. The project will have minimum impacts to Lyon's pentachaeta and a long term maintenance plan will be provided. A site visit was also requested for the Commission's benefit in viewing the project.

23. During the June 22, 2005 public hearing, the Commission discussed many aspects of the project, including Lyon's pentachaeta, violations on the property, and the Agoura Village in adjacent Agoura Hills. The Commission questioned comments that within the mapped Lyon's pentachaeta population, very few species are identified. If action was requested on the 81-unit project, the action may be a denial. If the project moves closer to addressing concerns raised, then another action may be considered. The Commission also commented that additional information should be obtained from the adjacent Agoura Village project. The Commission indicated that activities affecting the endangered Lyon's pentachaeta are serious. The applicant was asked to comment that three potential actions were before the Commission: approval with modifications, continuance with direction for redesign, or denial. The applicant again requested a site visit, and indicated interest in a compromise that was good for everyone.

24. After hearing testimony, on June 22, 2005 the Commission directed the applicant to redesign the project to be more consistent with the North Area Plan, and took the matter off calendar. This included redesign to reflect more sensitive development including reducing grading, requiring buffers from sensitive resources, prohibiting disturbance of protected species, and minimizing impervious surfaces and disturbance of natural drainages to protect water quality. The Commission also indicated that the matter was not to return until all violations have been abated.

25. On October 11, 2005, the applicant submitted a redesigned project of 71 dwelling units for Los Angeles County Subdivision Committee review. A revised Project Description to the Draft EIR was also prepared and recirculated for public review. The applicant had been working with Los Angeles County Zoning Enforcement staff and all violations discovered on the subject property had been abated. The 71-unit design was readvertised for a public hearing before the Commission on February 22, 2006.

26. For the February 22, 2006 public hearing, the applicant requested a continuance of 30 days. On February 22, the Commission continued the matter to April 5, 2006.

27. For April 5, 2006 public hearing, the applicant requested another 30-day continuance. As this was a consecutive request for continuance with no additional information provided, staff recommended to the Commission that the applicant be called to provide a status report on the project. Staff also recommended should a continuance be considered, that a short continuance be granted with at minimum, a conceptual presentation of the redesigned project.

28. On April 5, 2006, the Commission heard a presentation from staff and testimony from the public. The applicant thanked staff in working with the community for a redesigned project. A tentative redesign of 66 dwelling units has been developed with six dwelling units east of Cornell Road within the SEA; a reduction from 27 units first proposed in this area. Lots are clustered in distinct areas and the development will look nice once constructed. The applicant also requested a waiver of street standards to develop the property with rural street standards, including no curbs, gutters or sidewalks. As it is the applicant's desire to return with a project that the community will accept, the applicant requested a continuance of 90 days.

29. During the April 5, 2005 public hearing, the Commission indicated their satisfaction in a positive report, and reiterated the installation of a berm along Kanan Road to reduce noise impacts from Kanan. The Commission also requested clarification that the open space will be dedicated to a public agency. The Commission commented that with no members from the public present, that there was good communication with the community for the continuance. The applicant responded that the homes will be far enough away from Kanan Road to create a rural feel. The applicant also reiterated their understanding that the community's participation was essential. The Commission continued the matter to June 28, 2006.

30. The project was redesigned to 66 single-family lots, five open space lots, six landscape lots and two public facility lots. Lots were clustered in four areas with 50 lots west of Kanan Road with clusters of 38 and 12 single-family lots northerly and southerly along Kana, respectively; 10 lots between Kanan Road and Cornell Road; and six lots east of Cornell Road within the SEA. Project grading was reduced to 379,700 cubic yards of cut and 319,100 cubic yards of fill with 60,600 cubic yards of earthwork to be transported offsite. A 12-foot easement for the Zuma Ridge trail continues to be depicted along Medea Creek within the center portion of the project. The OTP request was also revised for removal of 21 oak trees, including two heritage oak trees; and encroachment into the protected zone

of 11 oak trees, including three heritage oak trees. Draft Design Guidelines have also been prepared by the applicant based on meetings with community representatives.

31. During the June 28, 2006 public hearing, the Commission considered the 66-unit project. The Commission heard a presentation from staff and testimony from the applicant as well as the public.

32. Staff indicated in the June 28, 2006 public hearing presentation that the redesigned project is overall more consistent with many of the goals and policies of the North Area Plan for sensitive, compatible design. Staff recommended additional changes to achieve greater consistency with the North Area Plan, including elimination of disturbance to protected biotic resources, which includes the endangered Lyon's pentachaeta. Additional design guidelines were also recommended to be included to address lot coverage and varied setbacks and building heights as well as an updated fuel modification plan. Technical information necessary for the construction of the Zuma Ridge Trail, including final alignment and any grading, was also recommended to be incorporated onto the tentative map for feasibility and evaluation of potential impacts. A haul route was also indicated required prior to final action on the CUP for offsite transport of earth material. An analysis of the Agoura Village within Agoura Hills was also provided to the Commission as requested.

33. Eighty-seven (87) comment letters were submitted to the Commission for the June 28, 2006 public hearing: 17 letters in support (including 13 form letters), 69 letters in opposition (including 54 form letters) and one petition in opposition with eight signatures; some of the correspondence may have been submitted more than once. Among the correspondence, letters were received from the California Department of Fish and Game, City of Agoura Hills, and National Park Service. Letters received in support of the project cite the anticipated income tax stream from the new development as well as increases in sales tax revenue and major donation of open space. The need for affordable housing was also discussed, and was suggested that the project site could be an ideal place to have a little more upscale higher density with lower cost housing project. Correspondence in opposition to the project continued to cite concerns related to the Draft EIR, including the inadequacy of the document, erroneous reliance on unimplemented mitigation measures, impacts from fuel modification to endangered Lyon's pentachaeta and threatened Santa Monica Mountains dudleya, offsite impacts from the development. Recommended mitigation measures have been provided as well as additional comments on visual impacts and Zuma Ridge Trail dedication.

34. Sixteen (16) persons testified at the June 28, 2006 public hearing: one representing the applicant, two in support, and 13 in opposition or within concerns related to the project. Testimony in favor of the project stated that neighbors from this property would be farther than most in other developments, and that the developers were good corporate citizens and those in opposition appear to already live in the area. Additional issues raised during the June 28 public hearing included concerns that the redesigned project continues to not avoid significant adverse impacts and that the 10 lots between Kanan Road and Cornell Road was not adjusted as directed by the Commission. The community meetings to discuss design guidelines felt rushed to some participants, and questions posed were not addressed by the applicant. Other concerns raised include that buildout of the Agoura Village is unlikely and the development proposed within Agoura Village 'hugs' the Ventura (US-101) Freeway.

35. During the June 28, 2006 public hearing the applicant discussed their redesigned project and stated that of the approximately 320 acres, only 12 percent is to be developed. The applicant continues to seek community input on the landscape plan and design guidelines, and worked hard to reduce impacts, be consistent with the North Area Plan. The applicant stated their understanding of staff's concerns with respect to Lyon's pentachaeta, but desired to retain those lots. The design guidelines have been submitted and they are seeking to hire Mia Lehrer, landscape architect, to advise on this project. The applicant also looks to staff to determine the trail alignment for Zuma Ridge Trail, and the project is modest and a transition from the Agoura Village to the north. The Commission questioned why the impacts to oak trees had increased from the previous project design, to which the applicant responded that this was due to culvert access required after the initial project design.

36. After hearing testimony, on June 28, 2006 the Commission took the matter off calendar to allow the applicant time to finalize the design guidelines, update the fuel modification plan, depict the desired alignment of the proposed trail, prepare the landscape plan, and redesign the project to be compatible with the North Area Plan. Projection of viewsheds was also requested as well as design of the center portion of the project between Kanan Road and Cornell Road, provide a haul route for the earthwork movement within the project site and offsite, consider a crib wall along Kanan Road to address grading design, and redesign lots that impact Lyon's pentachaeta and Santa Monica Mountains dudleya.

37. The project was redesigned and retained 66 single-family lots with five open space lots, six landscape lots and two public facility lots. Lots were clustered in four areas with 46 lots west of Kanan Road with clusters of 34 and 12 single-family lots northerly and southerly along Kana, respectively; 10 lots between Kanan Road and Cornell Road; and 10 lots east of Cornell Road within the SEA. Project

grading was reduced to 353,700 cubic yards of cut and 327,100 cubic yards of fill with 20,600 cubic yards of earthwork to be transported offsite. Four lots were added to the eastern portion of the project within the SEA, with two within the previous 66-unit footprint and two lots added to the east and south of the fire station.

38. The revised 66-unit design was readvertised for a public hearing before the Commission on September 20, 2006. On September 20, the Commission heard a presentation from staff and testimony from the applicant as well as the public.

39. Staff indicated in the September 20, 2006 public hearing presentation that the redesigned project did address some of the Commission's concerns, but continued to show direct grading impacts to the endangered and threatened species. Additional potential impacts from fuel modification also resulted from the redesign within the SEA portion of the property. Buffer zones are required by the North Area Plan adjacent to natural streams and drainages to protect from grading. An updated fuel modification plan that was provided also did not address how modified fuel modification conditions will ensure protection of the sensitive species. Staff recommended additional changes including elimination of direct and additional impacts to protected biotic resources, which includes the endangered Lyon's pentachaeta and threatened Santa Monica Mountains dudleya. Elimination of adverse impacts to riparian habitat was also recommended to be incorporated into the project.

40. Seven letters in opposition to the project were submitted to the Commission for the September 20, 2006 public hearing, including three form letters. Concerns included additional project modifications required to be in compliance with the Draft EIR and call for redesign of the project in conformance with the parameters of Alternative No. 4 of the Draft EIR.

41. Thirteen (13) persons testified at the September 20, 2006 public hearing: one representing the Los Angeles County Department of Parks and Recreation ("Parks and Recreation"), two representing the applicant, and 10 in opposition or within concerns related to the project.

42. Testimony was taken from Parks and Recreation on September 20, 2006 with respect to the trail and the unsuitable location of the trail as depicted on the tentative map. Parks and Recreation had coordinated with Agoura Hills, National Park Service, Santa Monica Mountains Conservancy as well as Los Angeles County Department of Regional Planning ("Regional Planning") staff regarding a final County trail alignment. Conditions were recommended by Parks and Recreation to require the applicant to conduct a feasibility study for the Zuma Ridge trail alignment and to provide payment for the future construction of the trail.

43. During the September 20, 2006 public hearing, the applicant discussed the project changes and requested that the Commission take action regarding the project. Most if not all of the concerns were addressed in the revised 66-unit design, and the applicant felt that everything asked of them was accomplished while retaining 66 units. The applicant is not willing to lose additional lots in any redesign. The Commission clarified that the applicant would rather have a denial than incorporate changes to the project. The project engineer also stated that conceptually, additional changes could be done to eliminate impacts from direct grading, and the intent of the proposed lot along Cornell Road is to mirror those existing across the street.

44. Testimony in opposition to the project was taken on September 20, 2006, with additional concerns including the intent of the North Area Plan to prohibit disturbance of endangered and threatened species as well as no knowledge of successful Santa Monica Mountains dudleya transplant. The applicant in their rebuttal discussed the engineering requirements of avoiding development near some of the species, including requirement for retaining walls. Certain grading must be maintained so as to not to reduce the number of lots proposed for the project.

45. During the September 20, 2006 public hearing, the Commission discussed that the number of units may not be unreasonable; however, concerns with impacts to habitat must also be addressed. The language of the North Area Plan appears strict with respect to endangered and threatened species. There was a need to continue to balance development with the intent of the North Area Plan. County Counsel did advise the Commission that due to potential conflicting goals and policies in the North Area Plan, full compliance may not be achievable, but no policy is given greater weight than other policies. County Counsel went on to state that staff has taken the conservative approach in considering 'prohibit' as stated in the North Area Plan. The Commission stated that 'prohibit' means 100 percent and that the Commission agreed with staff's conservative approach.

46. During the September 20, 2006 public hearing, the Commission also stated that the project over the number of revisions had improved, and strong efforts were made with respect to certain aspects of the project. The project continued to have room for improvement but the Commission has heard the applicant's request for action without any further modifications. Specific areas of improvement include the central portion of the project between Kanan Road and Cornell Road. However, while the recommendations provided by staff seemed reasonable, the applicant did not want to make changes at that time to make the project more compatible.

47. After hearing testimony on September 20, 2006 and with request from the applicant for action based on the project before them, the Commission closed the public hearing and indicated their intent to deny Vesting Tentative Tract Map No. 52419, Conditional Use Permit Case No. 97-178-(3) and Oak Tree Permit Case No. 97-178-(3).

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

A. That the proposed use will be inconsistent with the adopted North Area Plan, a component of the General Plan;

B. That the requested use at the proposed location may adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, may be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and may jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare;

C. That the proposed site may be inadequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area;

D. That the proposed site may be inadequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required;

E. That the proposed project at the proposed location has not been designed to be compatible with the surrounding area in terms of land use patterns, design, and established community character;

F. That the proposed project may not have been located and designed so as to protect the safety of current and future community residents, and will not create significant threats to life and/or property due to the presence of geologic, seismic, slope instability, fire, flood, mud flow, or erosion hazard;

G. That the proposed project is incompatible with the natural, biotic, cultural, scenic and open space resources of the area;

H. That the proposed project may be conveniently served by (or provides) neighborhood shopping and commercial facilities, can be provided with essential public services without imposing undue costs on the total community, and is consistent with the objectives and policies of the General Plan;

Findings

I. That the proposed development does not demonstrates creative and imaginative design, resulting in a visual quality that will complement community character and benefit current and future community residents;

J. That the requested development has not been designed to be highly compatible with the biotic resources present, including the setting aside of appropriate and sufficient undisturbed areas;

K. That the requested development may not have been designed to maintain water bodies, watercourses, and their tributaries in a natural state;

L. That the requested development may not have been designed so that wildlife movement corridors (migratory paths) are left in an undisturbed and natural state;

M. That the requested development may not retain sufficient natural vegetative cover and/or open spaces to buffer critical resource areas from said requested development;

N. That where necessary, fences or walls may have been provided to buffer important habitat areas from development;

O. That roads and utilities serving the proposed development may have been located and designed so as not to conflict with critical resources, habitat areas or migratory paths;

P. That grading will not be performed in a manner that minimizes disturbance to the natural landscape and terrain through design features for the project, including but not limited to, locating the building pad in the area of the project site with the least slope, clustering structures, and locating the project close to a paved street traveled by the public; and

Q. That grading will not be accompanied by other project features that maximize preservation of visual quality and community character through design features such as, but not limited to, reduced structural height, use of architectural features such as shape, materials, and color to promote blending with the surrounding environment, and use of locally indigenous vegetation for concealment of the project.

THEREFORE, in view of the findings of fact and conclusions presented above, Conditional Use Permit Case No. 97-178-(3) is **DENIED.**

FINDINGS OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
FOR OAK TREE PERMIT CASE NO. 97-178-(3)

1. The Los Angeles County Regional Planning Commission ("Commission") conducted duly noticed public hearings in the matter of Oak Tree Permit Case No. 97-178-(3) on May 18, 2005; June 22, 2005; February 22, 2006; April 5, 2006; June 28, 2006; and September 20, 2006. Oak Tree Permit Case No. 97-178-(3) was heard concurrently with Vesting Tentative Tract Map No. 52419 and Conditional Use Permit Case No. 98-178-(3).

2. Oak Tree Permit Case No. 97-178-(3) requests authorization for the removal of 21 oak trees, including two heritage oaks; and encroachment into the protected zone of 11 oak trees, including three heritage oaks, pursuant to Section 22.56.2060 of the Los Angeles County Code ("County Code").

3. The subject site is located east and west of Kanan Road and Cornell Road in the unincorporated Santa Monica Mountains, south of the City of Agoura Hills, in The Malibu Zoned District.

4. The irregularly-shaped property is 320.3 gross acres in size in a mostly natural condition with level to steeply sloping topography.

5. The applicant has submitted an Oak Tree Report prepared by a certified arborist that identifies and evaluates 136 oak trees on the subject property.

6. The Los Angeles County Forester and Fire Warden ("Forester and Fire Warden"), Forestry Division, has reviewed the Oak Tree Report and determined that the document is accurate and complete as to the location, size, condition and species of the oak trees on the site. The Forester and Fire Warden has recommended approval of the requested oak tree removal and encroachment, subject to recommended conditions of approval, including replacement trees to be provided on a ten-to-one (10:1) basis for heritage oaks and four-to-one (4:1) for each non-heritage oak tree. Therefore, the total mitigation planting shall include 96 specimen oak trees.

7. Vesting Tentative Tract Map No. 52419 is a related request to create 66 single-family lots, five open space lots, six landscape lots and two public facility lots.

8. Conditional Use Permit Case No. 97-178-(3) is a related request to ensure compliance with the requirements of hillside management, density-controlled development, planned residential development within the RPD zone, development within a Significant Ecological Area ("SEA"), and on-site project grading as well as off-site transport and grading within the Santa Monica Mountains North Area Community Standards District ("North Area CSD") pursuant to Sections 22.20.460, 22.44.133, 22.56.010, 22.56.205, 22.56.210, and 22.56.215 of the County Code.

9. The project was designed with 81 single-family lots, five open space lots, nine landscape lots, one street lot and one desilting basin lot for its first public hearing.

Lots were clustered in three areas with 44 lots west of Kanan Road, 10 lots between Kanan Road and Cornell Road, and 27 lots east of Cornell Road within the SEA. Original project grading was proposed to be 498,000 cubic yards of cut and 427,000 cubic yards of fill to be balanced onsite. A 12-foot easement for the Zuma Ridge trail was depicted along Medea Creek within the center portion of the project. The CUP was filed as well as an OTP for removal of 18 oak trees, including two heritage oak trees; and encroachment into the protected zone of 17 oak trees, including five heritage oak trees.

10. During the May 18, 2005 public hearing, the Commission considered the 81-unit project. The Commission heard a presentation from staff and testimony from the applicant as well as the public.

11. Staff indicated in the May 18, 2005 public hearing presentation that the project as designed does not meet many of the goals and policies and, therefore, is inconsistent with the North Area Plan. While the project is clustered, the development directly impacts the threatened and endangered species and does not incorporate design features including smaller pads and contoured grading. The project also does not meet the CUP burdens of proof for hillside management, development within an SEA, and grading within the North Area CSD. Staff indicated that Alternative No. 4, as described in the Draft EIR, provides for a design that addresses concerns from the SEA Technical Advisory Committee ("SEATAC") as well as the County biologist, and was identified as the environmentally superior alternative. Staff also indicated that zoning violations existed on the subject property, and a zoning enforcement case was pending. Disking was also found to have occurred on the property where a population of endangered Lyon's pentachaeta was mapped.

12. Seventy (70) comment letters were submitted to the Commission for the May 18, 2005 public hearing: 54 form letters in support (including 22 postcards), and 16 letters in opposition. Among the correspondence, letters were received from the California Department of Fish and Game, Santa Monica Mountains Conservancy, County of Ventura, City of Agoura Hills, and Tom Dodson & Associates on behalf of the Cornell Preservation Organization. Letters received in support of the project indicate the project's less-than-significant impact on the surrounding area and dedication of 85 percent of the property as open space. Additional benefits cited include the current proposal for 81 homes rather than 200 proposed many years ago. Correspondence in opposition to the project indicated concerns related to the Draft Environmental Impact Report ("Draft EIR") and need for updated biological surveys, opposition to any elimination or conversion of watercourses that will directly impact riparian habitat, call for additional mitigation measures for wildlife resources, request for dedication of open space lands to a public agency, and need for an alternative that reduces the development footprint rather than just number of units. Concerns were also raised with respect to the project's incompatibility with the North Area Plan; cumulative noise impacts from Kanan Road; impacts to the pattern, scale and character of the community; and offsite impacts to adjacent jurisdictions.

13. Eighteen (18) persons testified at the May 18, 2005 public hearing: three representing the applicant, five in support, and 10 in opposition or within concerns related to the project. Testimony in favor of the project cited a right for a reasonable return on investments and an account of the long history of this property within the Santa Monica Mountains community. Testimony in favor also cited the inability to see the project from the Ventura (US-101) Freeway to the north, and need for housing. Additional issues raised during the May 18 public hearing included concerns related to the disking disturbance of the endangered Lyon's pentachaeta; lack of master landscape plan; request for elimination of street curbs, gutters and sidewalks within the development; lack of discussion regarding limitations to future home size and building footprints. Other concerns or issues raised include the grading design of slopes, the retaining walls along public roads, and the lack of discussion on geology in the Draft EIR.

14. The Commission provided comments regarding the redesign of the project, and specifically to redesign in the 'spirit' of Alternative No. 4 in the Draft EIR. Those elements for incorporation included minimum cut slopes, smaller pad sizes, relocation of the road between Kanan Road and Cornell Road to serve as buffer, and inclusion of a berm along the slopes west of Kanan Road. The Commission also expressed potential concerns of detailed direction given before all of the public testimony is taken, and continued to matter to June 22, 2005 to allow for remaining testimony to be taken and applicant rebuttal before Commission direction.

15. At the June 22, 2005 continued public hearing, a brief presentation was given by staff and additional testimony was taken both in favor and opposition to the project. Fourteen (14) persons testified: two in support and 12 in opposition. Additional benefits raised at the June 22 public hearing include a buffer this project will serve from commercial development along the Ventura (US-101) Freeway. Additional concerns raised in opposition include the project as a 'visual gateway' to the Santa Monica Mountains, impacts to City of Agoura Hills ("Agoura Hills") facilities, lack of information regarding economic data to verify need for applicant's economic returns, and additional traffic impacts from adjacent Agoura Village in Agoura Hills. Other concerns include history of catastrophic fire in the area, lack of traffic calming features, and impact to views of Ladyface Mountain from Kanan Road.

16. The applicant responded in rebuttal that consistency with the North Area Plan was demonstrated, and that the Draft EIR sufficiently analyzed the project. Agoura Village within Agoura Hills serves as further development, and the zoning was specifically selected for this property when the North Area Plan was developed. The project uses contour grading, grading is occurring in areas of least slope, and open space will be given to a public agency. The project will have minimum impacts to Lyon's pentachaeta and a long term maintenance plan will be provided. A site visit was also requested for the Commission's benefit in viewing the project.

17. During the June 22, 2005 public hearing, the Commission discussed many aspects of the project, including Lyon's pentachaeta, violations on the property,

and the Agoura Village in adjacent Agoura Hills. The Commission questioned comments that within the mapped Lyon's pentachaeta population, very few species are identified. If action was requested on the 81-unit project, the action may be a denial. If the project moves closer to addressing concerns raised, then another action may be considered. The Commission also commented that additional information should be obtained from the adjacent Agoura Village project. The Commission indicated that activities affecting the endangered Lyon's pentachaeta are serious. The applicant was asked to comment that three potential actions were before the Commission: approval with modifications, continuance with direction for redesign, or denial. The applicant again requested a site visit, and indicated interest in a compromise that was good for everyone.

18. After hearing testimony, on June 22, 2005 the Commission directed the applicant to redesign the project to be more consistent with the North Area Plan, and took the matter off calendar. This included redesign to reflect more sensitive development including reducing grading, requiring buffers from sensitive resources, prohibiting disturbance of protected species, and minimizing impervious surfaces and disturbance of natural drainages to protect water quality. The Commission also indicated that the matter was not to return until all violations have been abated.

19. On October 11, 2005, the applicant submitted a redesigned project of 71 dwelling units for Los Angeles County Subdivision Committee review. A revised Project Description to the Draft EIR was also prepared and recirculated for public review. The applicant had been working with Los Angeles County Zoning Enforcement staff and all violations discovered on the subject property had been abated. The 71-unit design was readvertised for a public hearing before the Commission on February 22, 2006.

20. For the February 22, 2006 public hearing, the applicant requested a continuance of 30 days. On February 22, the Commission continued the matter to April 5, 2006.

21. For April 5, 2006 public hearing, the applicant requested another 30-day continuance. As this was a consecutive request for continuance with no additional information provided, staff recommended to the Commission that the applicant be called to provide a status report on the project. Staff also recommended should a continuance be considered, that a short continuance be granted with at minimum, a conceptual presentation of the redesigned project.

22. On April 5, 2006, the Commission heard a presentation from staff and testimony from the public. The applicant thanked staff in working with the community for a redesigned project. A tentative redesign of 66 dwelling units has been developed with six dwelling units east of Cornell Road within the SEA; a reduction from 27 units first proposed in this area. Lots are clustered in distinct areas and the development will look nice once constructed. The applicant also requested a waiver of street standards to develop the property with rural street standards, including no curbs, gutters or sidewalks. As it is the applicant's desire to return

with a project that the community will accept, the applicant requested a continuance of 90 days.

23. During the April 5, 2005 public hearing, the Commission indicated their satisfaction in a positive report, and reiterated the installation of a berm along Kanan Road to reduce noise impacts from Kanan. The Commission also requested clarification that the open space will be dedicated to a public agency. The Commission commented that with no members from the public present, that there was good communication with the community for the continuance. The applicant responded that the homes will be far enough away from Kanan Road to create a rural feel. The applicant also reiterated their understanding that the community's participation was essential. The Commission continued the matter to June 28, 2006.

24. The project was redesigned to 66 single-family lots, five open space lots, six landscape lots and two public facility lots. Lots were clustered in four areas with 50 lots west of Kanan Road with clusters of 38 and 12 single-family lots northerly and southerly along Kana, respectively; 10 lots between Kanan Road and Cornell Road; and six lots east of Cornell Road within the SEA. Project grading was reduced to 379,700 cubic yards of cut and 319,100 cubic yards of fill with 60,600 cubic yards of earthwork to be transported offsite. A 12-foot easement for the Zuma Ridge trail continues to be depicted along Medea Creek within the center portion of the project. The OTP request was also revised for removal of 21 oak trees, including two heritage oak trees; and encroachment into the protected zone of 11 oak trees, including three heritage oak trees. Draft Design Guidelines have also been prepared by the applicant based on meetings with community representatives.

25. During the June 28, 2006 public hearing, the Commission considered the 66-unit project. The Commission heard a presentation from staff and testimony from the applicant as well as the public.

26. Staff indicated in the June 28, 2006 public hearing presentation that the redesigned project is overall more consistent with many of the goals and policies of the North Area Plan for sensitive, compatible design. Staff recommended additional changes to achieve greater consistency with the North Area Plan, including elimination of disturbance to protected biotic resources, which includes the endangered Lyon's pentachaeta. Additional design guidelines were also recommended to be included to address lot coverage and varied setbacks and building heights as well as an updated fuel modification plan. Technical information necessary for the construction of the Zuma Ridge Trail, including final alignment and any grading, was also recommended to be incorporated onto the tentative map for feasibility and evaluation of potential impacts. A haul route was also indicated required prior to final action on the CUP for offsite transport of earth material. An analysis of the Agoura Village within Agoura Hills was also provided to the Commission as requested.

27. Eighty-seven (87) comment letters were submitted to the Commission for the June 28, 2006 public hearing: 17 letters in support (including 13 form letters), 69

letters in opposition (including 54 form letters) and one petition in opposition with eight signatures; some of the correspondence may have been submitted more than once. Among the correspondence, letters were received from the California Department of Fish and Game, City of Agoura Hills, and National Park Service. Letters received in support of the project cite the anticipated income tax stream from the new development as well as increases in sales tax revenue and major donation of open space. The need for affordable housing was also discussed, and was suggested that the project site could be an ideal place to have a little more upscale higher density with lower cost housing project. Correspondence in opposition to the project continued to cite concerns related to the Draft EIR, including the inadequacy of the document, erroneous reliance on unimplemented mitigation measures, impacts from fuel modification to endangered Lyon's pentachaeta and threatened Santa Monica Mountains dudleya, offsite impacts from the development. Recommended mitigation measures have been provided as well as additional comments on visual impacts and Zuma Ridge Trail dedication.

28. Sixteen (16) persons testified at the June 28, 2006 public hearing: one representing the applicant, two in support, and 13 in opposition or within concerns related to the project. Testimony in favor of the project stated that neighbors from this property would be farther than most in other developments, and that the developers were good corporate citizens and those in opposition appear to already live in the area. Additional issues raised during the June 28 public hearing included concerns that the redesigned project continues to not avoid significant adverse impacts and that the 10 lots between Kanan Road and Cornell Road was not adjusted as directed by the Commission. The community meetings to discuss design guidelines felt rushed to some participants, and questions posed were not addressed by the applicant. Other concerns raised include that buildout of the Agoura Village is unlikely and the development proposed within Agoura Village 'hugs' the Ventura (US-101) Freeway.

29. During the June 28, 2006 public hearing the applicant discussed their redesigned project and stated that of the approximately 320 acres, only 12 percent is to be developed. The applicant continues to seek community input on the landscape plan and design guidelines, and worked hard to reduce impacts, be consistent with the North Area Plan. The applicant stated their understanding of staff's concerns with respect to Lyon's pentachaeta, but desired to retain those lots. The design guidelines have been submitted and they are seeking to hire Mia Lehrer, landscape architect, to advise on this project. The applicant also looks to staff to determine the trail alignment for Zuma Ridge Trail, and the project is modest and a transition from the Agoura Village to the north. The Commission questioned why the impacts to oak trees had increased from the previous project design, to which the applicant responded that this was due to culvert access required after the initial project design.

30. After hearing testimony, on June 28, 2006 the Commission took the matter off calendar to allow the applicant time to finalize the design guidelines, update the fuel modification plan, depict the desired alignment of the proposed trail, prepare the landscape plan, and redesign the project to be compatible with the North

Area Plan. Projection of viewsheds was also requested as well as design of the center portion of the project between Kanan Road and Cornell Road, provide a haul route for the earthwork movement within the project site and offsite, consider a crib wall along Kanan Road to address grading design, and redesign lots that impact Lyon's pentachaeta and Santa Monica Mountains dudleya.

31. The project was redesigned and retained 66 single-family lots with five open space lots, six landscape lots and two public facility lots. Lots were clustered in four areas with 46 lots west of Kanan Road with clusters of 34 and 12 single-family lots northerly and southerly along Kana, respectively; 10 lots between Kanan Road and Cornell Road; and 10 lots east of Cornell Road within the SEA. Project grading was reduced to 353,700 cubic yards of cut and 327,100 cubic yards of fill with 20,600 cubic yards of earthwork to be transported offsite. Four lots were added to the eastern portion of the project within the SEA, with two within the previous 66-unit footprint and two lots added to the east and south of the fire station.

32. The revised 66-unit design was readvertised for a public hearing before the Commission on September 20, 2006. On September 20, the Commission heard a presentation from staff and testimony from the applicant as well as the public.

33. Staff indicated in the September 20, 2006 public hearing presentation that the redesigned project did address some of the Commission's concerns, but continued to show direct grading impacts to the endangered and threatened species. Additional potential impacts from fuel modification also resulted from the redesign within the SEA portion of the property. Buffer zones are required by the North Area Plan adjacent to natural streams and drainages to protect from grading. An updated fuel modification plan that was provided also did not address how modified fuel modification conditions will ensure protection of the sensitive species. Staff recommended additional changes including elimination of direct and additional impacts to protected biotic resources, which includes the endangered Lyon's pentachaeta and threatened Santa Monica Mountains dudleya. Elimination of adverse impacts to riparian habitat was also recommended to be incorporated into the project.

34. Seven letters in opposition to the project were submitted to the Commission for the September 20, 2006 public hearing, including three form letters. Concerns included additional project modifications required to be in compliance with the Draft EIR and call for redesign of the project in conformance with the parameters of Alternative No. 4 of the Draft EIR.

35. Thirteen (13) persons testified at the September 20, 2006 public hearing: one representing the Los Angeles County Department of Parks and Recreation ("Parks and Recreation"), two representing the applicant, and 10 in opposition or within concerns related to the project.

36. Testimony was taken from Parks and Recreation on September 20, 2006 with respect to the trail and the unsuitable location of the trail as depicted on the tentative map. Parks and Recreation had coordinated with Agoura Hills, National

Park Service, Santa Monica Mountains Conservancy as well as Los Angeles County Department of Regional Planning ("Regional Planning") staff regarding a final County trail alignment. Conditions were recommended by Parks and Recreation to require the applicant to conduct a feasibility study for the Zuma Ridge trail alignment and to provide payment for the future construction of the trail.

37. During the September 20, 2006 public hearing, the applicant discussed the project changes and requested that the Commission take action regarding the project. Most if not all of the concerns were addressed in the revised 66-unit design, and the applicant felt that everything asked of them was accomplished while retaining 66 units. The applicant is not willing to lose additional lots in any redesign. The Commission clarified that the applicant would rather have a denial than incorporate changes to the project. The project engineer also stated that conceptually, additional changes could be done to eliminate impacts from direct grading, and the intent of the proposed lot along Cornell Road is to mirror those existing across the street.

38. Testimony in opposition to the project was taken on September 20, 2006, with additional concerns including the intent of the North Area Plan to prohibit disturbance of endangered and threatened species as well as no knowledge of successful Santa Monica Mountains dudleya transplant. The applicant in their rebuttal discussed the engineering requirements of avoiding development near some of the species, including requirement for retaining walls. Certain grading must be maintained so as to not to reduce the number of lots proposed for the project.

39. During the September 20, 2006 public hearing, the Commission discussed that the number of units may not be unreasonable; however, concerns with impacts to habitat must also be addressed. The language of the North Area Plan appears strict with respect to endangered and threatened species. There was a need to continue to balance development with the intent of the North Area Plan. County Counsel did advise the Commission that due to potential conflicting goals and policies in the North Area Plan, full compliance may not be achievable, but no policy is given greater weight than other policies. County Counsel went on to state that staff has taken the conservative approach in considering 'prohibit' as stated in the North Area Plan. The Commission stated that 'prohibit' means 100 percent and that the Commission agreed with staff's conservative approach.

40. During the September 20, 2006 public hearing, the Commission also stated that the project over the number of revisions had improved, and strong efforts were made with respect to certain aspects of the project. The project continued to have room for improvement but the Commission has heard the applicant's request for action without any further modifications. Specific areas of improvement include the central portion of the project between Kanan Road and Cornell Road. However, while the recommendations provided by staff seemed reasonable, the applicant did not want to make changes at that time to make the project more compatible.

41. After hearing testimony on September 20, 2006 and with request from the applicant for action based on the project before them, the Commission closed the public hearing and indicated their intent to deny Vesting Tentative Tract Map No. 52419, Conditional Use Permit Case No. 97-178-(3) and Oak Tree Permit Case No. 97-178-(3).

42. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code Section 21000 et. seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study identified potentially significant effects of the project on geotechnical (grading, seismicity), air quality, surface water runoff/hydrology, water quality, biological impacts, cultural resources, visual quality, land use, traffic, fire, sheriff, libraries, schools, water service, and mandatory findings. A Draft EIR has been prepared for this project. Conditions or changes in the proposed project are necessary in order to ensure the proposed project will not have a significant effect on the environment, and such conditions or changes have been included in the Mitigation Monitoring Program. Impacts that cannot be mitigated to less than significant include visual quality and biological resources.

43. This project is not *de minimus* in its effect on fish and wildlife resources. Therefore, the project is exempt from California Department of Fish and Game fees pursuant to Section 711.4 of the California Fish and Game Code.

44. 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 the Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Administrator of the Current Planning Division, Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

A. That construction of the proposed land use may be accomplished without endangering the health of any remaining trees on the property that are subject to Chapter 22.56, Part 16, of the County Code;

B. That the removal of 21 oak trees may be necessary as it interferes with grading and subdivision design within the subject property and no reasonable alternative to such interference exists other than removal of the trees;

C. That the removal of the oak trees proposed may not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated; and

D. That the removal of the oak trees proposed may not be contrary to or in substantial conflict with the intent and purpose of the oak tree permit procedure.

THEREFORE, in view of the findings of fact and conclusions presented above, the information submitted by the applicant and presented at the public hearing may not substantiate the required findings for an oak tree permit as set forth in Section 22.56.2100 of the County Code, and Oak Tree Permit Case No. 97-178-(3) is **DENIED.**

Los Angeles County Department of Regional Planning
320 West Temple Street, Los Angeles, California 90012
Telephone (213) 974-6433

PROJECT No. 97-178-(3)
TRACT MAP NO. 52419
CUP/OTP 97-178-(3)

RPC MEETING DATE	CONTINUE TO
11-8-06	
AGENDA ITEM #6 a,b,c	
PUBLIC HEARING DATE 5/18/05, 6/22/05, 2/22/06, 4/5/06, 6/28/06, 9/20/06	

APPLICANT	OWNER	REPRESENTATIVE
Sage Community Group	Beautiful City Holding Company, Inc.	Wagner Halladay, Inc.

REQUEST
Tentative Tract Map: 66 single-family, 5 open space, 6 landscape, and 2 desilting basin lots on 320.3 gross acres
Conditional Use Permit: To ensure compliance with the requirements of hillside management, density-controlled development, planned residential development within the Residential Planned Development zone, development within a Significant Ecological Area, and grading (onsite project and within the Santa Monica Mountains North Area)
Oak Tree Permit: To authorize removal of 21 oak trees and encroachment within the protected zone of 11 oak trees

LOCATION/ADDRESS
East and west of Kanan Road and Cornell Road just south of the City of Agoura Hills, Agoura

ACCESS
Kanan Road and Cornell Road

ZONED DISTRICT
The Malibu

COMMUNITY
Santa Monica Mountains North Area

EXISTING ZONING
RPD-2-0.5U (Residential Planned Development-Two Acre Minimum Lot Area-0.5 Dwelling Units per Net Acre) and
RPD-5-0.2U (Residential Planned Development-Five Acre Minimum Lot Area-0.2 Dwelling Units per Net Acre)

SIZE	EXISTING LAND USE	SHAPE	TOPOGRAPHY
320.3 Gross Acres	Vacant	Irregular	Slight to steeply sloping

SURROUNDING LAND USES & ZONING

North: Single-family residences, water tank/City of Agoura Hills

East: Single-family residences, religious facility and vacant property/City of Agoura Hills

South: Fire station, single-family residences and vacant property/A-1-20 (Light Agricultural-20 Ac Min Area), A-1-2, A-1-10, O-S (Open Space)

West: Single-family residences and vacant property/A-1-20 (Light Agricultural-20 Ac Min Area) and City of Agoura Hills

GENERAL PLAN	DESIGNATION	MAXIMUM DENSITY	CONSISTENCY
Santa Monica Mountains North Area Plan	Mountain Lands 2 & Mountain Lands 5	81 Dwelling Units	No

ENVIRONMENTAL STATUS – Revised Project Design Summary was available beginning October 31, 2005

Draft Environmental Impact Report: Potentially significant impacts include Geotechnical (Grading, Seismicity); Air Quality; Surface Water Runoff/Hydrology; Water Quality; Biological Impacts; Cultural Resources – Archaeology; Visual Quality; Land Use; Traffic; Fire; Sheriff; Libraries; Schools; Water Service, etc. Impacts that cannot be mitigated to less than significant include Visual and Biological Resources.

DESCRIPTION OF SITE PLAN
The tentative map and exhibit "A" depict the single-family development clustered in four areas: two west of Kanan Rd, and between Kanan Rd and Cornell Rd, and east of Cornell Rd. The single-family lots range from approximately 10,000 square feet to 1.9 acres in size, and the project development area totals 33.9 acres. Custom lots are proposed for the gated portion east of Cornell. Grading consists of 353,700 cubic yards of cut and 327,100 cubic yards of fill with 26,600 cubic yards of export. Also depicted are two desilting basin lots, and retaining walls as high as 17 feet high within the project with maximum 10 feet high walls along Kanan Rd. Open space consists of 283.7 acres (88.5 percent), including both natural and disturbed areas. A 20-foot hiking and riding trail easement is depicted along Medea Creek

KEY ISSUES
At the September 20, 2006 public hearing, the applicant requested that the Commission take final action on the project before them with no further modifications or reduction in number of dwelling units

(If more space is required, use opposite side)

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

STAFF CONTACT PERSON SUSAN TAE, LAND DIVISIONS (213) 974-6433		
RPC HEARING DATE (S) -18-05, 6-22-05, 2-22-06, 4-5-06, 6-28-06, 9-20-06	RPC ACTION DATE 11-8-06	RPC RECOMMENDATION DENIAL
MEMBERS VOTING AYE ONE	MEMBERS VOTING NO VALADEZ, BELLAMY, HELSLEY, REW, MODUGNO	MEMBERS ABSTAINING NONE
TAFF RECOMMENDATION (PRIOR TO HEARING) ENIAL OR REDESIGN		
PEAKERS*)) 45 (F) 9	PETITIONS (O) 1 (F) 0	LETTERS (O) 92 (F) 71

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

Project No. 97-178-(3)

COMMITTEE RECOMMENDATION (Subject to revision based on public hearing)

☐ APPROVAL ☒ DENIAL

☐ No improvements ____20 Acre Lots ____10 Acre Lots ____2½ Acre Lots ____Sect 191.2

☒ Street improvements __X__ Paving __X__ Curbs and Gutters __X__ Street Lights

__X__ Street Trees __X__ Inverted Shoulder __X__ Sidewalks ____ Off Site Paving ____ft.

☒ Water Mains and Hydrants

☒ Drainage Facilities

☒ Sewer ☐ Septic Tanks ☐ Other _____

☒ Park Dedication "In-Lieu Fee"

SPECIAL INDIVIDUAL DEPARTMENT CONCERNS

Public Works

Forester & Fire Warden

Parks & Rec.

Health

Planning — Consistency with Santa Monica Mountains North Area Plan SEA requirements, Santa Monica Mountains North Area CSD
Significant environmental impacts to visual and biological resources that cannot be mitigated

ISSUES AND ANALYSIS

A Conditional Use Permit is required for hillside management, density-controlled development, planned residential development within the Residential Planned Development zone, development within a Significant Ecological Area ("SEA"), and grading (onsite project and within the Santa Monica Mountains North Area).

An Oak Tree Permit is also required to remove 21 oak trees and encroach within the protected zone of 11 oak trees.

The project is subject to the provisions of the Santa Monica Mountains North Area CSD, and must meet the burden of proof for grading. Two significant ridgelines are within the project boundaries but are not affected by development.

A revised Project Design Summary was made available beginning October 31, 2005 for the redesigned project. The public comments period continues to remain open as the public hearing has not yet been closed. The Draft EIR analyzes potentially significant impacts of the project, including Geotechnical (Grading, Seismicity); Air Quality; Surface Water Runoff/Hydrology; Water Quality; Biological Impacts; Cultural Resources – Archaeology; Visual Quality; Land Use; Traffic; Fire; Sheriff; Libraries; Schools; Water Service, etc. Impacts that cannot be mitigated to less than significant include Visual and Biological Resources.

Prepared by: Susan Tae

RPC MEETING DATE May 18, 2005
AGENDA ITEM NO. 8 a, b, c

REGIONAL PLANNING COMMISSION
TRANSMITTAL CHECKLIST

PROJECT NO: 97-178-(3)

CASE NO. Vesting Tentative Tract Map No. 52419
Conditional Use Permit Case No. 97-178-(3)
Oak Tree Permit Case No. 97-178-(3)

CONTACT PERSON: Susan Tae

- ☒ STAFF REPORT
- ☒ DRAFT CONDITIONS
- ☐ DRAFT FINDINGS FOR DENIAL (If Land Division Case Recommended For Denial)
- ☒ BURDEN OF PROOF STATEMENT (Zoning or Plan Amendment Requests)
- ☐ ENVIRONMENTAL DOCUMENTATION - Previously submitted
- ☒ THOMAS BROTHERS MAP (Identifying Subject Property)
- ☒ LAND USE RADIUS MAP
- ☒ TENTATIVE TRACT MAP
- ☒ EXHIBIT "A" MAP
- ☒ PHOTOGRAPHS
- ☒ CORRESPONDENCE
- ☒ GIS-NET MAP
- ☒ DRAFT EIR: SUMMARY SECTION
- ☐ _____

Reviewed By: _____

Los Angeles County Department of Regional Planning
320 West Temple Street, Los Angeles, California 90012
Telephone (213) 974-6433

PROJECT No. 97-178-(3)
TRACT MAP NO. 52419
CUP/OTP 97-178-(3)

RPC/HO MEETING DATE	CONTINUE TO
AGENDA ITEM #8 a, b, c	
PUBLIC HEARING DATE May 18, 2005	

APPLICANT	OWNER	REPRESENTATIVE
Sage Community Group	Beautiful City Holding Company, Inc.	Wagner Halladay, Inc.

REQUEST
Tentative Tract Map: 81 single-family, 5 open space, 9 landscape, 1 street and 1 desilting basin lots
Conditional Use Permit: To ensure compliance with the requirements of hillside management, density-controlled development, planned residential development within the Residential Planned Development zone, development within a Significant Ecological Area, and grading (onsite project and within the Santa Monica Mountains North Area)
Oak Tree Permit: To authorize removal of 18 oak trees (including two heritage oaks) and encroachment within the protected zone of 17 oak trees (including five heritage oaks)

LOCATION/ADDRESS
East and west of Kanan Road and Cornell Road just south of the City of Agoura Hills, Agoura

ACCESS
Kanan Road and Cornell Road

ZONED DISTRICT
The Malibu

COMMUNITY
Santa Monica Mountains North Area

EXISTING ZONING
RPD-2-0.5U (Residential Planned Development-Two Acre Minimum Lot Area-0.5 Dwelling Units per Net Acre) and
RPD-5-0.2U (Residential Planned Development-Five Acre Minimum Lot Area-0.2 Dwelling Units per Net Acre)

SIZE	EXISTING LAND USE	SHAPE	TOPOGRAPHY
320.3 Gross Acres	Vacant	Irregular	Slight to steeply sloping

SURROUNDING LAND USES & ZONING

North: Single-family residences, water tank/City of Agoura Hills	**East:** Single-family residences, religious facility and vacant property/City of Agoura Hills
South: Fire station, single-family residences and vacant property/A-1-20 (Light Agricultural-20 Ac Min Area), A-1-2, A-1-10, O-S (Open Space)	**West:** Single-family residences and vacant property/A-1-20 (Light Agricultural-20 Ac Min Area) and City of Agoura Hills

GENERAL PLAN	DESIGNATION	MAXIMUM DENSITY	CONSISTENCY
Santa Monica Mountains North Area Plan	Mountain Lands 2 & Mountain Lands 5	81 Dwelling Units	No - based on current design

ENVIRONMENTAL STATUS
Draft Environmental Impact Report: Potentially significant impacts include Geotechnical (Grading, Seismicity); Air Quality; Surface Water Runoff/Hydrology; Water Quality; Biological Impacts; Cultural Resources – Archaeology; Visual Quality; Land Use; Traffic; Fire; Sheriff; Libraries; Schools; Water Service, etc. Impacts that cannot be mitigated to less than significant include Visual and Biological Resources.

DESCRIPTION OF SITE PLAN
The tentative map and exhibit "A" depict the single-family development clustered in three areas: west of Kanan Rd, between Kanan Rd and Cornell Rd, and east of Cornell Rd. The single-family lots range from approximately 9,930 square feet to 1.7 acres in size, and the project development totals 51.5 acres. Custom lots are proposed for the gated portion east of Cornell. Grading consists of 498,421 cubic yards of cut and 427,483 cubic yards of fill, to be balanced onsite. Also depicted are a desilting basin lot and private street lot, and retaining walls as high as 28 feet high. Open space consisting of 268.8 acres, including both natural and disturbed areas. A 20-foot hiking and riding trail easement is provided along Medea Creek.

KEY ISSUES
- Project as currently designed is inconsistent with certain goals and policies of the Santa Monica Mountains North Area Plan and CSD
- Development directly impacts resource areas within an SEA and does not minimize impacts from grading
- Alternative No. 4 of the Draft EIR provides the most environmentally superior alternative, reducing grading, resource impacts and minimizing large pad areas

(If more space is required, use opposite side)

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

STAFF CONTACT PERSON		
RPC HEARING DATE (S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING
STAFF RECOMMENDATION (PRIOR TO HEARING)		
SPEAKERS* (O) (F)	PETITIONS (O) (F)	LETTERS (O) (F)

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

Project No. 97-178-(3)

COMMITTEE RECOMMENDATION (Subject to revision based on public hearing)

☐ APPROVAL ☐ DENIAL

☐ No improvements ____20 Acre Lots ____10 Acre Lots ____2½ Acre Lots ____Sect 191.2

☒ Street improvements __X__ Paving __X__ Curbs and Gutters __X__ Street Lights

__X__ Street Trees __X__ Inverted Shoulder __X__ Sidewalks ____ Off Site Paving ____ft.

☒ Water Mains and Hydrants

☒ Drainage Facilities

☒ Sewer ☐ Septic Tanks ☐ Other _____

☒ Park Dedication "In-Lieu Fee"

SPECIAL INDIVIDUAL DEPARTMENT CONCERNS

Engineer

Road

Flood

Forester & Fire Warden

Parks & Rec.

Health

Planning - Inconsistent with Santa Monica Mountains North Area Plan; Fails to meet burdens of proof for CUP for hillside management, development within an SEA, and grading within the Santa Monica Mountains North Area
- Draft EIR: Significant environmental impacts to visual and biological resources that cannot be mitigated

ISSUES AND ANALYSIS

A Conditional Use Permit is required for hillside management, density-controlled development, planned residential development within the Residential Planned Development zone, development within a Significant Ecological Area ("SEA"), and grading (onsite project and within the Santa Monica Mountains North Area). Seventy percent of the project site is required as open space; the project provides approximately 268 acres (84 percent). The project is clustered in lots ranging in size from 9,930 square feet to 1.72 net acres in three main areas of the project. Twenty-seven custom lots are proposed as a gated development east of Cornell Road within SEA No. 6 (Las Virgenes). The project proposes 498,421 cubic yards of cut and 427,483 cubic yards of fill, to be balanced onsite. The burdens of proof provided by the applicant are attached.

An Oak Tree Permit is also required to remove 18 oak trees (including two heritage oaks), and encroach within the protected zone of 17 oak trees (including five heritage oaks). A total of 52 mitigation trees (a rate of 2:1 for the oaks and 10:1 for the heritage oaks) is recommended by the Forester and Fire Warden.

The project is subject to the provisions of the Santa Monica Mountains North Area CSD, and must meet the burden of proof for grading. Two significant ridgelines are within the project boundaries but are not affected by development.

Staff feels that the project as currently designed, is not consistent with certain goals and policies of the Santa Monica Mountains North Area Plan related to resource protection and land use. Retaining walls reach a maximum height of 28 feet, and manufactured slopes reach a height of 70 feet. The project also fails to meet th burdens of proof required for a CUP for hillside management, development within an SEA, and grading within the North Area. Twenty-seven single-family lots and other improvements are depicted within the SEA, and directly impact endangered species and riparian habitat. Overall project grading totals 498,421 cubic yards of cut and 427,483 cubic yards of fill.

The Draft EIR analyzes potentially significant impacts of the project, including Geotechnical (Grading, Seismicity); Air Quality; Surface Water Runoff/Hydrology; Water Quality; Biological Impacts; Cultural Resources – Archaeology; Visual Quality; Land Use; Traffic; Fire; Sheriff; Libraries; Schools; Water Service, etc. Impacts that cannot be mitigated to less than significant include Visual and Biological Resources.

Prepared by: Susan Tae

PROJECT NO. 97-178-(3)
VESTING TENTATIVE TRACT MAP NO. 52419
CONDITIONAL USE PERMIT CASE NO. 97-178-(3)
OAK TREE PERMIT CASE NO. 97-178-(3)

STAFF ANALYSIS
May 18, 2005 REGIONAL PLANNING COMMISSION PUBLIC HEARING

PROJECT OVERVIEW

The applicant, Sage Community Group, proposes a residential development of 81 single-family lots, five open space lots, nine landscape lots, one desilting basin lot and one private and future street lot on 320.3 gross acres located north of Silver Creek Road, on the east and west sides of Kanan Road and Cornell Road south of the City of Agoura Hills. The proposal requires approval of Vesting Tentative Tract Map No. 52419 for the subdivision, and Conditional Use Permit Case No. 97-178-(3) to ensure compliance with the requirements of hillside management, density controlled development, planned residential development within the Residential Planned Development ("RPD") zone, development within a Significant Ecological Area ("SEA"), and project grading. Oak Tree Permit Case No. 97-178-(3) is also required to allow the removal of 18 oak trees (including two heritage oaks) and encroachment into the protected zone of 17 oak trees (including five heritage oaks). The subject property is located within the Santa Monica Mountains North Area Community Standards District ("CSD"), and must also comply with all applicable provisions of the CSD.

Access to the subject property is provided by Kanan Road, a 100-foot wide major highway, and Cornell Road, an 80-foot wide secondary highway. Major engineering features include debris and desilting basins, sewer pumps and maximum 28-foot high retaining walls. Approximately 498,421 cubic yards of cut and 427,483 cubic yards of fill are proposed to be balanced onsite.

As a hillside development the project is required to provide 70 percent open space; the development provides 84 percent (268 acres) that includes both natural and disturbed open space. As a density controlled development, the project is required to set aside all undeveloped land as permnanent open space. As a residential planned development the project must provide minimum 30 percent permanent open space under common ownership. The subject property east of Cornell Road is located within the Las Virgenes SEA. As grading for the project exceeds 100,000 cubic yards, a conditional use permit for an onsite grading project is required. The project also proposes grading that exceeds the threshold amount for properties within the Santa Monica Mountains North Area.

The Draft Environmental Impact Report ("EIR") analyzes potentially significant impacts of the project, including Geotechnical, Air Quality, Surface Water Runoff/Hydrology, Water Quality, Biological Impacts, Cultural Resources, Visual Quality, Land Use, Traffic, Fire, Sheriff, Libraries, Schools, Water Services, etc. Impacts that cannot be mitigated to less than significant include Visual and Biological Resources.

While not part of the proposed project, a water tank is shown within the limits of the subject property. The area is identified at the northeast portion of the property (within open space Lot 86) as a potential location for a three million (3,000,000) gallon water tank for the Las Virgenes Municipal Water District.

DESCRIPTION OF PROJECT PROPERTY

Location: The project site is located east and west of Kanan Road and Cornell Road in the Santa Monica Mountains, south of the City of Agoura Hills in The Malibu Zoned District. The property is located approximately ¼ mile south of the Ventura (US-101) Freeway.

Physical Features: The subject property is approximately 320.3 gross acres in size and comprised of four lots. The property is irregular in shape with slight to steeply sloping terrain. Approximately three-fourths of the subject property has zero to 50 percent slopes, and one-fourth of the subject property has slopes greater than 50 percent. Approximately 10 acres of the property were disturbed as temporary storage of grading equipment and stockpiling of fill material, with the canyon fill creating flatter areas in the western portion of the property. Existing canyon fills range from eight to 30+ feet deep.

Sensitive habitat, including riparian scrub, willow riparian woodland and chaparral, exist on the subject property in a relatively undisturbed and natural state. Endangered Lyon's pentachaeta exists on the subject property, and was disturbed in 2003 by weed abatement activities. Federally-identified threatened Santa Monica Mountains dudleya did exist on the subject property, but most 'adult' specimens were illegally removed between 2003 and 2004. One hundred thirty-six (136) oak trees are present on the subject property as well as three blue-line streams and numerous tributaries. Medea Creek is located on the property west of Cornell Road, in approximately the center of the entire subject property. The eastern portion of the property is also located entirely within the Las Virgenes SEA.

The western portion of the property is located on the lower, generally east-facing slopes of Ladyface Mountain. Kanan/Dume Road is identified on the Santa Monica Mountains North Area Plan ("North Area Plan") as a significant scenic route.

Access: Kanan Road and Cornell Road serve as primary access to the site. Within the development west of Cornell Road, 58-foot and 60-foot wide public streets provide internal access. The proposed gated development east of Cornell Road will be served by private and future streets at 58 feet, 60 feet and 64 feet wide. Kanan Road is a 100-foot wide major highway and Cornell Road is an 80-foot wide secondary highway. Additional regional access is provided by the Ventura (US-101) Freeway, located approximately ¼ mile north of the project site.

Services: Domestic water and public sewer service will be provided by the Las Virgenes Municipal Water District. Gas utilities will be provided by Southern California Gas Company, and electricity by Southern California Edison Company. The project is also within the boundaries of the Las Virgenes Unified School District. Shopping and employment exist northeast and northwest of the subject property. Nearby recreation areas include the Santa Monica Mountains National Recreation Area to the south and Malibu Creek State Park to the southeast as well as the Agoura Hills/Calabasas Community Center approximately 2.5 miles to the east.

ENTITLEMENTS REQUESTED

Vesting Tentative Tract Map: The applicant requests approval of Vesting Tentative Tract Map No. 52419 to create 81 single-family lots, five open space lots, nine landscape lots, one desilting basin lot and one private and future street lot. The applicant has indicated the project will be developed in two phases, and has requested permission for unit phasing.

Conditional Use Permit: The applicant requests approval of a Conditional Use Permit ("CUP") to ensure compliance with requirements of hillside management, density controlled development, planned residential development within the RPD zone, development within an SEA, and grading (onsite project and within the Santa Monica Mountains North Area).

Oak Tree Permit: The applicant requests approval of an Oak Tree Permit to remove 18 oak trees (including two heritage oaks), and encroach into the protected zone of 17 oak trees (including five heritage oaks).

EXISTING ZONING

Subject Property: The subject property is divided into two main zones: west of Cornell Road is zoned RPD-2-0.5U (Residential Planned Development – Two Acre Minimum Required Lot Area – 0.5 Dwelling Units per Net Acre); and east of Cornell Road is zoned RPD-5-0.2U (Residential Planned Development – Five Acre Minimum Required Lot Area – 0.2 Dwelling Units per Net Acre). A small portion of the property (2.8 acres) is zoned A-1-5 (Light Agricultural – Five Acre Minimum Required Lot Area).

Surrounding Properties: Surrounding zoning is as follows:
North: City of Agoura Hills;
East: City of Agoura Hills;
South: A-1-20 (Light Agricultural – 20 Acre Minimum Required Lot Area), A-1-2 (Light Agricultural – Two Acre Minimum Required Lot Area), A-1-10 (Light Agricultural – 10 Acre Minimum Required Lot Area) and O-S (Open Space); and
West: A-1-20 and City of Agoura Hills.

EXISTING LAND USES

Subject Property: The subject property consists of four vacant lots.

Surrounding Properties: Surrounding uses are as follows:
North: Single-family residences and water tank;
East: Single-family residences, religious facility and vacant property;
South: Fire station, single-family residences and vacant property; and
West: Single-family residences and vacant property.

PREVIOUS CASE/ZONING HISTORY

The current RPD-2-0.5U, RPD-5-0.2U and A-1-5 zoning on the subject property became effective on September 19, 2002, following the adoption of Ordinance Number 2002-0062Z which established Zone Change Case No. 01-088-(3). The Zoning Consistency program was part of the Phase I implementation program of the North Area Plan to bring zoning into conformance with the adopted land use designations.

Conditional Use Permit and Oak Tree Permit Case No. 85-602-(3) was filed on the west side of the property to authorize a solid fill project and removal of three oak trees. The Negative Declaration was

adopted and the CUP and Oak Tree Permit were approved by the Regional Planning Commission in August, 1986, and the CUP approval was appealed to the Board of Supervisors, where it was sustained in March, 1987. Inspections for the CUP continued until its final inspection on May 16, 2003.

PROJECT DESCRIPTION

Vesting Tentative Tract Map No. 52419 and Conditional Use Permit No. 97-178-(3) Exhibit "A", dated February 16, 2005, depict a residential subdivision of 81 single-family lots, five open space lots, nine landscape lots, one desilting basin lot and one private and future street lot on approximately 320.3 gross acres. The residential lots range in size from 9,930 square feet to 1.7 acres in size. Five natural open space lots and nine landscape lots comprise the project's 268 acres (84 percent) of open space. Private and future street Lot 96 (Street "E") is 0.924 acres, and desilting basin Lot 97 is 1.93 acres.

Proposed street improvements include additional transitional paving and striped lanes for right-turn and left-turn lanes. Improvements required by Department of Public Works ("DPW") for internal Streets "A," "B," "C" and "D" west of Cornell Road include full curb, gutter and sidewalks; the applicant is requesting the inverted shoulder or rural street section design (elimination of the curb, gutter and sidewalk improvement). Streets "E," "F," and "G" east of Cornell Road are to be improved with the inverted shoulder design. Street lights are required at the intersections of Kanan Road and Street "A"/"D," and Cornell Road and Street "E" with minimal interior street lighting as needed for safety. Street trees are required on all interior streets within the development. Other improvements include inlet and debris basins, sewer pump connections, and retaining walls ranging from five feet to 28 feet high.

Grading consists of 498,421 cubic yards of cut and 427,483 cubic yards of fill; an average of 6,153 cubic yards of cut and 5,278 cubic yards of fill for each residential lot. Flood hazards and natural drainage courses exist on the property. Medea Creek flows through the subject property near Cornell Road.

The residential lots are clustered in three areas of the subject property: west of Kanan Road, between Kanan Road and Cornell Road, and east of Cornell Road.

West of Kanan Road:
Single-family Lots 1 through 44 are clustered on the northeast portion of this development area. Access is provided from Kanan Road by Street "A," an internal street. Cul-de-sac Streets "B" and "C"; Street "C" extend east/south of Street "A." Lot sizes range from 0.23 to 0.78 net acres; pad elevations range from 849 to 915 above sea level with no information on pad sizes. One flag lot (Lot 14) and five lots with less than standard street frontage (Lots 5, 13, 15, 27 and 40), are depicted within this area. Engineering features include retaining walls ranging from five feet to 20 feet high, and are shown along the rears of Lots 1 through 4, 15 to 16, 23 to 24, 26 to 27, and 91. Desilting and debris basin Lot 97 is located at the intersection of Street "A" and "C" between Lots 16 and 17. Of the total project grading, 187,041 cubic yards of cut (37.5 percent) and 167,183 cubic yards of fill (39.1 percent) are within this area. Landscape Lots 84, 87, 88 and 91 and open space Lots 82 and 83 provide 101.36 acres of open space. This area is shown within Phase I of the development.

Between Kanan Road and Cornell Road:
Single-family Lots 45 through 54 are clustered within the northwestern portion of this area. Access is provided from Kanan Road by Street "D.". Lot sizes range from 0.25 to 0.39 net acres; pad elevations range from 844 to 848 above sea level with no information on pad sizes. Engineering features include a maximum 12-foot high retaining wall along the rear of Lot 45. Of the total project grading, 67,437 cubic yards of cut (13.5 percent) and 3,235 cubic yards of fill (0.8 percent) are within this area. Landscape Lots 89 and 90, and open space Lot 85 provide 18.98 acres of open space. A 12-foot riding and hiking trail easement for the Zuma Ridge Trail is also shown along Medea Creek within this area. This area is shown within Phase I of the development.

East of Cornell Road:
Custom single-family Lots 55 through 81 are proposed within a gated development in the southwest portion of this area. Access is provided from Cornell Road by Street "E"(Lot 91). Internal cul-de-sac streets include "F" and "G," and Street "E" extends 1,236 feet east of Street "G" which exceeds the maximum 1,000 feet length permitted by Section 21.24.190 of the County Code. Lot sizes range from 0.35 to 1.72 net acres; pad elevations range from 866 to 948 feet above sea level. Split-level pads are shown for Lots 68 through 76. Engineering features include maximum 28-foot high retaining walls along Lots 81 and 91, 71 to 74, and 68 and 94. Debris basins are shown within open space Lot 86 near Lots 66 and 70, and sewer pump connections are depicted within each of Lots 66 through 73. Of the total project grading, 243,943 cubic yards of cut (48.9 percent) and 256,885 cubic yards of fill (60 percent) are within this area. Landscape Lots 92 through 95 and open space Lot 86 provide 148.92 acres of open space. This area is shown within Phase II of the development. This entire area is within the Las Virgenes SEA.

The project design has been reviewed by the Los Angeles County Subdivision Committee for technical feasibility and recommended project conditions are attached.

GENERAL PLAN AND NORTH AREA PLAN CONSISTENCY

The project was initially filed on November 18, 1997, and proposed 139 single-family lots, three open space lots, two park lots and 14 public facility lots. While the project was subject to the policies and provisions of the then-applicable Malibu/Santa Monica Mountains Interim Area Plan ("Interim Plan"), a staff analysis was required (and considered a 'hold') to determine consistency with the Interim Plan. During the processing of subsequent revision maps, the applicant had also been in discussions with staff on the appropriate land use category within the proposed North Area Plan. The North Area Plan was adopted by the Board of Supervisors on October 24, 2000, and became effective in November of 2000.

Under the North Area Plan, the subject property is depicted within the Non-Urban land use category of the Los Angeles Countywide General Plan, and the N2 (Mountain Lands 2, one dwelling unit per two acres) and N5 (Mountain Lands 5, one dwelling unit per five acres) land use designations of the North Area Plan. Approximately 148 acres lie within the N2 category, and approximately 172 acres within the N5 category, permitting a theoretical maximum of 108 units if the entire subject property was flat. The categories and hillside management policy together determine the maximum density for a property and based on a slope analysis of existing topography, a maximum of 81 dwelling units is calculated.

The North Area Plan contains many policies that support its goals for preservation of natural resources, and orderly development that maintains the rural character of the Santa Monica

Mountains. The North Area Plan encourages and describes many features of hillside projects and more sensitive development, including reducing grading, requiring buffers from sensitive resources and prohibiting disturbance of protected species, and minimizing impervious surfaces and disturbance of natural drainages to protect water quality. The North Area Plan also stresses to allow the land dictate the type and intensity of use (North Area Plan, Guiding Principles, page II-10).

As currently designed, the project is not consistent with many of the goals and policies of the North Area Plan, specifically related to resource protection, hazards planning and land use. While the project for the most part clusters development, the project as currently designed directly impacts identified sensitive resources, including an endangered species, as well as fills much of an existing drainage course within an SEA. The project will result in the loss of scenic resources, and will create straight manufactured slopes as tall as 70 feet that are not contour graded to blend with the natural terrain.

Applicable North Area Plan Provisions

The following are excerpts of selected applicable North Area Plan goals and policies. An attachment includes an extended list of selected goals and policies:

GUIDING PRINCIPLES AND GENERAL GOALS

"Preservation and enhancement of the natural environments and scenic beauty of the area" (Goal II, Page II-11).

"Preservation of the area's natural terrain, with minimal alterations to existing undisturbed areas" (Goal III, Page II-12).

CONSERVATION AND OPEN SPACE ELEMENT

"The guiding principle for managing the natural environment is: 'resource protection has priority over development'" (Page IV-17).

Biological Resources:

"When determining which portions of a development site should be retained in open space, first priority should be the preservation of viable, sensitive habitat areas and linkages. Preserving open space for its aesthetic qualitites is also essential..." (Policy IV-2, Page IV-19).

"Require development designs that protect and preserve significant, viable habitat areas and habitat linkages/wildlife corridors in their natural condition.

a. Require buffer or other measures adequate to protect such areas.
b. Within designated habitat areas of rare, threatened or endangered species, prohibit disturbance of protected biotic resources.
c. Within the following areas, preserve plant communities which contribute to animal reproduction (including plant diversity, faunal resting areas, foraging areas and food sources), or when unavoidable, require the replacement of such plant communities so as not to result in a measurable reduction in the reproductive capacity of sensitive plant and animal communities:
   - riparian areas and wetlands subject to state and federal regulations (such as blue line streams on USGS quadrangles);
   - riparian woodlands, Sycamore-adler riparian woodlands, Southern and Valley oak woodlands and California walnut woodlands; and
   - animal habitat linkages/wildlife corridors.
d. Where plants listed as 'special' or 'of concern' by the California Natural Diversity Database...are present, require that new development not result in a net reduction in the number of these plants..." (Policy IV-3, Pages IV-19-20).

"Buffer zones shall be established adjacent to areas of important preserved biological resources, including natural streams and drainages. Such buffer zones shall be of an adequate width so as to protect biological resources from grading and construction activities, as well as from long-term use of adjacent lands, the need for extensive lighting, and increased erosion and runoff, including winter stream flows. Permitted land modification activities within preservation and buffer areas are to be limited to those that are consistent with the maintenance of the reproductive capacity of the identified resource. The land uses and design of development adjacent to the vegetative preservation areas, as well as activities within the designated buffer area, shall not disturb natural drainage patterns to the point that preserved vegetative resources receive too much or too little water to permit their ongoing health" (Policy IV-6, Page IV-20).

Hillside Management:

"New development projects shall be designed to protect significant natural features, and to minimize the amount of grading" (Policy IV-9, Page IV-21).

"In areas over 25% slope, use special architectural and design techniques to ensure that development conforms to the natural land form, such as split level foundations, variable setbacks, and structures which blend with the natural environment in shape, materials and colors" (Policy IV-10, Page IV-21).

"Grading in areas over 50% slope shall be severly limited to those circumstances where clustering is not possible and when demonstrated safety hazards and environmental degradation—including increased erosion, runoff and watershed impacts and aesthetic features—will be avoided" (Policy IV-11, Page IV-21).

"Discourage the use of manufactured slopes in excess of ten vertical feet (10'), and require that any such slopes be land-form graded" (Policy IV-12, Page IV-21).

"Ensure that the overall project design/layout of hillside developments adapts to the natural hillside topography and protects ridgelines and natural-appearing views from surrounding vantage points such as highways, parklands and overlooks. Overall, emphasize fitting the project into its hillside setting rather than altering the hillside to fit the project" (Policy IV-13, Page IV-21).

"Encourage clustering of dwellings in hillside areas as a means of decreasing the overall need for grading, thereby preserving the natural appearance of the hillside and maximizing the amount of open space. Do not, however, permit clustering of dwellings to result in urban character subdivisions within rural areas. Require that steep lands that are preserved in open space be permanently protected through, preferably, open space dedications to a public agency which has the authority to manage, preserve or enhance park and open space lands, where appropriate or, secondarily, effective easements" (Policy IV-16, Page IV-22).

Scenic Resources:

"Ensure that any alteration of the natural landscape from earth-moving activity, as well as new development, blends with the existing terrain of the site and surroundings" (Policy IV-32).

"Limit the extent of vegetation clearance to that required for fire safety, and where possible, site structures so that no vegetation clearance encroaches on adjacent properties; consider the size and siting of development to reduce the level of vegetation clearance needed" (Policy IV-33, Page IV-26).

Open Space:

"Preserve open space that protects streams and watersheds, prevents vegetation clearance or grading of steep areas and helps reduce development-induced runoff" (Policy IV-45, Page IV-28).

SAFETY AND NOISE ELEMENT

Seismic Hazards:

"When creating an engineered slope, use land-form grading techniques to recreate a natural hillside appearance, to the extent feasible" (Policy V-2, Page V-37).

Flood Hazards:

"Retain stream courses in their natural state, along with development designs that respect natural flows" (Policy V-4, Page V-38).

Fire Hazards:

"Minimize potential biological impacts of fuel modification activities by limiting modification areas to those necessary to protect existing development, whenever feasible, and by emphasizing the planting of fire resistant vegetation that is compatible with the area's natural vegetative habitats, rather than the use of open fuel breaks" (Policy V-11, Page V-40).

"Require that new development within areas subject to wildland fires be designed and sited in a manner which minimizes the threat of loss from wildland fires (located low on slope, or set well back from tops of slopes) while avoiding the need for massive vegetation clearance..." (Policy V-12, Page V-40).

Geologic Hazards:

"...Limit grading of slopes in excess of 25 percent" (Policy V-18, Page V-41).

LAND USE AND HOUSING ELEMENT

Pattern and Character of Development:

"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:

- Retention of the natural terrain and vegetation in hillside areas, rather than creation of large, flat pads with non-native landscaping;
- Natural features and streams which are protected by adequate development setbacks;...
- Rural road sections without curbs, gutters, or sidewalks;...
- 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;
- Hillside residential development designs which feature natural, rather than manmade forms, and which emphasize the use of custom foundations in place of slab construction;
- Size and height of houses and flat pads in hillside settings to those which are consistent with character of the natural setting; limit such features as tennis courts and paved areas; and
- Protection of hilltops and ridgelines by prohibition of grading in those areas, unless required to provide or improve safety access to existing improvements" (Policy VI-13, Pages VI-50-51).

"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-14, Page VI-51).

"Require that new development use architectural and siting features which are compatible with adjacent existing and planned developments, and include the following:

- Compatibility with prominent design features existing in the immediate area...
- Compatibility with existing structures; and
- The natural environment (i.e., hillsides, washes, native vegetation, community landscaping)" (Policy VI-15, Page VI-51).

"Require that new development provide a transition to surrounding development, for example:

- The bulk of new structures should relate to the area's environment and to the adjacent developments;
- Setbacks from streets and adjacent properties should relate to the scale of the structure...; and
- Multi-story residential structures should be made less imposing by using exterior profile designs that complement the contours of the land..." (Policy VI-15, Page VI-51).

"Require that new development respect viewsheds and view corridors from public parks and trails, and scenic highways to the greatest extent possible:

- Preserve and enhance, where applicable, view corridors from public roadways, which are oriented toward existing or proposed community amenities, such as parks, open space, or natural features;
- Encourage variations in architectural and landscape components which provide visual interest..." (Policy VI-15, Page VI-51).

"Encourage the clustering of development, particularly within lands designated... Mountain Lands... for the primary purpose of preserving significant environmental features; clustered development should meet the following criteria:

- The resulting design shall provide public amenities beyond basic County requirements-such as improved circulation for the surrounding area, additional dedicated public open space, additional protection of environmentally sensitive lands and/or the construction/maintenance of public facilities such as trails;
- The resulting intensity and character of the developed areas which results from clustering is compatible with—although not necessarily identical in appearance to—the surrounding environment;
- Lot coverage and pad grading should not result in an urban appearance, and side yard setbacks should prevent an urban-subdivision appearance;
- The result of clustering development shall yield a more desirable and environmentally sensitive development plan and preserve significant environmental features; and
- Areas preserved in open space as the result of clustering are to be restricted to open space in perpetuity" (Policy VI-18, Pages VI-51-52).

"Limit structure heights in suburban and rural areas to ensure compatibility of new development with the respective characteristics of the surrounding environment" (Policy VI-20, Page VI-52).

SANTA MONICA MOUNTAINS NORTH AREA CSD

Pursuant to Section 22.44.133 of the County Code, the applicant must meet the development standards for the CSD. The CSD was recently amended to include additional provisions for ridgeline development and grading. This amendment, known as the grading and ridgeline ordinance, was adopted by the Board of Supervisors on December 7, 2004, and effective January 6, 2005. As the project was deemed a complete application and scheduled for a public hearing after the ordinance effective date, the CSD provisions are applicable to the project:

- The project conditions will include requirements for exterior lighting to be low intensity, directional and/or screened to prevent glare or direct off-site illumination and street lighting only at street intersections and where needed for safety.

- A CUP is required as the project proposes 498,421 cubic yards of cut and 427,483 cubic yards of fill balanced onsite, which exceeds the threshold of 5,000 cubic yards of total cut and total fill for a parcel or project. As grading is proposed to be balanced onsite, an approved haul route is not required.

- While the subject property contains two significant ridgelines as identified on the official ridgeline map, the project does not propose any structures within 50 horizontal or vertical feet of the ridgelines.

CONDITIONAL USE PERMIT

Pursuant to Sections 22.20.460, 22.44.133, 22.56.205, 22.56.010 and 22.56.215 of the County Code, the applicant has requested a CUP, and submitted an Exhibit "A", to demonstrate compliance with requirements of hillside management, density controlled development, planned residential development within the RPD zone, development within a SEA, and grading (onsite project and within the Santa Monica Mountains North Area).

Approximately 78 acres of the subject property contain slopes steeper than 50 percent, and a hillside management CUP is required to protect hillside resources. As the subject property is located within a non-urban area, a minimum of 70 percent open space is required. The proposed open space is located within landscape Lots 87 through 95 (5.56 acres) and natural open space Lots 82 through 86 (263.7 acres), which total 269 acres or 84 percent of the subject property.

The applicant also proposes a density-controlled development design, where the lots are clustered west of Kanan Road, between Kanan Road and Cornell Road, and east of Cornell Road rather than spread throughout the project site. The residential lots are smaller than the two-acre and five-acre minimum lot size required by the zoning. The proposed lot sizes are consistent with those of surrounding properties, and the portions of the subject property that are not developed are to remain in permanent open space.

In addition to the standard burden of proof required for a CUP, the applicant must also meet the following burdens of proof required for:

Hillside Management:

A. That the proposed project is located and designed so as to protect the safety of current and future community residents, and will not create significant threats to life and/or property due to the presence of geologic, seismic, slope instability, fire, flood, mud flow, or erosion hazard; and

B. That the proposed project is compatible with the natural, biotic, cultural, scenic and open space resources of the area; and

C. That the proposed project is conveniently served by (or provides) neighborhood shopping and commercial facilities, can be provided with essential public services without imposing undue costs on the total community, and is consistent with the objectives and policies of the General Plan; and

D. That the proposed development demonstrates creative and imaginative design, resulting in a visual quality that will complement community character and benefit current and future community residents.

Development within an SEA:

A. That the requested development is designed to be highly compatible with the biotic resources present, including the setting aside of appropriate and sufficient undisturbed areas; and

B. That the requested development is designed to maintain water bodies, watercourses, and their tributaries in a natural state; and

C. That the requested development is designed so that wildlife movement corridors (migratory paths) are left in an undisturbed and natural state; and

D. That the requested development retains sufficient natural vegetative cover and/or open spaces to buffer critical resource areas from said requested development; and.

E. That where necessary, fences or walls are provided to buffer important habitat areas from development; and

F. That roads and utilities serving the proposed development are located and designed so as not to conflict with critical resources, habitat areas or migratory paths.

Grading that exceeds the threshold within the Santa Monica Mountains North Area:

A. That grading will be performed in a manner that minimizes disturbance to the natural landscape and terrain through design features for the project, including but not limited to, locating the building pad in the area of the project site with the least slope, clustering structures, and locating the project close to a paved street traveled by the public; and

B. That grading will be accompanied by other project features that maximize preservation of visual quality and community character through design features such as, but not limited to, reduced structural height, use of architectural features such as shape, materials, and color to promote blending with the surrounding environment, and use of locally indigenous vegetation for concealment of the project.

The applicant's Burden of Proof responses are attached.

OAK TREE PERMIT

An oak tree report was most recently updated on September 13, 2004 was submitted by Tree Life Concern, Inc. (arborist: Robert W. Wallace). Of the 136 oak trees located on the property subject to the Oak Tree ordinance as identified in the September 13, 2004 report, 35 are included in the associated Oak Tree Permit.

Eighteen (18) oak trees, including two heritage oaks (labeled #14, 18, 19V, 22, 23, 25H, 26, 27, 28, 29HV, 30, 31, 32, 37V, 41, 43, 98V, 132V on the applicant's site plan and Oak Tree Report) are proposed to be removed. Seventeen (17) oak trees, including five heritage oaks (labeled #1H, 7, 20H, 21, 24, 35, 36V, 38V, 42, 48V, 65HV, 97H, 99, 100H, 107, 130, 131), are proposed to be encroached within its protected zone due to potential impacts from construction.

Mitigation measures recommended by the County Forester/Fire Warden include replacement of oak tree removals at a rate of 2:1 (and 10:1 for heritage oaks) for a total of 52mitigation trees. A rate of 2:1 is also required for any tree that dies as a result of a permitted encroachment. Fifty-two acorns (52) are also required to be planted along with the mitigation trees.

Pursuant to Section 22.56.2100 of the County Code, the applicant must meet the following 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 of surface waters which cannot be satisfactorily 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 an extent that:

a. Alternative development plans cannot achieve the same permitted density or that the cost of such alternative would be prohibitive, or
b. Placement of such tree(s) precludes the reasonable and efficient use of such property for a use otherwise authorized; or

2. 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 alternative to such interference exists other than removal of the tree(s); or
3. That the condition of the oak tree(s) proposed for removal with reference to seriously debilitating disease or danger of falling is such that it cannot be remedied through reasonable preservation procedures and practices; and

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.

The applicant's Burden of Proof responses are attached.

ENVIRONMENTAL DOCUMENTATION

In accordance with State and County CEQA guidelines, a Draft EIR was prepared for the project. The Draft EIR concludes that certain potentially significant impacts are less than significant with implementation of the proposed mitigation measures in the Mitigation Monitoring Program. However, the Draft EIR concludes that the project design and/or suggested conditions will result in significant residual impacts in visual and biological resources that cannot be mitigated. Copies of the Draft EIR were distributed to the Commission, and a copy of the Technical Appendices was available for the Commission to review.

Identified potential impacts found to be less than significant with project mitigation, include:

- Geotechnical
- Air Quality
- Flood
- Water Quality
- Cultural Resources
- Land Use
- Traffic
- Utilities/Sewage Disposal
- Fire
- Sheriff Services
- Library Service
- Schools
- Water Service

Identified potentially significant impacts that cannot be mitigatedto less than significant, include:

- Biological Impacts
- Visual Quality

Detailed information of the mitigation measures is included in the attached Summary section as well as within the various sections of the Draft EIR.

Five alternatives to the project are also discussed in the Draft EIR as required by CEQA guidelines. These include: (1) No Project; (2) Large Lot Alternative; (3) Alternate Site Plan; (4) SEA/Reduced Lot Plan; and (5) Sensitive Plant Species Avoidance. Each alternative is evaluated for potential impacts, and the environmentally superior alternative is identified.

Within this Draft EIR, Alternative No. 4 (Draft EIR dated March 2005, Page V-33) is identified as the environmentally superior alternative. This alternative reduces the number of residences within the SEA east of Cornell from 27 to 12 as well as reduce the size of the building pads to avoid impacts to tributary drainage and eliminating the eastern extension of Street "E" culde-sac and the easternmost lots. Other changes include reduction of homes between Kanan Road and Cornell Road from 10 to six, and west of Kanan Road from 44 to 26 homes. Street "D" would buffer the homes from Medea Creek, and a secondary ridge would be preserved by eliminating the southern homes west of Kanan Road. Grading would be reduced to 384,900 cubic yards of cut (23 percent reduction), and to 155,660 cubic yards of fill (64 percent reduction). Within the SEA, grading area would be reduced by approximately 11.23 acres; overall 18.67 fewer acres of landform alteration would occur. East of Cornell Road within the SEA, Alternative No. 4 would also decrease impacts to the natural drainage conditions, increase buffers from the critical resource areas. Alternative No. 4 would also"essentially [eliminate]" (Page V-38) impacts to sensitive species, including Lyon's pentachaeta and Santa Monica Mountains dudleya habitat. Visual impacts would also be reduced by the reduction in number of residences.

The technical appendices include geotechnical reports, an air quality impact analysis, biological resources background materials (including a biological constraints analysis, landscape plant palette, and biota surveys), traffic report, drainage concept, a noise impact analysis, water quality reports and a preliminary water system design report.

The formal public review period for the Draft EIR was for a period of 45 days, from March 28, 2005 to May 11, 2005. All written comments received prior to the close of the public hearing will be considered in the Final EIR. Copies of written correspondence on the Draft EIR are attached.

COUNTY DEPARTMENT AND AGENCY COMMENTS AND RECOMMENDATIONS

The Los Angeles County Subdivision Commiittee consists of the Departments of Regional Planning, Public Works, Fire, Parks and Recreation, and Health Services. The Subdivision Committee has reviewed the Tentative Tract and Exhibit "A" maps dated February 16, 2005, and recommends the attached conditions.

As the project is located with the Las Virgenes SEA, the Significant Ecological Area Technical Advisory Committee ("SEATAC") reviewed the project on January 5, 1998, April 6, 1998, December 7, 1998, April 5, 1999, and February 2, 2004. Comments as documented in the SEATAC Minutes at the end of the Draft EIR (Section VIII) include removal of units at the end of the eastern cul-desac of Street "E," prohibition of 'disking' as weed abatement that have already damaged substantial areas of Lyon's pentachaeta in 2003, and a revised plant palette for the fuel modification plan. SEATAC continues to consider the project inconsistent with the SEA; Alternative No. 4, discussed above, addresses SEATAC's concerns.

As the case has been processed over a number of years, some correspondence received during that time may no longer reflect the current project proposal. At the time of initial filing, correspondence was received from the Las Virgenes Unified School District ("school district"), indicating their interest in a school site within the project boundary. The school district noted that it could not serve anticipated new students from this development within current schools. The Draft EIR indicates that developer fees will be paid to mitigate impacts. Recent correspondence includes a letter from the Las Virgenes Municipal Water District with clarification information on the water tank shown within the project boundaries, but not proposed as part of this project.

Other comments and recommendations from County Departments and other agencies consulted during the environmental review process include the California Department of Fish and Game ("Fish and Game"), Santa Monica Mountains Conservancy ("Conservancy"), County of Ventura, City of Agoura Hills, and Tom Dodson & Associates on behalf of the Cornell Preservation Organization. Comments include need for updated biological surveys and recommendations for types, opposition to any elimination or conversion of watercourses that will directly impact riparian habitat, additional mitigation measures for wildlife resources, dedication of open space lands to a public agency rather than held by a homeowners' association, need for an alternative that reduces the development footrpint rather than just number of units, the project's incompatibility with the North Area Plan, cumulative noise impacts from Kanan Road, impacts to the pattern, scale and character of the community, and offsite impacts to neighboring jurisdictions. All comments received in response to the Draft EIR are attached and will be incorporated into the Final EIR.

LEGAL NOTIFICATION/COMMUNITY OUTREACH

On December 21, 2004 approximately 80 notices of public hearing were mailed to property owners within a 500-foot radius of the subject property. The public hearing notice was published in The Daily News and La Opinion on March 26, 2005. The Draft EIR was available for review at the Agoura Hills Library, Malibu Library and Westlake Village Library beginning March 28, 2005. Project materials, including a tentative tract map, site plan, and recommended conditions, were received at the Agoura Hills Library on April 15, 2005. Two large public hearing notices, eight feet wide by four feet high, were posted on the subject property fronting Kanan Road and Cornell Road on April 15, 2005. Public hearing materials were also posted on the Department of Regional Planning's website.

At the direction of staff, the applicant presented the project proposal before the Ventura Freeway Corridor Policy Committee on November 8, 2004. The Policy Committee consists of representatives from the Cities of Calabasas, Hidden Hills, Agoura Hills and Westlake Village, Las Virgenes Municipal Water District, Las Virgenes Unified School District and the National Park Service as well as the County of Los Angeles. The applicant presented the project and answered questions from Committee members.

CORRESPONDENCE RECEIVED BEFORE PUBLIC HEARING

As the project has been processed over a number of years, some correspondence received during that time may no longer reflect the current project proposal. One letter was received in 2000 from a community member who expressed concerns of the loss of natural habitat and rural environment. No other correspondence has been received at the time of writing.

STAFF EVALUATION

The North Area Plan contains many goals and policies that require development be appropriately designed and implementated based on the resources and constraints of the property.

The project as currently designed, does not meet many of these goals and policies as well as fails to meet the burden of proof required for hillside management, development within an SEA and grading

within the Santa Monica Mountains North Area. The project will also result in residual impacts in biological and visual resources that cannot be mitigated.

Inconsistent with the Santa Monica Mountains North Area Plan

- Resource Protection: The guiding principle within the Conservation and Open Space Element is "resource protection has priority over development" (North Area Plan, Page IV-17). The project site contains many resources, ranging from biological to scenic. While portions of the site have been disturbed, much of the 320 acres remains in a natural and undisturbed condition.

  - Biological Resources: The development will directly impact identified habitat areas of the endangered Lyon's pentachaeta and federally-identified threatened Santa Monica Mountains dudleya. The project does not include buffers from these resources nor is it designed to avoid any disturbance of these protected resources. These areas are proposed to become a portion of Street "E", landscaped slopes and within lots west of Kanan Road and in the gated portion east of Cornell Road.

  - Hillside Resources: While the project has clustered the development footprint, elements of the development design do not minimize grading or protect significant features. Many of the manufactured slopes are not proposed to be contour-graded, thereby creating slopes that do not simulate the natural terrain. Manufactured slopes well exceed the 10 vertical feet identified in Policy IV-12 (Page IV-21), with cut slopes as high as 70 feet and fill slopes as high as 65 feet. The eastern extension of Street "E" east of Cornell Road does not 'fit' into the hillside, but rather alters the hillside to accommodate residences. Large manufactured slopes appears to be required for Lots 67 through 70. Split-level pads have been incorporated for Lots 68 through 76, reducing grading.

  - Water Quality: The project does not minimize paving with the extensions of Streets "C" and "E," nor does it use the sharing of driveways to reduce potential runoff. Disturbance to natural drainages are not minimized by the current design, directly impacting tributaries. Retention basins and other drainage devices are incorporated into the project per DPW requirements.

  - Scenic Resources: The western portion of the project sits at the lower elevations of Ladyface Mountain, an important local feature. Kanan/Dume Road is identified as a scenic route and Cornell Road as a route with scenic quality. Natural vistas of the subject property are visible from both Kanan Road and Cornell Road, and would not be maintained or enhanced by the development. The alteration of the site from grading will not blend with the existing terrain as manufactured slopes are mostly not proposed to be contour-graded. Lighting will be controlled to the extent feasible for safety, to limit visual intrusion at night.

- Most of the engineered or manufactured slopes are not contour-graded to recreate a natural hillside appearance, and with the current development design fuel modification areas would impact significant biological resources.

- Land Use: The Land Use and Housing Element places emphasis on protection of the community characteristics and protection of significant environmental resources.

- Maximum Density – The 81 single-family lots proposed represents the maximum density calculated for the site. It is clear within the North Area Plan that other policies may significantly reduce the number of appropriate units (Page VI-54), and that the land should dictate the type and intensity of use.

- Clustered Development - The North Area Plan discusses that clustered development should provide amenities beyond County requirements, including "additional protection of environmentally sensitive lands and/or the construction/maintenance of public facilities such as trails" (Policy VI-18, Pages VI-51-52). The current proposal does not protect environmentally sensitive areas or result in the most environmentally sensitive development, and does not preserve significant environmental features through clustering. While the project does provide a 12-foot wide easement for the Zuma Ridge Trail, the Commission may require that the applicant construct the trail as part of amenities of the project. The clustering of the development should also be compatible with the surrounding environment, but not necessarily identical. Lot coverage and pad grading may result in an urban appearance as larger lots and the minimum setbacks shown on the Exhibit 'A' may result in large lots with large homes.

- Scale of Development – To ensure compatibility with the area's open character, larger lots are required to contribute to the rural character. However, natural terrain should be retained rather than creation of large, flat pads as seen in the development east of Cornell Road. And while large pads could provide greater flexibility for the irregular placement of homes, minimum setbacks shown on the Exhibit 'A' may suggest that homes could be built to the maximum extent feasible on a pad. Large lots with large homes would also not promote the rural character described in the North Area Plan. Total square footage of and grading of rural structures may also be regulated by the Commission to ensure that the area's open character is maintained. This in addition to regulating size and height of houses and flat pad areas may be done through conditions placed on the residential planned development CUP.

Fails to meet the burdens of proof for:
Hillside Management: An application for a CUP for hillside management must show that the proposed project is compatible with the natural, cultural, scenic and open space resources of the area, and must show creative and imaginative design, resulting in a visual quality that will complement community character and benefit current and future community residents.

- As currently designed, the development directly impacts identified habitat areas of the endangered Lyon's pentachaeta and the federally threatened Santa Monica Mountains dudleya. The development will also result in loss of scenic vistas from scenic route Kanan Road and route with scenic quality Cornell Road as well as create large manufactured slopes that will not be contour-graded and therefore will not blend with the existing terrain.

- As currently designed, the development will create large manufactured slopes that will not be contour-graded and therefore will not blend with the existing terrain. While the development will incorporate design features such as crib walls, the landscaping must also be compatible with the surrounding natural vegetation to blend.

Development within an SEA: An application for a CUP for development within an SEA must show that the development is compatible with the SEA resources. While the CUP is not intended to preclude

development within an SEA, it is to ensure to the maximum extent possible that those resources that exist on the subject property are protected and even enhanced.

- As currently designed, the development fails to show that it was designed to be highly compatible with the biotic resources present, including the setting aside of appropriate and sufficient undisturbed areas. The development is designed to directly impact identified habitat areas of the endangered Lyon's pentachaeta and the federally threatened Santa Monica Mountains dudleya. The development also does not maintain tributaries in a natural state nor retains sufficient natural vegetative cover and/or a buffer from the critical resource areas. The development also fails to locate and design the road (Street "E") to not conflict with the resource areas.

Grading within the Santa Monica Mountains North Area: A recent amendment to the Santa Monica Mountains North Area CSD requires that grading be designed to minimize disturbance of the natural landscape through design features, and to maximize visual quality preservation.

- The project as currently designed does not adequately meet these requirements. The project as currently designed does not locate building pads within the areas of least (natural) slope. The design of the future homes may be regulated through the CUP, that may set conditions for certain design feature such as shape, materials and color to promote compatible homes. The structural heights may also be reduced from 35 feet to a more appropriate height for certain lots.

Recent activities affecting the Lyon's pentachaeta and Santa Monica Mountains dudleya
There have been recent activities related to the endangered Lyon's pentachaeta and federally-designated threatened Santa Monica Mountains dudleya that warrant a brief discussion.

- Weed abatement activity: A portion of the identified habitat area of the Lyon's pentachaeta was disturbed in 2003 as a result of disking, or mechanical "work" for weed abatement purposes under the jurisdiction of County Agriculture Weights and Measures. SEATAC discussed this at its February 2, 2004 meeting. SEATAC had indicated concerns as the site was not disked in previous years, disking is the more destructive of weed abatement techniques, and since no structures were present the need for weed abatement is unclear and questionable. The applicant has yet to provide information to respond to SEATAC's concerns, and this area has not yet recovered from this activity in 2003.

- Illegal removal: Sometime between the biological surveys of 2003 and 2004, surveyed specimens of the adult Santa Monica Mountains dudleya were removed from the site. As the removal was specific and deliberate, it has been speculated that an expert removed these specimens. While it is unclear for what intent (preservation, removal, etc.) this was performed, the current population does not reflect the full extent of resources discussed in the Draft EIR. As juvenile specimens continue to exist on the subject property, need for protection of this resource continues.

Environmentally superior Alternative No. 4 of the Draft EIR
The Draft EIR identifies five project alternatives for the purposes of comparing potential impacts while attaining most of the project objectives. Alternative No. 4 was designed to address the concerns of SEATAC and Department of Regional Planning staff regarding project impacts to the SEA and biological resources. Within this Draft EIR, Alternative No. 4 (Draft EIR dated March 2005, Page V-33) is identified as the environmentally superior alternative, and proposes 44 homes.

- Reduction in overall grading: Alternative No. 4 would reduce grading to 384,900 cubic yards of cut (23 percent reduction), and to 155,660 cubic yards of fill (64 percent reduction). Within the SEA, grading area would be reduced by approximately 11.23 acres; overall 18.67 fewer acres of landform alteration would occur.

- Reduction in biological resources impacts: Alternative No. 4 increases the amount of vegetative buffers to protect critical resource areas, and "essentially [eliminate]" (Page V-38) impacts to sensitive species, including Lyon's pentachaeta and Santa Monica Mountains dudleya habitat.

- Reduction in visual resources impacts: Alternative No. 4 would decrease the number of units, reducing visual impacts and greater setbacks could be accommodated. The smaller development area would also preserve the secondary ridge west of Kanan Road.

The alternative would also reduce impacts on natural drainage by relocating Street "E" east of Cornell Road and reducing lots as well as increase the project's consistency with the North Area Plan.

FEES/DEPOSITS

If approved as recommended by staff, the following shall apply:

California Department of Fish and Game:

1. Processing fee of $875.00 associated with the filing and posting of a Notice of Determination with the County Clerk, to defray the costs of fish and wildlife protection and management incurred by the California Department of Fish and Game.

Fire Department:

2. Cost recovery deposit of $600.00 to cover the cost of six recommended inspections to determine compliance with the Oak Tree Permit

Department of Regional Planning, Impact Analysis:

3. Deposit of $3,000.00 to defray the costs of reviewing the subdivider's reports and verifying compliance with the information required by the Mitigation Monitoring Program.

Department of Regional Planning, Zoning Enforcement:

4. Cost recovery deposit of $750.00 to cover the cost of five recommended zoning enforcement inspections. Additional funds would be required if violations are found on the subject property.

STAFF RECOMMENDATION

The following recommendation is subject to change based on oral testimony or documentary evidence submitted during the public hearing process.

If the Regional Planning Commission agrees with staff's evaluation above, staff recommends that the Commission continue the public hearing to allow the applicant to redesign the project to conform with Draft EIR Alternative No. 4.

Suggested Motion: "I move that the Regional Planning Commission continue the public hearing, and direct the applicant to redesign the project as represented as Alternative No. 4 in the Draft Environmental Impact Report."

OR

"I move that the Regional Planning Commission close the public hearing, and indicate its intent to deny Vesting Tentative Tract Map No. 52419, and Conditional Use Permit and Oak Tree Permits No. 97-178-(3).

Attachments:

- Draft Conditions
- Conditional Use Permit Burdens of Proof
- Oak Tree Permit Burden of Proof
- Vesting Tentative Tract Map No. 52419
- Conditional Use Permit Case No. 97-178 Exhibit "A"
- Land Use Map
- Correspondence
- Photographs

EMF:SMT
05/12/05

Santa Monica Mountains North Area Plan

The following is an extended list of selected goals and policies from the North Area Plan

GUIDING PRINCIPLES AND GENERAL GOALS

"Preservation and enhancement of the natural environments and scenic beauty of the area" (Goal II, Page II-11).

"Preservation of the area's natural terrain, with minimal alterations to existing undisturbed areas" (Goal III, Page II-12).

"A natural environment that protects Malibu Creek and other key watersheds, and prevents the negative impacts of urban and sotrmwater runoff in streams and to Santa Monica Bay and beaches" (Goal VII, Page II-13).

INTERGOVERNMENTAL LAND USE COORDINATION

"Continue to refer major planning and land use proposals to all affected jurisdictions for review, comment, and recommendation" (Policy III-5, Page III-16).

CONSERVATION AND OPEN SPACE ELEMENT

"The guiding principle for managing the natural environment is: 'resource protection has priority over development'" (Page IV-17).

Biological Resources:

"Place primary emphasis on the preservation of large, unbroken blocks of natural open space and wildlife habitat areas, and protect the integrity of habitat linkages. As part of this emphasis... encourage clustering of development to increase the amount of preserved open space, reduce grading and the need for vegetation clearance..." (Policy IV-1, Page IV-19).

"When determining which portions of a development site should be retained in open space, first priority should be the preservation of viable, sensitive habitat areas and linkages. Preserving open space for its aesthetic qualitites is also essential..." (Policy IV-2, Page IV-19).

"Require development designs that protect and preserve significant, viable habitat areas and habitat linkages/wildlife corridors in their natural condition.

a. Require buffer or other measures adequate to protect such areas.
b. Within designated habitat areas of rare, threatened or endangered species, prohibit disturbance of protected biotic resources.
c. Within the following areas, preserve plant communities which contribute to animal reproduction (including plant diversity, faunal resting areas, foraging areas and food sources), or when unavoidable, require the replacement of such plant communities so as not to result in a measurable reduction in the reproductive capacity of sensitive plant and animal communities:
   - riparian areas and wetlands subject to state and federal regulations (such as blue line streams on USGS quadrangles);
   - riparian woodlands, Sycamore-adler riparian woodlands, Southern and Valley oak woodlands and California walnut woodlands; and
   - animal habitat linkages/wildlife corridors.
d. Where plants listed as 'special' or 'of concern' by the California Natural Diversity Database...are present, require that new development not result in a net reduction in the number of these plants..." (Policy IV-3, Pages IV-19-20).

"Buffer zones shall be established adjacent to areas of important preserved biological resources, including natural streams and drainages. Such buffer zones shall be of an adequate width so as to protect biological resources from grading and construction activities, as well as from long-term use of adjacent lands, the need for extensive lighting, and increased erosion and runoff, including winter stream flows. Permitted land modification activities within preservation and

buffer areas are to be limited to those that are consistent with the maintenance of the reproductive capacity of the identified resource. The land uses and design of development adjacent to the vegetative preservation areas, as well as activities within the designated buffer area, shall not disturb natural drainage patterns to the point that preserved vegetative resources receive too much or too little water to permit their ongoing health" (Policy IV-6, Page IV-20).

"Required preservation of natural biological habitats and habitat linkages should be ensured by land dedications in fee title where appropriate to a public agency which has the authority to manage, preserve or enhance park and open space lands. Secondary alternatives are conservation easements, granting of development rights or other similar protection measures..." (Policy IV-8, Page IV-20).

Hillside Management:

"New development projects shall be designed to protect significant natural features, and to minimize the amount of grading" (Policy IV-9, Page IV-21).

"In areas over 25% slope, use special architectural and design techniques to ensure that development conforms to the natural land form, such as split level foundations, variable setbacks, and structures which blend with the natural environment in shape, materials and colors" (Policy IV-10, Page IV-21).

"Grading in areas over 50% slope shall be severly limited to those circumstances where clustering is not possible and when demonstrated safety hazards and environmental degradation—including increased erosion, runoff and watershed impacts and aesthetic features—will be avoided" (Policy IV-11, Page IV-21).

"Discourage the use of manufactured slopes in excess of ten vertical feet (10'), and require that any such slopes be land-form graded" (Policy IV-12, Page IV-21).

"Ensure that the overall project design/layout of hillside developments adapts to the natural hillside topography and protects ridgelines and natural-appearing views from surrounding vantage points such as highways, parklands and overlooks. Overall, emphasize fitting the project into its hillside setting rather than altering the hillside to fit the project" (Policy IV-13, Page IV-21).

"Encourage clustering of dwellings in hillside areas as a means of decreasing the overall need for grading, thereby preserving the natural appearance of the hillside and maximizing the amount of open space. Do not, however, permit clustering of dwellings to result in urban character subdivisions within rural areas. Require that steep lands that are preserved in open space be permanently protected through, preferably, open space dedications to a public agency which has the authority to manage, preserve or enhance park and open space lands, where appropriate or, secondarily, effective easements" (Policy IV-16, Page IV-22).

Water Quality:

"New development shall be sited and designed to minimize the increase in run-off into the watershed that results in downstream pollution and increased size of flood plains in coastal lagoons-as required by Regional Water Quality Control Board and Los Angeles County regulations. All new development shall incorporate best management practices (BMPs)—as updated periodically with new technology—to reduce runoff and erosion, such as the following:

- Minimizing new road and driveway lengths...and other paved surfaces;...
- Designing residential streets for minimum required pavement widths consistent with the provision of adequate, safe access;
- Using permeable materials for private sidewalks, driveways, and interior roadways;
- Promoting the use of shared driveways;
- Using efficient irrigation practices such as drip irrigation, installing timers, etc.;
- Using reclaimed water and graywater on site wherever possible, and

- Providing stormwater retention basins on site wherever feasible." (Policy IV-18, Pages IV-23-24).

"Minimize disturbance of natural drainages and avoid the channelization of streams for flood control purposes. New developments should avoid straightening or modifying streams or stream banks to the greatest extent feasible possible, unless the project design results in better habitat protection, slower water flows and stabilized natural streambanks without channelization or hardening" (Policy IV-20, Page IV-24).

"Limit clearing and grading of native vegetation to the minimum amount needed to create a building pad, allow access, and provide fire protection" (Policy IV-24, Page IV-24).

"Manage the location of livestock, including horses, and the collection/disposal of animal wastes in a manner that is protective of streams and natural drainages and the quality of water runoff and groundwater" (Policy IV-26, Page IV-24).

"Require setbacks from natural streams and drainages which are adequate to protect them from development impacts in high storm flows" (Policy IV-27, Page IV-24).

"Establish retention basins to diminish the impacts of stormwater runoff and to provide for greater groundwater recharge" (Policy IV-28, Page IV-24).

Scenic Resources:

"Maintain and enhance the visual quality of vistas along the unincorporated portions of identified scenic routes and routes with scenic qualities, including:

Scenic routes:...

- Kanan-Dume Road...

Routes with scenic qualities:...

- Cornell Road..." (Policy IV-29, Page IV-26).

"Ensure that any alteration of the natural landscape from earth-moving activity, as well as new development, blends with the existing terrain of the site and surroundings" (Policy IV-32).

"Limit the extent of vegetation clearance to that required for fire safety, and where possible, site structures so that no vegetation clearance encroaches on adjacent properties; consider the size and siting of development to reduce the level of vegetation clearance needed" (Policy IV-33, Page IV-26).

"Preserve the quality of the night skies and visibility of stars by controlling lighting along area roadways, thereby reducing visual intrusion" (Policy IV-28, Page IV-26).

Open Space:

"Implement adequate legal protections to ensure the preservation in perpetuity of designated open space lands" (Policy IV-44, Page IV-28).

"Preserve open space that protects streams and watersheds, prevents vegetation clearance or grading of steep areas and helps reduce development-induced runoff" (Policy IV-45, Page IV-28).

Recreation and Trails:

"Locate recreational facilities of all types in a manner consistent with the environmental values of the land, taking special care to avoid impacts on riparian areas" (Policy IV-47, Page IV-31).

"Encourage opportunities for dispersed recreation when consistent with environmental values and protection of natural resources...

b. Within natural areas intended for the protection of vegetative, habitat and scenic resources, regulate use to preserve resource values.

c. Expand trails systems for hiking...and equestrian uses to accommodate projected demands, following an evaluation that has considered such impacts as environmental quality... The trails system should provide linkages between major regional trails and area recreational facilities...

e. Relocate or redesign any trails that may exist within environmentally sensitive areas to enhance their use and protect natural resources...

g. Preserve public rights by obtaining trail easements where the public has acquired these rights through use, or where the trail is depicted on Map 4 (Hiking Trails) of this Plan" (Policy IV-48, Page IV-31).

SAFETY AND NOISE ELEMENT

Seismic Hazards:

"When creating an engineered slope, use land-form grading techniques to recreate a natural hillside appearance, to the extent feasible" (Policy V-2, Page V-37).

Flood Hazards:

"Prohibit construction which could impede storm flows within floodways, and avoid development within potential flood hazard areas" (Policy V-3, Page V-38).

"Retain stream courses in their natural state, along with development designs that respect natural flows" (Policy V-4, Page V-38).

Fire Hazards:

"Minimize potential biological impacts of fuel modification activities by limiting modification areas to those necessary to protect existing development, whenever feasible, and by emphasizing the planting of fire resistant vegetation that is compatible with the area's natural vegetative habitats, rather than the use of open fuel breaks" (Policy V-11, Page V-40).

"Require that new development within areas subject to wildland fires be designed and sited in a manner which minimizes the threat of loss from wildland fires (located low on slope, or set well back from tops of slopes) while avoiding the need for massive vegetation clearance..." (Policy V-12, Page V-40).

Geologic Hazards:

"...Limit grading of slopes in excess of 25 percent" (Policy V-18, Page V-41).

LAND USE AND HOUSING ELEMENT

Pattern and Character of Development:

"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:

- Retention of the natural terrain and vegetation in hillside areas, rather than creation of large, flat pads with non-native landscaping;
- Natural features and streams which are protected by adequate development setbacks;...
- Rural road sections without curbs, gutters, or sidewalks;...
- 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;
- Hillside residential development designs which feature natural, rather than manmade forms, and which emphasize the use of custom foundations in place of slab construction;
- Size and height of houses and flat pads in hillside settings to those which are consistent with character of the natural setting; limit such features as tennis courts and paved areas; and

- Protection of hilltops and ridgelines by prohibition of grading in those areas, unless required to provide or improve safety access to existing improvements" (Policy VI-13, Pages VI-50-51).

"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-14, Page VI-51).

"Require that new development use architectural and siting features which are compatible with adjacent existing and planned developments, and include the following:

- Compatibility with prominent design features existing in the immediate area...
- Compatibility with existing structures; and
- The natural environment (i.e., hillsides, washes, native vegetation, community landscaping)" (Policy VI-15, Page VI-51).

"Require that new development provide a transition to surrounding development, for example:

- The bulk of new structures should relate to the area's environment and to the adjacent developments;
- Setbacks from streets and adjacent properties should relate to the scale of the structure...; and
- Multi-story residential structures should be made less imposing by using exterior profile designs that complement the contours of the land..." (Policy VI-15, Page VI-51).

"Require that new development respect viewsheds and view corridors from public parks and trails, and scenic highways to the greatest extent possible:

- Preserve and enhance, where applicable, view corridors from public roadways, which are oriented toward existing or proposed community amenities, such as parks, open space, or natural features;
- Encourage variations in architectural and landscape components which provide visual interest..." (Policy VI-15, Page VI-51).

"Encourage the clustering of development, particularly within lands designated... Mountain Lands... for the primary purpose of preserving significant environmental features; clustered development should meet the following criteria:

- The resulting design shall provide public amenities beyond basic County requirements-such as improved circulation for the surrounding area, additional dedicated public open space, additional protection of environmentally sensitive lands and/or the construction/maintenance of public facilities such as trails;
- The resulting intensity and character of the developed areas which results from clustering is compatible with—although not necessarily identical in appearance to—the surrounding environment;
- Lot coverage and pad grading should not result in an urban appearance, and side yard setbacks should prevent an urban-subdivision appearance;
- The result of clustering development shall yield a more desirable and environmentally sensitive development plan and preserve significant environmental features; and
- Areas preserved in open space as the result of clustering are to be restricted to open space in perpetuity" (Policy VI-18, Pages VI-51-52).

"Limit structure heights in suburban and rural areas to ensure compatibility of new development with the respective characteristics of the surrounding environment" (Policy VI-20, Page VI-52).

"Encourage the siting of developments to include setbacks that protect public lands, streams, scenic features, views, and other natural features and that maximize open space areas; project density and structure placement shall be consistent with the need to minimize vegetation clearance for fire protection" (Policy VI-21, Page VI-52).

PUBLIC FACILITIES ELEMENT

Water and Sewer:

"Require the use of reclaimed wastewater for... landscape irrigation, and other purposes, including the maintenance of public lands and fire breaks, where reclaimed water can be feasibly provided" (Policy VIII-6, Page VIII-75).

DEPARTMENT OF REGIONAL PLANNING
OAK TREE PERMIT NO. 97-178-(3)

DRAFT CONDITIONS:

(Questions relating to these conditions should be addressed to the Forestry Division, Prevention Bureau of the County Forester and Fire Warden at 323-890-4330.)

1. This grant authorizes the removal of 18 trees of the Oak genus identified as Tree Numbers 14, 18, 19V, 22, 23, 25H, 26, 27, 28, 29HV, 30, 31, 32, 37V, 41, 43, 98V and 132V on the applicant's site plan and Oak Tree Report, subject to all of the following conditions of approval. This grant also authorizes encroachment within the protected zone of 17 trees of the Oak genus identified as Tree Numbers 1H, 7, 20H, 21, 24, 35, 36V, 38V, 42, 48V, 65HV, 97H, 99, 100H, 107, 130 and 131 on the applicant's site plan and Oak Tree Report.

2. 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.

3. This grant shall not be effective until the permittee and the owner of the property if other than the permittee, have filed at the office of the Department of Regional Planning an affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant and that the conditions have been recorded as required by Condition No.4 and until all required monies have been paid pursuant to Condition No 9 and 10.

4. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee, as applicable, of the subject property.

5. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.

6. The subject property shall be developed, 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 such full compliance shall be a violation of these conditions.

7. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.

8. No oak tree shall be removed until the permittee has obtained all permits and approvals required for the work which necessitates such removal.

9. Within 15 days of the approval date 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 in compliance with Section 21152 of the Public Resources Code. The project is not *de minimus* in its effect on fish and wildlife and is not exempt from payment of a fee to the California Department of Fish and Game pursuant to Section 711.4 of the Fish and Game Code. The current total fee amount is $875.00.

10. The permittee shall, prior to commencement of the use authorized by this grant, deposit with the Fire Department a sum of $600.00. Such fee shall be used to compensate the County Forester $100 per inspection to cover expenses incurred while inspecting the project to determine the permittee's compliance with these conditions of approval.

    The above fees provide for one initial inspection of temporary fencing (required to secure the protected zone of the remaining Oak trees), prior to the commencement of construction and five subsequent annual inspections until the conditions of approval have been met. The Director of the Department of Regional Planning ("Director of Planning") and the County Forester shall retain the right to make regular and unannounced site inspections.

11. The term "Oak Tree Report" refers to the report on file by Robert Wallace, the consulting arborist, dated September 13, 2004.

12. Before commencing work authorized or required by this grant, the consulting arborist shall submit a letter to the Director of Planning and the Forestry Division of the Fire Department stating that he or she has been retained by the permittee to perform or supervise the work, and that her or she agrees to report to the Director of Planning and County Forester any failure to fully comply with the conditions of this grant. The arborist shall prepare a schedule of construction activities wherein the arborist will be present on the project site to ensure compliance with the conditions of this 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.

13. 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. 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 Vesting Tentative Tract Map No. 52419.

14. The permittee shall install temporary chain-link fencing, not less than four feet in height, to secure the protected zone of the 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 feet beyond the dripline of the Oak tree (before pruning), or 15 feet from the trunk, whichever is greater.

15. The permittee shall keep copies of the Oak tree report, Oak tree map, mitigation planting plan and conditions of approval on the project site and available for review. If the conditions of approval are not present on site during a monitoring inspection of an active project, the County Forester will give an immediate "Stop Work Order." This will be administered both verbally and in writing. The "Stop Work Order" will be rescinded after the conditions of approval are present on the site and all employees associated with the project are fully aware of these conditions.

16. In addition to the work expressly allowed by this permit, remedial pruning intended to ensure the continued health of a protected Oak trees 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 accordance with the guidelines published by the national Arborist Association. Copies of these guidelines are available from the Forestry Division of the County of Los Angeles Fire Department. In no case shall more than 20 percent of the tree canopy of any one tree be removed.

17. 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 Forestry Division of the County of Los Angeles Fire Department, a copy of which is enclosed with these conditions.

MITIGATION TREES:

18. The permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) trees for Tree Numbers 14, 18, 19V, 22, 23, 26, 27, 28, 30, 31, 32, 37V, 41, 43, 98V and 132V for each tree removed for a total of 32 15-gallon trees.

    The permittee shall provide mitigation trees of the Oak genus at a rate of ten to one (10:1) trees for Heritage Oak Tree Numbers 25H and 29HV for a total of twenty (20) twenty-four inch (24") box trees. In addition, the permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) for any tree specified above that dies as a result of the approved encroachment.

19. Each non-Heritage Oak mitigation tree shall be at least a 15-gallon specimen in size and measure one inch or more in diameter one foot above the base. Free form trees with multiple stems are permissible; the combined diameter of the two largest stems of such trees shall measure a minimum of one inch in diameter one foot above the base.

    Each Heritage Oak mitigation tree shall be at least a twenty-four inch (24") box specimen in size and measure two inches or more in diameter one foot above the base unless otherwise specified by the County Forester. Free form trees with multiple stems are permissible; the combined diameter of the two largest stems of such trees shall measure a minimum of two inches in diameter one foot above the base or as deemed appropriate by the County Forester.

20. This total of 52 mitigation trees shall consist of indigenous varieties of *Quercus agrifolia* or *Quercus lobata* depending on which species of tree was removed or lost due to its permitted encroachment. The seed shall be grown from a local seed source and be of high-quality.

21. The permittee shall plant one acorn of the *Quercus agrifolia* variety for each mitigation tree planted. The acorns shall be planted at the same time as and within the watering zone of each mitigation tree.

22. All required mitigation trees shall be planted within one year of the permitted oak tree removals. Additional mitigation trees shall be planted within one year of the death of any tree which results from permitted encroachment. Mitigation trees shall be planted on-site in locations approved by the project arborist in consultation with the County Forester. In circumstances where on-site planting is shown to be infeasible, the mitigation trees may be planted at an off-site location approved by the County Forester, or a contribution to the County of Los Angeles Oak Forest Special Fund may be made in the amount equivalent to the Oak resources 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".

23. The permittee shall properly maintain each mitigation tree and shall replace any tree failing to survive due to lack of proper care and maintenance with a tree meeting the specifications set forth above. The five-year maintenance period will begin upon receipt of a letter from the permittee or consulting arborist to the Director of Planning and the County Forester indicating that the mitigation trees have been planted. The maintenance period of the trees failing to survive five years will start anew with the new replacement trees. Subsequently, additional monitoring fees shall be required.

24. The project arborist shall inspect all mitigation trees on a quarterly basis for two years after completion of construction. The arborist's observations shall be reported to the County Forester, including any loss of trees.

25. 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 the trees have survived the required maintenance period.

26. Prior to the planting of the trees, the biologist/arborist for the permittee shall determine planting sites, prepare planting plans and specifications, and a monitoring program, all of which shall be approved by the County Forester and Director of Planning.

27. All work on or within the protected zone of an oak tree shall be performed by or under the supervision of the consulting arborist.

28. 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.

29. Installation of fencing around the perimeter of the properties shall be of wrought iron or wood post type construction wherever the fencing passes within 10 feet of any oak trunk. No block walls or other type of fence or wall construction which requires substantial trenching for foundations shall be located within ten feet of any oak tree in order to limit damage caused by such types of construction.

30. Encroachment within the protected zone of any additional tree of the Oak genus on the project site is prohibited. If the applicant encroaches or removes an Oak tree not specified in the Oak Tree Report all work must stop immediately. A new Oak Tree Report, which accurately identifies the project conditions must be submitted for approval through the permitting process. The applicant will be responsible to pay all associated fees for the new Oak Tree Permit.

31. No planting or irrigation system shall be installed within the dripline of any oak tree that will be retained.

32. Utility trenches shall not be routed within the protected zone of an oak tree unless the serving utility requires such locations.

33. 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.

34. Any violation 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.

35. Should any future inspection disclose that the subject property is being used in violation of any condition of this grant, the permittee shall be held financially responsible and shall reimburse the Forestry Division of the County of Los Angeles Fire Department for all enforcement efforts necessary to bring the subject property into compliance. The Director and the County Forester shall retain the right to make regular and unannounced site inspections.

36. 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 Hearing Officer may, after conducting a 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 health or safety or as to be a nuisance.

37. The permittee shall defend, indemnify and hold harmless Los Angeles County ("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 limitation period. The County shall notify the permittee of any such claim, action, or proceeding and the County shall reasonably cooperate in the defense.

38. 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 $5,000.00, from which actual costs shall be billed an deducted for the purpose of defraying the expense 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 by the department reach 80 percent of the amount on deposit 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.

39. The cost for collection and duplication of records and other related documents will be paid by permittee in accordance with Section 2.170.010 of the Los Angeles County Code.

41. As a means of ensuring the effectiveness of the mitigation monitoring measures set forth in the attached Mitigation Monitoring Program, the permittee shall submit mitigation monitoring reports to the Director. The reports shall describe the status of compliance with the mitigation measures adopted as conditions of this grant. The reports shall be submitted and approved in the following sequence:

    a. At the time of submittal of the first final map and each final unit map submittal;

    b. At the time of grading permit issuance, include verification and payment of applicable fees

    c. At the time of building permit issuance;

    d. Additional reports as required by the Director of Planning.

42. This grant shall expire unless used within two years after the recordation of a final map for Vesting Tentative Tract Map No. 52419. In the event that Vesting Tentative Tract Map No. 52419 should expire without the recordation of a final map, this grant shall terminate upon the expiration of the tentative map. Entitlement to the use of the property thereafter shall be subject to the regulations then in effect.

43. This grant shall terminate upon the completion of the authorized oak tree removal and the completion of all required mitigation and monitoring to the satisfaction of the County of Los Angeles Forester and Fire Warden, Forestry Division, and the Department of Regional Planning.

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

RECEIVED
DEC 22 2004

P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

December 20, 2004

Susan Tae, Department of Regional Planning
Land Divisions Section
320 West Temple Street
Los Angeles, CA 90012

Dear Ms. Tae:

OAK TREE PERMIT #97-178-(3), FOR VESTING TENTATIVE TRACT MAP #52419, TO DEVELOP 81 SINGLE-FAMILY LOTS LOCATED ON APPROXIMATELY 320 GROSS ACRES IN UNINCORPORATED AGOURA HILLS

We have reviewed the "Request for Oak Tree Permit #97-178-(3)." The project is located on approximately 320 acres just south of the City of Agoura Hills in the unincorporated area of Los Angeles County. 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 Robert Wallace, the consulting arborist, dated September 13, 2004.

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 $600. Such fees shall be used to compensate the County Forester $100 per inspection to cover expenses incurred while inspecting the project to determine the permittee's compliance with the conditions of approval. The above fees provide for one (1) initial inspection of temporary fencing (required to secure the protected zone of the remaining Oak trees), prior to the commencement of construction and five (5) subsequent annual 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. 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. The permittee shall arrange for the consulting arborist or a similarly qualified person to maintain the 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 the 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. If the conditions of approval are not present on site during a monitoring inspection of an active project, the County Forester will give an immediate "Stop Work Order". This will be administered both verbally and in writing. The "Stop Work Order" will be rescinded after the conditions of approval are present on the site and all employees associated with the project are fully aware of these conditions.

PERMITTED OAK TREE REMOVAL AND ENCROACHMENT:

7. This grant allows the removal of eighteen (18) trees of the Oak genus identified as Tree Numbers 14, 18, 19V, 22, 23, 25H, 26, 27, 28, 29HV, 30, 31, 32, 37V, 41, 43, 98V and 132V on the applicant's site plan and Oak Tree Report.

   This grant also allows encroachment within the protected zone of seventeen (17) trees of the Oak genus identified as Tree Numbers 1H, 7, 20H, 21, 24, 35, 36V, 38V, 42, 48V, 65HV, 97H, 99, 100H, 107, 130 and 131 on the applicant's site plan map 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. The County Forester must approve use of other equipment not specified. 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 the protected Oak trees or to improve their appearance or structure may be performed. Such pruning shall include the removal of deadwood and stubs and medium pruning of branches two (2) 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) trees for Tree Numbers 14, 18, 19V, 22, 23, 26, 27, 28, 30, 31, 32, 37V, 41, 43, 98V and 132V for each tree removed for a total of thirty-two (32) 15-gallon trees.

    The permittee shall provide mitigation trees of the Oak genus at a rate of ten to one (10:1) trees for Heritage Oak Tree Numbers 25H and 29HV for a total of twenty (20) twenty-four inch (24") box trees. In addition, the permittee shall provide mitigation trees of the Oak genus at a rate of two to one (2:1) for any tree specified above that dies as a result of the approved encroachment.

11. Each non-Heritage Oak 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; the combined diameter of the two (2) largest stems of such trees shall measure a minimum of one (1) inch in diameter one (1) foot above the base

    Each Heritage Oak mitigation tree shall be at least a twenty-four inch (24") box specimen in size and measure two (2) inches or more in diameter one (1) foot above the base unless otherwise specified by the County Forester. Free form trees with multiple stems are permissible; the combined diameter of the two (2) largest stems of such trees shall measure a minimum of two (2) inches in diameter one (1) foot above the base or as determined appropriate by the County Forester.

12. This total of fifty-two (52) mitigation trees required shall consist of indigenous varieties of *Quercus agrifolia* or *Quercus lobata* depending upon which tree species that was removed. All trees shall be grown from a local seed source.

13. Mitigation trees shall be planted within one (1) year of the permitted Oak tree removals. Additional mitigation trees shall be planted within one (1) year of the death of any tree that dies as a result of its permitted encroachment. 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. However, the subsequent contribution may be altered at the discretion of the County Forester.

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 five (5) 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 five (5) 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. If the applicant encroaches or removes an Oak tree not specified in the Oak Tree Report all work must stop immediately. A new Oak Tree Report, which accurately identifies the project conditions must be submitted for approval through the permitting process. The applicant will be responsible to pay all associated fees for the new Oak Tree Permit.

17. No planting or irrigation system shall be installed within the dripline of any Oak tree that will be retained.

18. Utility trenches shall not be routed within the protected zone of an Oak tree unless the serving utility requires such locations.

19. 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.

20. 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.

21. 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 (323) 890-4330.

Very truly yours,

DAVID R. LEININGER, CHIEF, FORESTRY DIVISION
PREVENTION BUREAU

DRL:sc

Enclosure

RP

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – SUBDIVISION

TRACT NO. 52419 (Rev.) TENTATIVE MAP DATED 02-16-2005

It is recommended that this tentative map not be approved at this time. This recommendation is based upon information or lack of information that is available concerning the subject property. The removal of this recommendation is contingent upon the submission and satisfactory review of the following:

An approved drainage concept and Standard Urban Stormwater Mitigation Plan. Please see attached Hydrology/Drainage/Grading review sheet. A drainage concept was submitted on 02/16/2005 and is pending review.

HCW

Prepared by Henry Wong Phone (626) 458-4915 Date 03-10-2005

TR52419L-REV9.doc

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION
SUBDIVISION PLAN CHECKING SECTION
HYDROLOGY, DRAINAGE, AND GRADING UNIT

TRACT NO. 52419 **REV TENTATIVE MAP DATED 02/16/05**

1. Portions of the property lying in and adjacent to the natural drainage courses, are subject to flood hazard.

2. Submit a Standard Urban Stormwater Mitigation Plan (as part of the drainage concept) is requested prior to tentative approval of the map when any of the following conditions exist:

   - Single-family hillside homes;
   - Ten or more unit subdivision for single-family or multifamily homes.

3. Prior to tentative map approval for drainage/grading, submit a revised drainage concept to reflect changes in the tentative map. A drainage concept was submitted on 02/16/05 and is pending review.

*Effective July 30, 1999 all development projects shall comply with Standard Urban Stormwater Mitigation Plans (SUSMP) requirements. For information see SUSMP web page address: http://888cleanla.com

The first .75 inches of stormwater runoff volume from the site must be treated prior to discharging into stormwater conveyance systems.

Date 03/08/05 Phone (626) 458-4921

TIMOTHY CHEN

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – SUBDIVISION

TRACT NO. 52419 (Rev.) TENTATIVE MAP DATED 02-16-2005

- If this recommendation of disapproval is changed to a recommendation of approval based on additional information, the following reports would be recommended for inclusion in the conditions of tentative approval:

+HW

Prepared by Henry Wong Phone (626) 458-4915 Date 03-10-2005

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – SUBDIVISION
TRACT NO. 52419 (Rev.) TENTATIVE MAP DATED 02-16-2005

The following reports consisting of ___ pages are the recommendations of Public Works.

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. Details and notes shown on the tentative map are not necessarily approved. Any details or notes which may be inconsistent with requirements of ordinances, general conditions of approval, or Department policies must be specifically approved in other conditions, or ordinance requirements are modified to those shown on the tentative map upon approval by the Advisory agency.

2. Easements are tentatively required, subject to review by the Director of Public Works to determine the final locations and requirements.

3. Easements shall not be granted or recorded within areas proposed to be granted, dedicated, or offered for dedication for public streets, highways, access rights, building restriction rights, or other easements until after the final map is filed with the Registrar-Recorder/County Clerk's Office. If easements are granted after the date of tentative approval, a subordination must be executed by the easement holder prior to the filing of the final map.

4. In lieu of establishing the final specific locations of structures on each lot/parcel at this time, the owner, at the time of issuance of a grading or building permit, agrees to develop the property in conformance with the County Code and other appropriate ordinances such as the Building Code, Plumbing Code, Grading Ordinance, Highway Permit Ordinance, Mechanical Code, Zoning Ordinance, Undergrounding of Utilities Ordinance, Water Ordinance, Sanitary Sewer and Industrial Waste Ordinance, Electrical Code, and Fire Code. Improvements and other requirements may be imposed pursuant to such codes and ordinances.

5. All easements existing at the time of final map approval must be accounted for on the approved tentative map. This includes the location, owner, purpose, and recording reference for all existing easements. If an easement is blanket or indeterminate in nature, a statement to that effect must be shown on the tentative map in lieu of its location. If all easements have not been accounted for, submit a corrected tentative map to the Department of Regional Planning for approval.

6. Adjust, relocate, and/or eliminate lot lines, lots, streets, easements, grading, geotechnical protective devices, and/or physical improvements to comply with ordinances, policies, and standards in effect at the date the County determined the application to be complete all to the satisfaction of Public Works.

7. Furnish Public Works' Street Name Unit with a list of street names acceptable to the subdivider. These names must not be duplicated within a radius of 20 miles.

8. A Mapping and Property Management Division house numbering clearance is required prior to approval of the final map.

9. Label driveways and multiple access strips as "Private Driveway and Fire Lane" and delineate on the final map to the satisfaction of Public Works.

10. Reserve reciprocal easements for drainage, ingress/egress, water, sewer, utilities, right to grade, and maintenance purposes, etc., in documents over the common private driveways to the satisfaction of Public Works.

11. Design the boundaries of the unit final maps to the satisfaction of the Departments of Regional Planning and Public Works.

12 The first unit of this subdivision shall be filed as Tract No. 52419-01, the second unit, Tract No. 52419-02, ... and the last unit, Tract No. 52419.

13. Provide separated lots for all private and future streets to the satisfaction of the Department of Regional Planning.

14. Grant ingress/egress and utility easements to the public over the private and future or future streets.

15. A final tract map must be processed through the Director of Public Works prior to being filed with the Registrar-Recorder/County Clerk's Office.

16. Prior to submitting the tract map to the Director of Public Works for examination pursuant to Section 66442 of the Government Code, obtain clearances from all affected Departments and Divisions, including a clearance from the Subdivision Mapping Section of the Land Development Division of Public Works for the following mapping items; mathematical accuracy; survey analysis; and correctness of certificates, signatures, etc.

17. A final guarantee will be required at the time of filing of the final map with the Registrar-Recorder/County Clerk's Office.

18. Show open space note on the final map and dedicate residential construction rights over the open space lots.

19. Dedicate vehicular access rights to streets at rear of double frontage lots.

20. Within 30 days of the approval date of this land use entitlement or at the time of first plan check submittal, the applicant shall deposit the sum of $2,000 (Minor Land Divisions) or $5,000 (Major Land Divisions) with Public Works to defray the cost of verifying conditions of approval for the purpose of issuing final map clearances. This deposit will cover the actual cost of reviewing conditions of approval for Conditional Use Permits, Tentative Tract and Parcel Maps, Vesting Tentative Tract and Parcel Maps, Oak Tree Permits, Specific Plans, General Plan Amendments, Zone Changes, CEQA Mitigation Monitoring Programs and Regulatory Permits from State and Federal Agencies (Fish and Game, USF&W, Army Corps, RWQCB, etc.) as they relate to the various plan check activities and improvement plan designs. In addition, this deposit will be used to conduct site field reviews and attend meetings requested by the applicant and/or his agents for the purpose of resolving technical issues on condition compliance as they relate to improvement plan design, engineering studies, highway alignment studies and tract/parcel map boundary, title and easement issues. When 80% of the deposit is expended, the applicant will be required to provide additional funds to restore the initial deposit. Remaining balances in the deposit account will be refunded upon final map recordation.

+1cw

Prepared by Henry Wong Phone (626) 458-4915 Date 03-10-2005

TR52419L-REV9.doc

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION
SUBDIVISION PLAN CHECKING SECTION
DRAINAGE AND GRADING UNIT

TRACT NO. 52419

REV TENTATIVE MAP DATED 02/16/05
EXHIBIT MAP DATED 02/16/05

DRAINAGE CONDITIONS

1. Provide drainage facilities to remove the flood hazard and dedicate and show necessary easements and/or right of way on the final map. This is required to the satisfaction of the Department of Public Works prior to the filing of the final map.

2. Place a note of flood hazard on the final map and delineate the areas subject to flood hazard. Show and label all natural drainage courses. Dedicate to the County the right to restrict the erection of buildings in the flood hazard area. This note will be allowed on lots 66 and 67. This is required to the satisfaction of the Department of Public Works prior to the filing of the final map.

3. A hydrology study for design of drainage facilities/delineation of flood hazard is required. Hydrology study must be submitted and approved prior to submittal of Improvement plans. This is required to the satisfaction of the Department of Public Works prior to the filing of the final map.

4. Provide fee title lot for desilting inlets to the satisfaction of the Department of Public Works.

5. Notify the State Department of Fish and Game prior to commencement of work within any natural drainage course. If non-jurisdiction is established by the Department of Fish and Game, submit a letter of non-jurisdiction to Public Works (Land Development Division).

6. Contact the State Water Resources Control Board to determine if a Notice of Intent (NOI) and a Storm Water Pollution Prevention Plan (SWPPP) are required to meet National Pollution Discharge Elimination System (NPDES) construction requirements for this site.

7. Contact the Corps of Engineers to determine if a permit is required for any proposed work within the major watercourse. Provide a copy of the 404 Permit upon processing of the drainage plans. If non-jurisdiction is established by the Corps of Engineers, submit a letter of non-jurisdiction to Public Works (Land Development Division).

8. Comply with the requirements of the drainage concept / Standard Urban Stormwater Mitigation Plan (SUSMP) plan which was conceptually approved on 03/24/05 to the satisfaction of Public Works.

9. Encroachment into adopted floodway (370 ML9-ML11) is not allowed.

GRADING CONDITIONS:

1. A grading plan and soil and geology report must be submitted and approved prior to approval of the final map. The grading plans must show and call out the construction of at least all the drainage devices and details, the paved driveways, the elevation and drainage of all pads, and the SUSMP devices. The applicant is required to show and call out all existing easements on the grading plans and obtain the easement holder approvals prior to the grading plans approval.

Name _____ Date 03/24/05 Phone (626) 458-4921
TIMOTHY CHEN

County of Los Angeles Department of Public Works
GEOTECHNICAL AND MATERIALS ENGINEERING DIVISION
GEOLOGIC REVIEW SHEET
900 So. Fremont Ave., Alhambra, CA 91803
TEL. (626) 458-4925

DISTRIBUTION
1 Geologist
__ Soils Engineer
1 GMED File
1 Subdivision

TENTATIVE TRACT 52419
SUBDIVIDER Beautiful City Holdings Co.
ENGINEER Wagner Halladay, Inc.
GEOLOGIST Pacific Soils Engineering, Inc.
SOILS ENGINEER Pacific Soils Engineering, Inc.

TENTATIVE MAP DATED 2/16/05 (revised & Exhibit A)
LOCATION Agoura

REPORT DATE 6/1/04, 9/25/00, 5/15/00
REPORT DATE 6/1/04, 9/20/00, 5/15/00

[X] **TENTATIVE MAP FEASIBILITY IS RECOMMENDED FOR APPROVAL. PRIOR TO FILING THE FINAL LAND DIVISION MAP, THE FOLLOWING CONDITIONS MUST BE FULFILLED:**

[X] The final map must be approved by the Geology and Soils Sections to assure that all geotechnical (geology and soils) factors have been properly evaluated.

[X] A grading plan must be geotechnically approved by the Geology and Soils Sections. This grading plan must be based on a detailed engineering geology report and/or soils engineering report and show all recommendations submitted by them. It must also agree with the tentative map and conditions as approved by the Planning Commission. If the subdivision is to be recorded prior to the completion and acceptance of grading, corrective geologic bonds will be required.

[X] All geologic hazards associated with this proposed development must be eliminated,

or

delineate restricted use areas, approved by the consultant geologist and/or soils engineer, to the satisfaction of the Geology and Soils Sections, and dedicate to the County the right to prohibit the erection of buildings or other structures within the restricted use areas.

[X] The Soils Engineering review dated 3/8/05 is attached.

[ ] **TENTATIVE MAP IS APPROVED FOR FEASIBILITY. THE FOLLOWING INFORMATION IS APPLICABLE TO THIS DIVISION OF LAND:**

[X] The subdivider is advised that approval of this division of land is contingent upon the installation and use of a sewer system.

[X] A geology and soils engineering report will be required prior to approval of building or grading plans.

[X] Geotechnical Recordation Map verification deposit estimate 6 hours.

Prepared by Karin Vazquez Reviewed by _____ Date March 8, 2005

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
GEOTECHNICAL AND MATERIALS ENGINEERING DIVISION

SOILS ENGINEERING REVIEW SHEET

Address: 900 S. Fremont Ave., Alhambra, CA 91803
Telephone: (626) 458-4925
Fax: (626) 458-4913

District Office 9.1
Job Number LX001129
Sheet 1 of 1

Tentative Tract Map 52419

DISTRIBUTION:
___ Grading/ Drainage
___ Geo/Soils Central File
___ District Engineer
___ Geologist
___ Soils Engineer
___ Engineer/Architect

Location	Kanan Road and Cornell Road, Agoura
Developer/Owner	Beautiful City Holdings Co.
Engineer/Architect	Wagner Halliday, Inc.
Soils Engineer	Pacific Soils Engineering (101568-MP)
Geologist	Same as above

Review of:
Revised Tract Tentative Map and Exhibit A Dated By Regional Planning 2/16/05
Soils Engineering and Geologic Reports Dated 6/1/04, 9/25/00, and 5/15/00
Previous review sheet dated 11/15/04

ACTION:
Tentative Map feasibility is recommended for approval, subject to conditions below:

REMARKS:
1. At the grading plan review stage, provide information, analyses, and/or recommendations for the following:
   a. *Soils parameters.* Provide additional shear strength test results of various materials (in particular, shear strength parameters of the along bedding materials, fill material for proposed keystone walls, etc.) required for additional stability analyses as indicated below.
   b. *Slope stability analyses.* Provide additional stability analyses for slopes based on a 40 scale to substantiate those performed at a 100 scale. Also, provide global stability analyses of the relatively high retaining walls proposed (the tentative map shows walls of up to 28 feet are proposed), analyses of backcut required for the construction of these walls, and walls that will be subject to the potential surcharge due to adverse beddings. Indicate the various shear strength parameters used in the analyses, in the appropriate segments of each failure plane. Recommend mitigation if factors of safety are below County minimum standards.
   c. *Retaining walls.* Indicate the types of walls are proposed (e.g., keystone walls, crib walls, impact walls in areas with potential debris hazards, standard retaining walls, etc.) and provide additional analyses as indicated below.
   d. *Debris Impact walls.* If debris containment walls are proposed, the containment areas must be designed for 100 percent of the predicted debris flow volume. Therefore, provide data and analyses (e.g., areas to be mitigated, volume calculations of anticipated debris flow volume and containment volume, etc.) in support of the recommended mitigation measures.
   e. *Walls higher than 12 feet.* For walls in which the retained height is higher than 12 feet, the walls must be designed to resist the additional earth pressure due to seismic ground shaking. Therefore, provide seismic surcharge pressure distribution for retaining wall in which the retained height is higher than 12 feet as necessary.
   f. *Keystone walls or similar.* If Keystone walls or similar are proposed, then provide internal analyses (sliding, overturning, pull-out, etc.) of these walls. Indicate the various shear strength and seismic parameters used in the analyses. Also indicate and show on the plans the locations of Restriction Use Areas (RUA's) for all areas with geogrid reinforcement. Per County policy, all areas with geogrid reinforcement plus 10 feet beyond the geogrid reinforcement areas shall be designated as RUA's.
   g. *Rock fences.* Provide rockfall analyses to determine the kinetic energy of the falling rocks for use in the structural design of the proposed fences and the anticipated trajectory path of the falling rocks for use in the designed heights and locations of the proposed fences.
   h. *Debris basins.* Provide slope stability analyses considering rapid drawdown conditions for any debris basins with slopes steeper than 3:1 gradient and designed with outlet structures. Recommend mitigation if the factor of safety is below the minimum standard.
   i. *Grading adjacent to Kanan Road.* Provide additional recommendations for proposed grading adjacent to Kanan Road as stated in the 5/15/00 report.

2. Submit two sets of grading plans to the Soils Section for verification of compliance with County codes and policies.

NOTE(S) TO THE PLAN CHECKER/BUILDING AND SAFETY ENGINEER:
ON-SITE SOILS ARE CORROSIVE TO FERROUS METALS AND HAVE A LOW TO HIGH EXPANSION POTENTIAL.

Prepared by _____ Date 3/8/05
Gan Lem

REGISTERED PROFESSIONAL ENGINEER
GAN N. LEM
NO. 2328
EXP. 6/30/07
GEOTECHNICAL
STATE OF CALIFORNIA

NOTICE: Public safety, relative to geotechnical subsurface exploration, shall be provided in accordance with current codes for excavations, inclusive of the Los Angeles County Code, Chapter 11.48, and the State of California, Title 8, Construction Safety Orders.
an:tract-52419

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. A minimum centerline curve length of 100 feet shall be maintained on all local streets. A minimum centerline curve radius of 100 feet shall be maintained on all cul-de-sac streets. Reversing curves of local streets need not exceed a radius of 1,500 feet, and any curve need not exceed a radius of 3,000 feet.

2. The minimum centerline radius is 350 feet on all local streets with 64 feet of right of way (except on "E" Street) and on all the streets where grades exceed 10 percent.

3. Permission is granted to provide a minimum of 262 feet centerline radius on "E" Street in the vicinity of Lot 90 as shown on the tentative map or to the satisfaction of Public Works.

4. Compound curves are preferred over broken-back curves. Broken-back curves must be separated by a minimum of 200 feet of tangent (1,000 feet for multi-lane highways). If compound curves are used, the radius of the smaller curve shall not be less than two-thirds of the larger curve. The curve length of compound curves shall be adjusted to exceed a minimum curve length of 100 feet, when appropriate.

5. Curves through intersections should be avoided when possible. If unavoidable, the alignment shall be adjusted so that the proposed BC and EC of the curve through the intersection are set back a minimum of 100 feet away from the BCR's of the intersection.

6. Reversing curves and compound curves through intersections should be avoided when possible. If unavoidable, the minimum centerline radius of reversing curves and compound curves through intersections shall comply with design speeds per the Subdivision Plan Checking Section's "Requirements for Street Plans" and sight distances.

7. The minimum centerline radius on a local street with an intersection street on the concave side shall comply with design speeds per the Subdivision Plan Checking Section's "Requirements for Street Plans" and sight distances.

8. The centerline of all local streets shall be aligned without creating jogs of less than 150 feet. A one-foot jog may be used where a street changes width from 60 feet to 58 feet of right of way.

9. The central angles of the right of way radius returns shall not differ by more than 10 degrees on local streets.

10. Driveways will not be permitted within 25 feet upstream of any catch basins when street grades exceed 6 percent.

11. Provide minimum landing area of 100 feet for local collectors, 50 feet for local access roads, and 25 feet for cul-de-sacs at a maximum 3 percent grade on all "tee" intersections.

12. Prepare signing and striping plans for Kanan Road and Cornell Road within or abutting this subdivision to the satisfaction of Public Works.

13. Provide intersection sight distance for a design speed of

    a. 55 mph (585 feet) on Cornell Road from Caleta Road (northerly direction);

    b. 40 mph (415 feet) on "A" Street from "B" Street (northeasterly direction) to the right of way line of Kanan Road; and

    c. 30 mph (310 feet) on "E" Street from "F" Street (southerly direction) and "G" Street (southerly direction).

    Line of sight shall be within right of way or dedicate airspace easements to the satisfaction of Public Works. Additional on-site grading may be required.

14. Provide standard property line return radii of 13 feet at all local street intersections, including intersection of local streets with Kanan Road and Cornell Road.

15. Dedicate right of way 40 feet from the latest IEC approved centerline on Cornell Road per C.S.B. 1099-1. Permission is granted to vacate right of way in excess of 40 feet from centerline on Cornell Road in the vicinity of Lot 86. Easement shall be provided for all utility companies that have facilities remaining within the vacated area.

16. Dedicate right of way 32 feet from centerline on "A" Street from Kanan Road to "B" Street, and "D" Street from Kanan Road to the knuckle.

17. Dedicate right of way 30 feet from centerline on "A" Street from "B" Street to "C" Street, "C" Street southeasterly of "A" Street.

18. Dedicate right of way 29 feet from centerline including additional right of way for a standard cul-de-sac bulb on "B" Street, "C" Street northwesterly of "A" Street, and "D" Street south of the knuckle.

19. Dedicate slope easements along the property frontage on Kanan Road, Cornell Road, and Caleta Road to the satisfaction of Public Works.

20. Dedicate vehicular access rights on Kanan Road, Cornell Road, and Caleta Road, unless the Department of Regional Planning requires the construction of a wall. In such cases, complete access rights shall be dedicated.

21. Make an offer of private and future right of way 32 feet from centerline on "E" Street from Cornell Road to "F" Street.

22. Make an offer of additional private and future right of way in the vicinity of the gated entrance on "E" Street to the satisfaction of Public Works.

23. Make an offer of private and future right of way 30 feet from centerline including a standard cul-de-sac bulb on the remaining portion of "E" Street. The extended length of "E" Street cul-de-sac must be approved by the Fire Department.

24. Make an offer of private and future right of way 29 feet from centerline including additional right of way for a standard cul-de-sac bulb on "F" Street and "G" Street.

25. Make an offer of future right of way 32 feet from centerline on Caleta Road. Road improvements are not required on Caleta Road.

26. Whenever there is an offer of a future street or private and future street, provide a drainage statement/letter.

27. Repair any broken or damaged pavement on Kanan Road and Cornell Road within this subdivision.

28. Construct additional pavement (both on-site and off-site) on partially improved highways to provide a striped left-turn lane, striped right-turn lane, and transition pavement for a 65 mph design speed on Kanan Road at "A" Street/"D" Street and for a 55 mph design speed on Cornell Road at "E" Street to the satisfaction of Public Works.

29. Construct curb, gutter, base, pavement, and sidewalk (adjacent to the property line) on all interior streets off Kanan Road. Permission to use the alternate street section (sidewalk adjacent to the curb) is denied. Also, alternative cross sections for Streets "A", "B", "C", and "D" with rural improvements are not approved by Public Works.

30. Plant street trees on all interior streets off Kanan Road.

31. Locate the entry gate a minimum of 50 feet beyond the right of way of Cornell Road and construct a turnaround with a minimum radius of 32 feet preceding the gated entrance on "E" Street to the satisfaction of Public Works.

32. Construct inverted shoulder pavement 14 feet (lane width) and 4 feet (shoulder width) with concrete flow lines along the property frontage on all interior streets off Cornell Road (except Caleta Road) to the satisfaction of Public Works. Grade remaining parkway/shoulder at 2 percent cross-slope within ultimate right of way.

33. Comply with the following street lighting requirements to the satisfaction of Public Works:

    a. Provide street lights on concrete poles with underground wiring at the intersection of Kanan Road and "A" Street/"D" Street and at the intersection of Cornell Road and "E" Street with fixtures acceptable to Southern California Edison to the satisfaction of Public Works. Submit street lighting plans as soon as possible for review and approval to the Street Lighting Section of the Traffic and Lighting Division. Submit a separate set of street lighting plans for street lights located along private and future streets. For additional information, please contact the Street Lighting Section at (626) 300-4726.

    b. The proposed development, or portions thereof, are not within an existing Lighting District. Annexation and assessment balloting are required. Upon tentative map approval, the applicant shall comply with conditions listed below in order for the Lighting District to pay for the future operation and maintenance of the street lights. The Board of Supervisors must approve the annexation and levy of assessment (should assessment balloting favor levy of assessment) prior to filing of the final subdivision maps for each area with the Registrar-Recorder/County Clerk.

        (1) Request the Street Lighting Section to commence annexation and levy of assessment proceedings.

(2) Provide business/property owner's name(s), mailing address(es), site address, Assessor Parcel Number(s), and Parcel Boundaries in either Microstation or Auto CADD format of territory to be developed to the Street Lighting Section.

(3) Submit a map of the proposed development including any roadways conditioned for street lights that are outside the proposed project area to Street Lighting Section. Contact the Street Lighting Section for map requirements and with any questions at (626) 300-4726.

c. Note that the annexation and assessment balloting process takes approximately ten to twelve months to complete once the above information is received and approved. Therefore, untimely compliance with the above will result in a delay in receiving approval of the street lighting plans or in filing the final subdivision map for recordation. Information on the annexation and the assessment balloting process can be obtained by contacting Street Lighting Section at (626) 300-4726.

d. For acceptance of street light transfer billing, the area must be annexed into the Lighting District and all street lights in the development, or the current phase of the development, must be constructed according to Public Works approved plans. The contractor shall submit one complete set of "as-built" plans.

e. The Lighting District can assume responsibility for the operation and maintenance of the street lights in the project, or the current phase of the project, as of July 1st of any given year provided the above conditions are met and the street lights have been energized and the developer has requested a transfer of billing at least by January 1st of the previous year. The transfer of billing could be delayed one or more years if the above conditions are not met.

34. Construct drainage improvements and offer easements needed for street drainage or slopes to the satisfaction of Public Works. Construct adequate embankment protection, including a service road if required, along those portions of Cornell Road, Kanan Road, and all interior streets except Caleta Road located within flood plain boundaries or subject to inundation. Adequate freeboard shall also be provided.

35. Provide and install street name signs prior to occupancy of buildings.

36. Install postal delivery receptacles in groups to serve two or more residential units.

37. Underground all existing service lines and distribution lines that are less than 50 KV and new utility lines to the satisfaction of Public Works and Southern California Edison. Please contact Construction Division at (626) 458-3129 for new location of any above ground utility structure in the parkway.

38. Prior to final map approval, enter into an agreement with the County franchised cable TV operator (if an area is served) to permit the installation of cable in a common utility trench to the satisfaction of Public Works, or provide documentation that steps to provide cable TV to the proposed subdivision have been initiated to the satisfaction of Public Works.

39. Comply with the mitigation measures identified in the attached memoranda/letters dated December 13, 2004; November 22, 2004; and March 24, 2004 from our Traffic and Lighting Division to the satisfaction of Public Works.

Prepared by Sheila M. Christensen Phone (626) 458-4915 Date 03-09-2005
Reviewed by Henry Wong HW
tr52419r-rev9.doc

December 13, 2004

TO: Tom Hoagland
Land Development Division

FROM: Bill Winter
Traffic and Lighting Division

TRIANGLE RANCH
TENTATIVE TRACT NO. 52419
CONDITIONAL USE PERMIT 97178
SCREENCHECK ENVIRONMENTAL IMPACT REPORT
AGOURA HILLS AREA

As requested, we have reviewed the above-mentioned document. The project site is generally located southwest and southeast of Kanan Road and Cornell Road, approximately one-third mile south of the Ventura Freeway in the unincorporated County area of Agoura Hills.

The proposed project consists of the construction of 81 single-family homes on approximately 320 acres. The proposed project is estimated to generate approximately 854 vehicle trips daily, with 67 and 89 vehicle trips during the a.m. and p.m. peak hours, respectively.

We generally agree with the report that the traffic generated by the project alone will not have a significant impact to any County or City roadways or intersections. However, the cumulative traffic generated by the project and other related projects will significantly impact the following City of Agoura Hills intersections. The proposed mitigation measures are subject to the approval of the City of Agoura Hills. The project will participate in a Traffic Improvement Fee program through the City of Agoura Hills Benefit Assessment Fee.

Kanan Road at Canwood Street

North approach: One left-turn lane, four through lanes, and one shared through/right-turn lane instead of one left-turn lane, three through lanes, and one shared through/right-turn lane (add a through lane).

South approach: One left-turn lane, two through lanes, and one shared through/right-turn lane instead of one left-turn lane, one through lane, and one shared through/right-turn lane (add a through lane).

KN

Kanan Road at Agoura Road

North approach: Two left-turn lanes, one through lane, and one exclusive right-turn lane instead of one left-turn lane, one through lane, and one exclusive right-turn lane (add a left-turn lane).

East approach: One left-turn lane, two through lanes, and one exclusive right-turn lane instead of one left-turn lane, one through lane, and one exclusive right-turn lane (add a through lane).

West approach: One left-turn lane, two through lanes, and one exclusive right-turn lane instead of one left-turn lane and one shared through/right-turn lane (add a through lane and an exclusive right-turn lane).

It is our understanding that the project traffic consultant, Kimley-Horn and Associates, Inc., has been in contact with the Agoura Hills City Engineer in order to determine if the City has adopted an improvement plan for the Kanan Road at Agoura Road intersection. The project shall also consult with the City of Agoura Hills regarding the feasibility of all of the proposed mitigation measures and shall pay its pro-rata share of the intersection improvements once they are identified.

We also agree with the mitigation proposed for the intersection of Kanan Road at Roadside Drive. This intersection will be integrated into the US 101/Kanan Road Interchange improvement project, and will no longer function as a stand-alone intersection. We generally agree with the study that the interchange improvement project addresses an existing need and that the project traffic does not represent a significant portion of the total traffic served by the interchange. Therefore, it will not be necessary to withhold building permits for the project until the interchange is in place.

We also agree with the study that the project will not have a significant impact on any Congestion Management Program monitored intersections, arterial, or freeway segment in the area.

The project shall continue to coordinate with the City of Agoura Hills and shall consult with Caltrans to determine whether they concur with the study's findings of the potential California Environmental Quality Act impacts within their jurisdiction.

If you have any questions regarding the review of the document, please contact Kristin Norman of our Traffic Studies Section at Extension 4766.

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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
www.ladpw.org

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

IN REPLY PLEASE
REFER TO FILE: T-4

November 22, 2004

Ms. Serine Ciandella
Kimley-Horn and Associates, Inc.
2100 West Orangewood Avenue, Suite 140
Orange, CA 92868

Dear Ms. Ciandella:

TRIANGLE RANCH
TENTATIVE TRACT NO. 52419
CONDITIONAL USE PERMIT 97178
TRAFFIC IMPACT ANALYSIS (MARCH 2004)
AGOURA HILLS AREA

As requested, we have reviewed the above-mentioned document. The project site is generally located southwest and southeast of Kanan Road and Cornell Road, approximately one-third mile south of the Ventura Freeway in the unincorporated County of Los Angeles area of Agoura Hills.

The proposed project consists of the construction of 81 single-family homes on approximately 320 acres. The proposed project is estimated to generate approximately 854 vehicle trips daily, with 67 and 89 vehicle trips during the a.m. and p.m. peak hours, respectively. Fifty-four lots will take access from Kanan Road and 27 lots through a gated entrance on Cornell Road.

We generally agree with the study that the interchange improvement project addresses an existing need and that the project traffic does not represent a significant portion of the total traffic served by the interchange. Therefore, it will not be necessary to withhold building permits for the project until the interchange is in place as mentioned in our March 24, 2004, memo.

The project shall participate in a Traffic Impact Fee as required by the City of Agoura Hills Benefit Assessment Fee for the proposed improvements at the intersections of Kanan Road at Canwood Street and Kanan Road at Agoura Road.

We also agree with the study that the project will not have any significant impact to the Congestion Management Program monitored locations.

We recommend that the City of Agoura Hills review this document to determine the potential California Environmental Quality Act (CEQA) impacts within their jurisdiction. Caltrans shall also be consulted to determine whether the project has a significant CEQA impact on the adjacent Ventura Freeway.

In order to complete our review, a 40-foot-scale site plan showing site access locations in relationship to adjacent intersections and driveways, and driveways opposite project frontage, shall be prepared and submitted to Traffic and Lighting Division for review and approval. Generally, site access should be designed to eliminate any potential conflicts between vehicles entering the site and parked vehicles on-site and/or on-site facilities, such as a trash pick-up area.

If you have any questions, please contact Ms. Kristin Norman of our Traffic Studies Section, Traffic and Lighting Division, at (626) 300-4766.

Very truly yours,

DONALD L. WOLFE
Interim Director of Public Works

WILLIAM J. WINTER
Assistant Deputy Director
Traffic and Lighting Division

KN:cn
EIR04264.doc

cc: City of Agoura Hills

bc: Land Development (Wong)

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

JAMES A. NOYES, Director

900 SOUTH FREMONT AVENUE
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ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE
REFER TO FILE: T-4

March 24, 2004

Ms. Serine Ciandella
Kimley-Horn and Associates, Inc.
2100 West Orangewood Avenue, Suite 140
Orange, CA 92868

Dear Ms. Ciandella:

TRIANGLE RANCH
TENTATIVE TRACT NO. 52419
CONDITIONAL USE PERMIT 97178
TRAFFIC IMPACT ANALYSIS (SEPTEMBER 2003)
AGOURA HILLS AREA

As requested, we have reviewed the above-mentioned document. The project site is generally located southwest and southeast of Kanan Road and Cornell Road, approximately one-third mile south of the Ventura Freeway in the unincorporated County area of Los Angeles.

The proposed project consists of the construction of 81 single-family homes on about 320 acres. The proposed project is estimated to generate approximately 854 vehicle trips daily, with 67 and 89 vehicle trips during the a.m. and p.m. peak hours, respectively. Fifty-four lots will take access from Kanan Road and 27 lots through a gated entrance on Cornell Road.

The traffic study shall be revised to include the following.

- The study assumes the completion of the Kanan Road interchange project. It should be noted that the issuance of a building permit for the project will be withheld until this interchange project is in place.

- A diagram showing proposed mitigation measures and future lane configurations for each intersection analyzed.

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- A traffic signal warrant analysis for the unsignalized intersections.

- Details for the proposed gated access ("H" Street-TT 52419) shall be provided. The gate shall be designed to handle anticipated queing and turn movement for a typical United Parcel Service delivery truck. Intercom location and lane configurations shall also be provided.

- The study shall be stamped and signed by a registered Professional Engineer in the State of California in the field of Civil or Traffic Engineering.

We recommend that the City of Agoura Hills review this document to determine the potential California Environmental Quality Act (CEQA) impacts within their jurisdiction. Caltrans shall also be consulted to determine whether the project has a significant CEQA impact on the adjacent Ventura Freeway.

If you have any questions, please contact Ms. Marian Guirguis of our Traffic Studies Section at (626) 300-4848.

Very truly yours,

JAMES A. NOYES
Director of Public Works

WILLIAM J. WINTER
Assistant Deputy Director
Traffic and Lighting Division

MG:cn
EIR03355

cc: Department of Regional Planning (Koutnik)

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - SEWER
TRACT NO. 52419 (Rev)

TENTATIVE MAP DATED 02-16-2005

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. The subdivider shall install and dedicate main line sewers and serve each lot with a separate house lateral or have approved and bonded sewer plans on file with Public Works.

2. Install off-site sewer mainlines to serve this subdivision to the satisfaction of Public Works.

3. A sewer area study for the proposed subdivision (PC 11843as, dated 02-22-2005) was reviewed and approved. No additional mitigation measures are required. The approved sewer area study shall remain valid for two years after initial approval of the tentative map. After this period of time, an update of the area study shall be submitted by the applicant if determined to be warranted by Public Works.

4. The subdivider shall determine from the Las Virgenes Municipal Water District where the connection to the trunk sewer system and disposal facilities of the District shall be made, and shall meet the requirements of the Water District for the use of the sewerage facilities. Acceptance by the District must be assured in writing.

5. Lots requiring pressurized sewage disposal must comply with the County Plumbing Code. No portion of this/these pressurized system(s) shall be publicly owned, operated, or maintained.

6. Easements are required, subject to review by Public Works to determine the final locations and requirements.

Prepared by Nathan Howells Phone (626) 458-4921 Date 03-09-2005
Reviewed by Henry Wong HW
tr52419s-rev9.doc

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - WATER
TRACT NO. 52419 (Rev.)

TENTATIVE MAP DATED 02-16-2005

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. A water system maintained by the water purveyor, with appurtenant facilities to serve all lots in the land division, must be provided. The system shall include fire hydrants of the type and location (both on-site and off-site) as determined by the Fire Department. The water mains shall be sized to accommodate the total domestic and fire flows.

2. There shall be filed with Public Works a statement from the water purveyor indicating that the water system will be operated by the purveyor, and that under normal conditions, the system will meet the requirements for the land division, and that water service will be provided to each lot.

3. If necessary, install off-site sewer mainline to serve this subdivision to the satisfaction of Public Works.

4. Easements shall be granted to the County, appropriate agency or entity for the purpose of ingress, egress, construction, and maintenance of all infrastructure constructed for this land division to the satisfaction of Public Works.

5. Submit landscape and irrigation plans for each open space and landscape lot in the land division, with landscape area greater than 2,500 square feet, in accordance with the Water Efficient Landscape Ordinance.

6. If necessary, depict all line of sight easements on the landscape and irrigation plans.

Prepared by Janet Rodriguez Phone (626) 458-4921 Date 03-09-2005
Reviewed by Henry Wong HW
TR52419W-REV9.DOC

RP

COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

WATER SYSTEM REQUIREMENTS - UNINCORPORATED

Subdivision No. 52419 Tentative Map Date 16-Feb-05

Revised Report yes

☐ The County Forester and Fire Warden is prohibited from setting requirements for water mains, fire hydrants and fire flows as a condition of approval for this division of land as presently zoned and/or submitted. However, water requirements may be necessary at the time of building permit issuance.

☒ The required fire flow for public fire hydrants at this location is **1250** gallons per minute at 20 psi for a duration of 2 hours, over and above maximum daily domestic demand. 1 Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.

☐ The required fire flow for private on-site hydrants is ____ gallons per minute at 20 psi. Each private on-site hydrant must be capable of flowing ____ gallons per minute at 20 psi with two hydrants flowing simultaneously, one of which must be the furthest from the public water source.

☒ Fire hydrant requirements are as follows:

Install 12 public fire hydrant(s). Verify / Upgrade existing ____ public fire hydrant(s).

Install ____ private on-site fire hydrant(s).

☒ All hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal. All on-site hydrants shall be installed a minimum of 25' feet from a structure or protected by a two (2) hour rated firewall.
☒ Location: As per map on file with the office.
☒ Other location: **Upgrade locations: Corners of Cornell & Caleta, Cornell & Silver Creek, Kanan & Silver Creek**

☒ All required fire hydrants shall be installed, tested and accepted or bonded for prior to Final Map approval. Vehicular access shall be provided and maintained serviceable throughout construction.

☐ The County of Los Angeles Fire Department is not setting requirements for water mains, fire hydrants and fire flows as a condition of approval for this division of land as presently zoned and/or submitted.

☐ Additional water system requirements will be required when this land is further subdivided and/or during the building permit process.

☐ Hydrants and fire flows are adequate to meet current Fire Department requirements.

☐ Upgrade not necessary, if existing hydrant(s) meet(s) fire flow requirements. Submit original water availability form to our office.

omments: **The proposed development shall comply with Fire Code section 1003.2.11 regarding Occupancies in Very High Fire Hazard Severity Zones and in the Malibu-Santa Monica Mountains or San Gabriel South face areas.**

l hydrants shall be installed in conformance with Title 20, County of Los Angeles Government Code and County of Los Angeles Fire Code, or appropriate city regulations. iis shall include minimum six-inch diameter mains. Arrangements to meet these requirements must be made with the water purveyor serving the area.

y Inspector *Janna Masi* Date 22-Mar-05

COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

CONDITIONS OF APPROVAL FOR SUBDIVISION - UNINCORPORATED

Subdivision: 52419 Map Date 16-Feb-05

C.U.P. _____ Vicinity Malibu

☐ **FIRE DEPARTMENT HOLD** on the tentative map shall remain until verification from the Los Angeles County Fire Dept. Planning Section is received, stating adequacy of service. Contact (323) 881–2404.

☒ Access shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 902 of the Fire Code, which requires all weather access. All weather access may require paving.

☒ Fire Department access shall be extended to within 150 feet distance of any exterior portion of all structures.

☐ Where driveways extend further than 300 feet and are of single access design, turnarounds suitable for fire protection equipment use shall be provided and shown on the final map. Turnarounds shall be designed, constructed and maintained to insure their integrity for Fire Department use. Where topography dictates, turnarounds shall be provided for driveways that extend over 150 feet in length.

☒ The private driveways shall be indicated on the final map as "Private Driveway and Firelane" with the widths clearly depicted. Driveways shall be maintained in accordance with the Fire Code.

☐ Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested and accepted prior to construction.

☒ This property is located within the area described by the Fire Department as "Very High Fire Hazard Severity Zone" (formerly Fire Zone 4). A "Fuel Modification Plan" shall be submitted and approved prior to final map clearance. (Contact: Fuel Modification Unit, Fire Station #32, 605 North Angeleno Avenue, Azusa, CA 91702-2904, Phone (626) 969-5205 for details).

☒ Provide Fire Department or City approved street signs and building access numbers prior to occupancy.

☐ Additional fire protection systems shall be installed in lieu of suitable access and/or fire protection water.

☐ The final concept map, which has been submitted to this department for review, has fulfilled the conditions of approval recommended by this department for access only.

☐ These conditions must be secured by a C.U.P. and/or Covenant and Agreement approved by the County of Los Angeles Fire Department prior to final map clearance.

☐ The Fire Department has no additional requirements for this division of land.

omments: **Due to the proximity of the lots 66 and 67 to the High fire hazard area and the overlength cul-de-sac we are requesting the requirement of installation of fire sprinklers for said lots. See the attached written acknowledgement to our Department regarding the fire sprinkler requrest for lots 66 & 67. Provide a gate detail for review and approval prior to the clearance of the tentative map.**

/ Inspector: Janna Masi Date 22-Mar-05

LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION

PARK OBLIGATION REPORT

Tentative Map # **52419**	DRP Map Date:**02/16/2005**	SCM Date: **/ /**	Report Date: **03/08/2005**
Park Planning Area # **33B**	**AGOURA / CALABASAS**		Map Type:**REV. (REV RECD)**

Total Units **81** = Proposed Units **81** + Exempt Units **0**

Sections 21.24.340, 21.24.350, 21.28.120, 21.28.130, and 21.28.140, the County of Los Angeles Code, Title 21, Subdivision Ordinance provide that the County will determine whether the development's park obligation is to be met by:

1) the dedication of land for public or private park purpose or,
2) the payment of in-lieu fees or,
3) the provision of amenities or any combination of the above.

The specific determination of how the park obligation will be satisfied will be based on the conditions of approval by the advisory agency as recommended by the Department of Parks and Recreation.

Park land obligation in acres or in-lieu fees:

ACRES:	**0.71**
IN-LIEU FEES:	**$203,272**

Conditions of the map approval:

The park obligation for this development will be met by:

The payment of $203,272 in-lieu fees.

Trails:

See also attached Trail Report. ZUMA RIDGE TRAIL

Contact Patrocenia T. Sobrepeña, Acting Departmental Facilities Planner I, Department of Parks and Recreation, 510 South Vermont Avenue, Los Angeles, California, 90020 at (213) 351-5120 for further information or an appointment to make an in-lieu fee payment.

For information on Hiking and Equestrian Trail requirements contact Trail Coordinator at (213) 351-5135.

y: _____

James Barber, Advanced Planning Section Head

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LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION

PARK OBLIGATION WORKSHEET

Tentative Map #	**52419**	DRP Map Date: **02/16/2005**	SMC Date: / /	Report Date: **03/08/2005**
Park Planning Area # **33B**	**AGOURA / CALABASAS**			Map Type: **REV. (REV RECD)**

The formula for calculating the acreage obligation and or In-lieu fee is as follows:

(P)eople x (0.003) Goal x (U)nits = (X) acres obligation

(X) acres obligation x RLV/Acre = In-Lieu Base Fee

Where: P = Estimate of number of People per dwelling unit according to the type of dwelling unit as determined by the 2000 U.S. Census*. Assume * people for detached single-family residences; Assume * people for attached single-family (townhouse) residences, two-family residences, and apartment houses containing fewer than five dwelling units; Assume * people for apartment houses containing five or more dwelling units; Assume * people for mobile homes.

Goal = The subdivision ordinance allows for the goal of 3.0 acres of park land for each 1,000 people generated by the development. This goal is calculated as "0.0030" in the formula.

U = Total approved number of Dwelling Units.

X = Local park space obligation expressed in terms of acres.

RLV/Acre = Representative Land Value per Acre by Park Planning Area.

Total Units **81** = Proposed Units **81** + Exempt Units **0**

	People*	Goal 3.0 Acres / 1000 People	Number of Units	Acre Obligation
Detached S.F. Units	**2.91**	**0.0030**	**81**	**0.71**
M.F. < 5 Units	2.39	0.0030	0	0.00
M.F. >= 5 Units	2.17	0.0030	0	0.00
Mobile Units	2.50	0.0030	0	0.00
Exempt Units			0	
			Total Acre Obligation =	**0.71**

Park Planning Area = **33B AGOURA / CALABASAS**

Goal	Acre Obligation	RLV / Acre	In-Lieu Base Fee
@(0.0030)	0.71	$286,299	**$203,272**

Lot #	Provided Space	Provided Acres	Credit (%)	Acre Credit	Land
None					
			Total Provided Acre Credit:	**0.00**	

Acre Obligation	Public Land Crdt.	Priv. Land Crdt.	Net Obligation	RLV / Acre	In-Lieu Fee Due
0.71	0.00	0.00	0.71	$286,299	**$203,272**

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COUNTY OF LOS ANGELES

DEPARTMENT OF PARKS AND RECREATION

"Creating Community Through People, Parks and Programs"

March 14, 2005

NOTICE OF TRAIL REQUIREMENT FOR TRACT MAPS AND PARCEL MAPS

Map #: TR - 52419 Date on Map: February 16, 2005

Provide 20' easement for Zuma Ridge Trail to the satisfaction of the Department of Parks and Recreations' Standards. Because of the necessity to show the trail alignment as it pertains to topographical lines, all information pertaining to trail requirements must be shown on the Tentative Parcel Map.

__X__ TRAIL OK AS SHOWN

****

The exact following language must be shown for trail dedications on the final map.

Title Page: We hereby dedicate to the County of Los Angeles a 20' easement for Riding and Hiking purposes for the Zuma Ridge Trail.

Map Sheets: A 20 foot wide easement to the County of Los Angeles for Riding and Hiking purposes Zuma Ridge Trail.

__X__ IF A WAIVER IS FILED, A PLAT MAP DEPICTING THE TRAIL MUST ACCOMPANY THE WAIVER.

For any questions concerning trail alignment or other trail requirements, please contact John Hunt, Acting Section Head, Design at 213.351.5136.

John M. Hunt

John Hunt, Acting Section Head

COUNTY OF LOS ANGELES
DEPARTMENT OF HEALTH SERVICES
Public Health

THOMAS L. GARTHWAITE, M.D.
DIRECTOR and CHIEF MEDICAL OFFICER

FRED LEAF
CHIEF OPERATING OFFICER

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

Environmental Health
ARTURO AGUIRRE, Director

Bureau of Environmental Protection
Mountain & Rural/Water, Sewage & Subdivision Program
5050 Commerce Drive, Baldwin Park, CA 91706-1423
TEL (626)430-5380 · FAX (626)813-3016
www.lapublichealth.org/eh/progs/envirp.htm

BOARD OF SUPERVISORS

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Third District

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Fourth District

Michael D. Antonovich
Fifth District

March 9, 2005

Tract No. 52419 RFS No. 05-0006102

Vicinity: Agoura

Vesting Tentative Tract Map Date: February 16, 2005 (9th Revision)

The Los Angeles County Department of Health Services' conditions of approval for **Vesting Tentative Tract Map 52419** are unchanged by the submission of the revised map. The following conditions still apply and are in force:

1. Potable water will be supplied by the **Las Virgenes Municipal Water District**, a public water system, which guarantees water connection and service to all lots.

2. Sewage disposal will be provided through the public sewer and wastewater treatment facilities of the **Las Virgenes Municipal Water District** as proposed.

If you have any questions or need additional information, please contact me at (626) 430-5380.

Respectfully,

Becky Walt for

Jeffrey Holwager, Acting Chief E.H.S.
Mountain and Rural/Water, Sewage, and Subdivision Program

Burden of Proof for Requested Conditional Use Permit
Project No. 97-178-(3)
Vesting Tentative Tract No. 52419
Triangle Ranch Project

As required by County Code Section 22.56.040(A)(1), the requested use at the location will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area because:

1. **The project will provide significant open space and will be sufficiently buffered from persons residing and working in the surrounding area.**

   - The project clusters residential development on 15 percent of the project site, thereby preserving 271.7 acres, or 85 percent of the subject property, as permanent open space.
   - The development footprint is comprised of the least environmentally sensitive portions of the property, including previously disturbed land.
   - Grading will be minimized by concentrating development on the gentler slopes.
   - Split-level pads and variable setbacks will be used in steeper terrain.
   - Contour grading techniques will be used to minimize the alteration of natural landforms and to smoothly transition manufactured slopes back into natural contours of adjacent land.
   - The project uses special architectural and design techniques to ensure that development conforms to the natural land form in areas over 25% slope.
   - The project limits grading in areas over 50% slope.
   - Open space preserved by the project will be dedicated to an appropriate conservation agency or will be maintained by the homeowner's association.

2. **The project will be compatible with surrounding neighborhoods.**

   - The project maintains the continuation of existing settlement patterns.
   - The project site is located a quarter mile from the U.S. 101 Freeway and is surrounded by residential development on both its northerly and southerly boundaries. Existing commercial land uses are located nearby.
   - The project proposes lot sizes compatible with surrounding residential development.

- Large building pads and lots are proposed to avoid the common tract appearance of large houses squeezed onto smaller lots.

- To preserve the existing semi-rural and rural character of Kanan Road and Cornell Road, the project will maintain a setback of 50 feet from future right-of-way for all but three residential lots along those roadways.

- Rural standards will be applied to development east of Cornell Road: no sidewalks, curbs or gutters will be provided, and street lighting will be kept at the minimum required for safety purposes. The project proponent is requesting a waiver from standard Los Angeles County Subdivision Code requirements for the proposed residences located in enclaves west of Cornell Road, so that rural standards can be maintained.

- The project offers large lots with the ambiance of privacy and solitude in a rural setting.

- The development east of Cornell Road is proposed to be a private and gated community. Proposed residences will be on large and custom lots (21,860 to 77,200 square feet lots).

- Proposed residences located in enclaves west of Cornell Road will range in size from 10,200 to 25,800 square foot lots.

- The project will construct curvilinear roads that follow the lay of the land, rather than rectilinear roads that are forced onto it.

- To avoid the appearance of mass grading, the project site has been designed to avoid the site's steeper slopes, in most instances.

3. The project will provide the community with substantial public amenities.

- The project will provide substantial public amenities for the community, including additional dedicated open space, additional protection of environmentally sensitive lands and the provision of a dedicated easement for riding and hiking purposes for the Zuma Ridge Trail.

As required by County Code Section 22.56.040(A)(2), the requested use at the location will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site because:

1. **The project will provide significant open space and will be sufficiently buffered from persons residing and working in the surrounding area.**

   - The project clusters residential development on 15 percent of the project site, thereby preserving 271.7 acres, or 85 percent of the subject property, as permanent open space.
   - The development footprint is comprised of the least environmentally sensitive portions of the property, including previously disturbed land.
   - Grading will be minimized by concentrating development on the gentler slopes.
   - Split-level pads and variable setbacks will be used in steeper terrain.
   - Contour grading techniques will be used to minimize the alteration of natural landforms and to smoothly transition manufactured slopes back into natural contours of adjacent land.
   - The project uses special architectural and design techniques to ensure that development conforms to the natural land form in areas over 25% slope.
   - The project limits grading in areas over 50% slope.
   - Open space preserved by the project will be dedicated to an appropriate conservation agency or will be maintained by the homeowner's association.

2. **The project will be compatible with surrounding neighborhoods.**

   - The project maintains the continuation of existing settlement patterns.
   - The project site is located a quarter mile from the U.S. 101 Freeway and is surrounded by residential development on both its northerly and southerly boundaries. Existing commercial land uses are located nearby.
   - The project proposes lot sizes compatible with surrounding residential development.
   - Large building pads and lots are proposed to avoid the common tract appearance of large houses squeezed onto smaller lots.

- To preserve the existing semi-rural and rural character of Kanan Road and Cornell Road, the project will maintain a setback of 50 feet from future right-of-way for all but three residential lots along those roadways.

- Rural standards will be applied to development east of Cornell Road: no sidewalks, curbs or gutters will be provided, and street lighting will be kept at the minimum required for safety purposes. The project proponent is requesting a waiver from standard Los Angeles County Subdivision Code requirements for the proposed residences located in enclaves west of Cornell Road, so that rural standards can be maintained.

- The project offers large lots with the ambiance of privacy and solitude in a rural setting.

- The development east of Cornell Road is proposed to be a private and gated community. Proposed residences will be on large and custom lots (21,860 to 77,200 square feet lots).

- Proposed residences located in enclaves west of Cornell Road will range in size from 10,200 to 25,800 square foot lots.

- The project will construct curvilinear roads that follow the lay of the land, rather than rectilinear roads that are forced onto it.

- To avoid the appearance of mass grading, the project site has been designed to avoid the site's steeper slopes, in most instances.

3. The project will provide the community with substantial public amenities.

- The project will provide substantial public amenities for the community, including additional dedicated open space, additional protection of environmentally sensitive lands and the provision of a dedicated easement for riding and hiking purposes for the Zuma Ridge Trail.

As required by County Code Section 22.56.040(A)(3), the requested use at the location will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare because:

1. No structures will be located in geologically unstable areas and proposed grading will insure public safety.

- Proposed structures will not be located in areas characterized by unstable geologic conditions. The project generally limits development to the gentler slopes, but some slopes in excess of 25 percent will be graded.

- The project site is not within any Alquist-Priolo Special Studies Zone.

- No active or potentially active faults have been mapped on or near the project site.

- Portions of the project site are susceptible to seismically-induced landslides; however, implementation of the recommendations contained in the project's geotechnical reports and compliance with the Los Angeles County Building Code would reduce slope stability impacts to a less than significant level.

- The project will employ contour grading techniques to smoothly transition manufactured slopes back into the natural contours of adjacent undisturbed areas.

2. The project will employ water quality and flood control measures.

- The project will construct on-site storm drains, terrace drains and swales, debris basins and a separate storm drain system to convey 50-year storm runoff from the developed areas of the project to proposed urban storm water runoff basins or clarifiers, where first flush cleansing of urban runoff can be achieved. All storm water flows will be returned to natural drainage courses before discharging from the project site.

- The project will increase the amount of flat surface area, which creates more opportunities for groundwater infiltration, and will construct a debris and detention basin that is designed to release a controlled flow of runoff during peak storm conditions.

- Best Management Practices (BMPs) to reduce runoff and erosion will be employed.

- The project will reduce natural and barren land, thus reducing the amount of debris siltation reaching Medea Creek.

- Erosion control devises will be installed around all construction areas to insure that sediment is trapped and properly removed. Thus, the project will include provisions to prevent sediments and silts from entering and impacting storm drains and waterways.

- The project will prohibit the non-emergency storage of construction or landslide materials on the shoulders of roads adjacent to stream banks.

- Most proposed residential lots are sufficiently large to accommodate horse keeping. The project will locate livestock, including horses, in a manner that is protective of streams and natural drainages and the quality of water runoff and ground water.

- No buildings will be constructed within a 50-foot flood hazard from the Medea Creek capital flood plain boundary.

3. **The project will insure fire safety.**

- The project site is located approximately one-quarter mile south of the U.S. 101 Freeway, and along the Kanan Road and Cornell Road.

- The project site is concentrated low on slopes, in previously disturbed areas, and is accessible to emergency vehicles.

- All structures will be located along paved, all-weather, and accessible roads.

- The residential enclave to the east of Cornell Road will be private and gated, but will be accessible to emergency service personnel.

As required by County Code Section 22.56.040(B), 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 the Zoning Ordinance, or as is otherwise required in order to integrate the proposed use with the uses in the surrounding area because:

1. **The project will comply with County development standards.**

- The project will comply with the requirements of the Zoning Ordinance relating to yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in the Zoning Ordinance.

2. **The project will be compatible with surrounding neighborhoods.**

- The project will provide large lots offering the ambiance of privacy and solitude in a rural setting.

- Large building pads and lots are proposed to avoid the common tract appearance of large houses squeezed onto smaller lots.

- To preserve the existing semi-rural and rural character of Kanan Road and Cornell Road, the project will maintain a setback of 50 feet from future right-of-way for all but three residential lots along those roadways.

- The development east of Cornell Road is proposed to be a private and gated community. Proposed residences will be on large and custom lots (21,860 to 77,200 square feet lots). Rural standards will be applied: no sidewalks, curbs or gutters would be provided, and street lighting would be kept at the minimum required for safety purposes.

- Proposed residences located in enclaves west of Cornell Road will range in size from 10,200 to 25,800 square foot lots. The project proponent will request a waiver from standard Los Angeles County Subdivision Code requirements for these residential enclaves, so that rural standards will be maintained.

- The proposed project will construct curvilinear roads that follow the lay of the land, rather than rectilinear roads that are forced onto it.

- To avoid the appearance of mass grading, the project site has been designed to avoid the site's steeper slopes, in most instances. In steeper terrain, split-level pads are proposed to minimize grading.

As required by County Code Section 22.56.040(C)(1), the proposed site is adequately served by highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate because:

1. **The project is located along a County-designated major highway and proximate to the U.S. 101 Freeway.**

   - The project site is located approximately one-quarter mile south of the U.S. 101 Freeway, and along Kanan Road, a County-designated major highway (100-foot right-of-way), and Cornell Road, a County-designated secondary highway (80-foot right-of-way).

   - The project maintains the continuation of existing settlement patterns.

   - The project site is surrounded by residential development on both its northerly and southerly boundaries, and is located proximate to existing commercial development.

   - The project proposes lot sizes compatible with surrounding residential development.

   - All structures will be located along paved, all-weather, and accessible roads.

As required by County Code Section 22.56.040(C)(2), the proposed site is adequately served public or private service facilities as are required because:

1. **The project site is located proximate to existing commercial and residential development.**

   - The project site is located approximately one-quarter mile south of the U.S. 101 Freeway, and along Kanan Road and Cornell Road.

- The project maintains the continuation of existing settlement patterns and proposes lot sizes compatible with surrounding residential development.

- The project site is surrounded by residential development on both its northerly and southerly boundaries.

- Commercial development is located nearby, approximately one-third mile north of the site, with businesses including gas stations, government facilities, recycling centers, small businesses, restaurants and office buildings.

- The project site is located approximately 12 miles southwest of Warner Center (a major retail and commercial center in the western San Fernando Valley) and approximately 6 miles east of the Cities of Thousand Oaks and Westlake Village.

2. The project can be provided with public services.

- The project can be provided with fire protection, police protection, schools, libraries, parks and recreation, water, sewers and other utilities. The project's impacts to all agencies providing these services will be less than significant with the implementation of mitigation measures.

Burden of Proof for Requested Conditional Use Permit for Development in a Significant Ecological Area
Project No. 97-178-(3)
Vesting Tentative Tract No. 52419
Triangle Ranch Project

As required by County Code Section 22.56.215(F)(2)(a), the requested development is designed to be highly compatible with the biotic resources present, including the setting aside of appropriate and sufficient undisturbed areas because:

1. **The project preserves 271.7 acres, or 85 percent of the project site, as permanent open space.**

   - The project clusters residential development on 15 percent of the project site, thereby preserving 271.7 acres, or 85 percent of the subject property, as permanent open space.

2. **The development footprint preserves biotic resources.**

   - The development footprint is comprised of the least environmentally sensitive portions of the property, including previously disturbed land.
   - Grading will be minimized by concentrating development on the gentler slopes.
   - Split-level pads and variable setbacks will be used in steeper terrain.
   - Contour grading techniques will be used to minimize the alteration of natural landforms and to smoothly transition manufactured slopes back into natural contours of adjacent land.
   - The project uses special architectural and design techniques to ensure that development conforms to the natural land form in areas over 25% slope.
   - The project limits grading in areas over 50% slope.
   - Open space preserved by the project will be dedicated to an appropriate conservation agency or will be maintained by the homeowner's association.
   - The project will not impact eleven of the fourteen sensitive plant species known to be present on the project site.
   - Development has been sited to avoid direct impacts to the majority of on-site populations of the federally and state endangered *Lyon's pentachaeta*. Areas of the project in close proximity to the *Lyon's pentachaeta* have been pulled back to the maximum extent possible, and the majority of the on-site population will be preserved within open space areas.

- The project will translocate impacted individual species of the Santa Monica Mountains dudleya to new locations with suitable conditions and will collect seeds to be germinated and established at a suitable location.

- Where County of Los Angeles Fire Department-required fuel modification zones may conflict with sensitive resources, individual lots have been sited to minimize impacts to nearby sensitive plant species.

- The project will limit clearing and grading of native vegetation to the minimum amount needed to create a building pad, allow access and provide fire protection.

- The project will preserve the majority of on-site oak woodland and riparian habitat, and any impact will be mitigated, including replacement.

- Of the 136 oak trees on or adjacent to the project site, the project will retain 116 trees, or 85 percent.

- No direct impacts are anticipated to Medea Creek, to the willow riparian forest in Medea Creek or to wetlands.

- No buildings will be constructed within a 50-foot flood hazard setback from the Medea Creek capital flood plain boundary.

- The project will comply with all state and federal agency regulations, including on-site or off-site restoration.

- The project will not affect the existing habitat connections to open space south of the subject property and will not directly impact the Liberty Canyon wildlife movement corridor to the east.

- With the exception of fuel modification areas, the project will use exclusively native plant species to blend the development area with the natural character of the site and the surrounding environment.

- The project will use local building materials (e.g. local stone for entrance monuments, etc.) in order to blend the development area with the natural character of the site and the surrounding environment.

- The project sites and designs the proposed development to protect significant vistas and features.

- The project seeks to preserve views of Ladyface Mountain and major ridgelines by siting lots and roadways to avoid breaking ridgeline views and by concentrating development on gentler slopes and in disturbed areas. There will be a partial loss of views of Ladyface Mountain from Kanan Road.

- Landscaping and setbacks are proposed to buffer views of the developed areas from Kanan Road and Cornell Road.

As required by County Code Section 22.56.215(F)(2)(b), the requested development is designed to maintain water bodies, watercourses, and their tributaries in a natural state because:

1. **The project will employ measures to protect water quality and water courses and tributaries.**

- The project will construct on-site storm drains, terrace drains and swales, debris basins and a separate storm drain system to convey 50-year storm runoff from the developed areas of the project to proposed urban storm water runoff basins or clarifiers, where first flush cleansing of urban runoff can be achieved.

- All storm water flows will be returned to natural drainage courses before discharging from the project site.

- The project will increase the amount of flat surface area, which creates more opportunities for groundwater infiltration, and will construct a debris and detention basin designed to release a controlled flow of runoff during peak storm conditions.

- Best Management Practices (BMPs) to reduce runoff and erosion will be employed.

- The project will reduce natural and barren land, thus reducing the amount of debris siltation reaching Medea Creek.

- Erosion control devises will be installed around all construction areas to insure that sediment is trapped and properly removed. Thus, the project will include provisions to prevent sediments and silts from entering and impacting storm drains and waterways.

- The project will prohibit the non-emergency storage of construction or landslide materials on the shoulders of roads adjacent to stream banks.

- Most proposed residential lots are sufficiently large to accommodate horse keeping. Thus, the project will locate livestock, including horses, in a manner that is protective of streams and natural drainages and the quality of water runoff and ground water.

- No buildings will be constructed within a 50-foot flood hazard from the Medea Creek capital flood plain boundary. Thus, the project will provide setbacks from natural streams and drainages that are adequate to protect them from development

impacts in high storm flows and open space will be preserved to protect streams and watersheds, to prevent vegetation clearance or grading of steep areas and to help reduce development-induced runoff.

As required by County Code Section 22.56.215(F)(2)(c), the requested development is designed so that wildlife movement corridors (migratory paths) are left in an undisturbed and natural state because:

1. **The project preserves substantial open space and minimizes impacts to existing wildlife corridors.**

   - The project clusters residential development on 15 percent of the project site, thereby preserving 271.7 acres, or 85 percent of the subject property, as permanent open space.
   - The development footprint is comprised of the least environmentally sensitive portions of the property, including previously disturbed land.
   - The project will not affect the existing habitat connections to open space south of the subject property and will not directly impact the Liberty Canyon wildlife movement corridor to the east.

As required by County Code Section 22.56.215(F)(2)(d), the requested development retains sufficient natural vegetative cover and/or open spaces to buffer critical resource areas from said requested development because:

1. **The project preserves substantial open space and the development footprint minimizes impacts to critical resource areas.**

   - The project clusters residential development on 15 percent of the project site, thereby preserving 271.7 acres, or 85 percent of the subject property, as permanent open space.
   - The development footprint is comprised of the least environmentally sensitive portions of the property, including previously disturbed land.
   - Grading will be minimized by concentrating development on the gentler slopes.
   - Split-level pads and variable setbacks will be used in steeper terrain.
   - Open space preserved by the project will be dedicated to an appropriate conservation agency or will be maintained by the homeowner's association.
   - The project will not impact eleven of the fourteen sensitive plant species known to be present on the project site.

- Development has been sited to avoid direct impacts to the majority of on-site populations of the federally and state endangered *Lyon's pentachaeta*. Areas of the proposed project in close proximity to the *Lyon's pentachaeta* have been pulled back to the maximum extent possible, and the majority of the on-site population will be preserved as open space.

- The project will translocate impacted individual species of the Santa Monica Mountains dudleya to new locations with suitable conditions and will collect seeds to be germinated and established at a suitable location.

- Where County of Los Angeles Fire Department-required fuel modification zones may conflict with sensitive resources, individual lots have been sited to minimize impacts to nearby sensitive plant species.

- The project will limit clearing and grading of native vegetation to the minimum amount needed to create a building pad, allow access and provide fire protection.

- The project will preserve the majority of on-site oak woodland and riparian habitat, and any impact will be mitigated, including replacement.

- Of the 136 oak trees on or adjacent to the project site, the project would retain 116 trees, or 85 percent.

- No direct impacts are anticipated to Medea Creek, to the willow riparian forest in Medea Creek or to wetlands.

- No buildings will be constructed within a 50-foot flood hazard setback from the Medea Creek capital flood plain boundary.

- The project will comply with all state and federal agency regulations, including on-site or off-site restoration.

- With the exception of fuel modification areas, the proposed project will use exclusively native plant species to blend the development area with the natural character of the site and the surrounding environment.

- The project will use local building materials (e.g. local stone for entrance monuments, etc.) in order to blend the development area with the natural character of the site and the surrounding environment.

- The project sites and designs the proposed development to protect significant vistas and features.

- Landscaping and setbacks are proposed to buffer views of the developed areas from Kanan Road and Cornell Road.

As required by County Code Section 22.56.215(F)(2)(e), where necessary, fences or walls are provided to buffer important habitat areas from development because:

1. **Development will be sited to minimize impacts to important habitat areas and, where necessary, fences or walls will be provided to buffer important habitat areas from development.**

   - Development has been sited to avoid direct impacts to the majority of on-site populations of the federally and state endangered *Lyon's pentachaeta*. Areas of the proposed project in close proximity to the *Lyon's pentachaeta* have been pulled back to the maximum extent possible, and the majority of the on-site population will be preserved as open space.

   - The project will translocate impacted individual species of the Santa Monica Mountains dudleya to new locations with suitable conditions and will collect seeds to be germinated and established at a suitable location.

   - Where County of Los Angeles Fire Department-required fuel modification zones may conflict with sensitive resources, individual lots have been sited to minimize impacts to nearby sensitive plant species.

   - The project will limit clearing and grading of native vegetation to the minimum amount needed to create a building pad, allow access and provide fire protection.

   - The project will preserve the majority of on-site oak woodland and riparian habitat, and any impact will be mitigated, including replacement.

   - Of the 136 oak trees on or adjacent to the project site, the project would retain 116 trees, or 85 percent.

   - No direct impacts are anticipated to Medea Creek, to the willow riparian forest in Medea Creek or to wetlands.

   - No buildings will be constructed within a 50-foot flood hazard setback from the Medea Creek capital flood plain boundary.

   - The project will comply with all state and federal agency regulations, including on-site or off-site restoration.

As required by County Code Section 22.56.215(F)(2)(f), roads and utilities serving the proposed development are located and designed so as not to conflict with critical resources, habitat areas or migratory paths because:

1. **The project preserves substantial open space and the development footprint minimizes impacts to critical resources, habitat areas and migratory paths.**

   - The project clusters residential development on 15 percent of the project site, thereby preserving 271.7 acres, or 85 percent of the subject property, as permanent open space.

   - The proposed project will not impact eleven of the fourteen sensitive plant species known to be present on the project site.

   - Development has been sited to avoid direct impacts to the majority of on-site populations of the federally and state endangered *Lyon's pentachaeta*. Areas of the proposed project in close proximity to the *Lyon's pentachaeta* have been pulled back to the maximum extent possible, and the majority of the on-site population will be preserved as open space.

   - The project will translocate impacted individual species of the Santa Monica Mountains dudleya to new locations with suitable conditions and will collect seeds to be germinated and established at a suitable location.

   - Where County of Los Angeles Fire Department-required fuel modification zones may conflict with sensitive resources, individual lots have been sited to minimize impacts to nearby sensitive plant species.

   - The project will limit clearing and grading of native vegetation to the minimum amount needed to create a building pad, allow access, and provide fire protection.

   - The project will preserve the majority of on-site oak woodland and riparian habitat, and any impact will be mitigated, including replacement.

   - Of the 136 oak trees on or adjacent to the project site, the project would retain 116 trees, or 85 percent.

   - No direct impacts are anticipated to Medea Creek, to the willow riparian forest in Medea Creek or to wetlands.

   - No buildings will be constructed within a 50-foot flood hazard setback from the Medea Creek capital flood plain boundary.

   - The project will comply with all state and federal agency regulations, including on-site or off-site restoration.

Burden of Proof for Requested Conditional Use Permit for Hillside Development
Project No. 97-178-(3)
Vesting Tentative Tract No. 52419
Triangle Ranch Project

As required by County Code Section 22.56.215(F)(1)(a), the proposed project is located and designed so as to protect the safety of current and future community residents, and will not create significant threats to life and/or property due to the presence of geologic, seismic, slope instability, fire, flood, mud flow, or erosion hazard because:

1. **No structures will be located in geologically unstable areas and proposed grading will insure public safety.**

   - Proposed structures will not be located in areas characterized by unstable geologic conditions. The project generally limits development to the gentler slopes, but some slopes in excess of 25 percent will be graded.

   - The project site is not within any Alquist-Priolo Special Studies Zone.

   - No active or potentially active faults have been mapped on or near the project site.

   - Portions of the project site are susceptible to seismically-induced landslides; however, implementation of the recommendations contained in the project's geotechnical reports and compliance with the Los Angeles County Building Code would reduce slope stability impacts to a less than significant level.

   - Whenever possible, retaining walls will be Olive crib walls, planted with evergreen vines to help minimize visual impacts. Manufactured slopes will be land-form graded.

   - The project will employ contour grading techniques to smoothly transition manufactured slopes back into the natural contours of adjacent undisturbed areas.

2. **The project will employ water quality and flood control measures.**

   - The project will construct on-site storm drains, terrace drains and swales, debris basins and a separate storm drain system to convey 50-year storm runoff from the developed areas of the project to proposed urban storm water runoff basins or clarifiers, where first flush cleansing of urban runoff can be achieved. All storm water flows will be returned to natural drainage courses before discharging from the project site.

   - The project will increase the amount of flat surface area, which creates more opportunities for groundwater infiltration, and will construct a debris and

detention basin that is designed to release a controlled flow of runoff during peak storm conditions.

- Best Management Practices (BMPs) to reduce runoff and erosion will be employed.

- The project will reduce natural and barren land, thus reducing the amount of debris siltation reaching Medea Creek.

- Erosion control devises will be installed around all construction areas to insure that sediment is trapped and properly removed. Thus, the project will include provisions to prevent sediments and silts from entering and impacting storm drains and waterways.

- The project will prohibit the non-emergency storage of construction or landslide materials on the shoulders of roads adjacent to stream banks.

- Most proposed residential lots are sufficiently large to accommodate horse keeping. The project will locate livestock, including horses, in a manner that is protective of streams and natural drainages and the quality of water runoff and ground water.

- No buildings will be constructed within a 50-foot flood hazard from the Medea Creek capital flood plain boundary.

3. The project will insure fire safety.

- The project site is located approximately one-quarter mile south of the U.S. 101 Freeway, along the Kanan Road and Cornell Road.

- The project site is concentrated low on slopes, in previously disturbed areas, and is accessible to emergency vehicles.

- All structures will be located along paved, all-weather, and accessible roads.

- The residential enclave to the east of Cornell Road will be private and gated, but will be accessible to emergency service personnel.

As required by County Code Section 22.56.215(F)(1)(b), the proposed project is compatible with the natural, biotic, cultural, scenic and open space resources of the area because:

1. **The project preserves substantial open space.**

   - The project clusters residential development on 15 percent of the project site, thereby preserving 271.7 acres, or 85 percent of the subject property, as permanent open space.

2. **The development footprint is compatible with natural, biotic, cultural, scenic and open space resources of the area.**

   - The development footprint is comprised of the least environmentally sensitive portions of the property, including previously disturbed land.
   - Grading will be minimized by concentrating development on the gentler slopes.
   - Split-level pads and variable setbacks will be used in steeper terrain.
   - Contour grading techniques will be used to minimize the alteration of natural landforms and to smoothly transition manufactured slopes back into natural contours of adjacent land.
   - The project uses special architectural and design techniques to ensure that development conforms to the natural land form in areas over 25% slope.
   - The project limits grading in areas over 50% slope.
   - Open space preserved by the project will be dedicated to an appropriate conservation agency or will be maintained by the homeowner's association.
   - The project will not impact eleven of the fourteen sensitive plant species known to be present on the project site.
   - Development has been sited to avoid direct impacts to the majority of on-site populations of the federally and state endangered *Lyon's pentachaeta*. Areas of the proposed project in close proximity to the *Lyon's pentachaeta* have been pulled back to the maximum extent possible, and the majority of the on-site population will be preserved as open space.
   - The project will translocate impacted individual species of the Santa Monica Mountains dudleya to new locations with suitable conditions and will collect seeds to be germinated and established at a suitable location.

- Where County of Los Angeles Fire Department-required fuel modification zones may conflict with sensitive resources, individual lots have been sited to minimize impacts to nearby sensitive plant species.

- The project will limit clearing and grading of native vegetation to the minimum amount needed to create a building pad, allow access and provide fire protection.

- The project will preserve the majority of on-site oak woodland and riparian habitat, and any impact will be mitigated, including replacement.

- Of the 136 oak trees on or adjacent to the project site, the project would retain 116 trees, or 85 percent.

- No direct impacts are anticipated to Medea Creek, to the willow riparian forest in Medea Creek or to wetlands.

- No buildings will be constructed within a 50-foot flood hazard setback from the Medea Creek capital flood plain boundary.

- The project will comply with all state and federal agency regulations, including on-site or off-site restoration.

- The project will not affect the existing habitat connections to open space south of the subject property and will not directly impact the Liberty Canyon wildlife movement corridor to the east.

- With the exception of fuel modification areas, the proposed project will use exclusively native plant species to blend the development area with the natural character of the site and the surrounding environment.

- The project will use local building materials (e.g. local stone for entrance monuments, etc.) in order to blend the development area with the natural character of the site and the surrounding environment.

- The project sites and designs the proposed development to protect significant vistas and features.

- The project seeks to preserve views of Ladyface Mountain and major ridgelines by siting lots and roadways to avoid breaking ridgeline views and by concentrating development on gentler slopes and in disturbed areas. There will be a partial loss of views of Ladyface Mountain from Kanan Road.

- Landscaping and setbacks are proposed to buffer views of the developed areas from Kanan Road and Cornell Road.

- No development will occur in the small midden deposit/habitation site containing scientific information useful for the understanding of the prehistory of this portion of Southern California. This archaeological site will be preserved as open space.

3. **The project is compatible with surrounding neighborhoods.**

- Large building pads and lots are proposed to avoid the common tract appearance of large houses squeezed onto smaller lots.

- To preserve the existing semi-rural and rural character of Kanan Road and Cornell Road, the proposed project will maintain a setback of 50 feet from future right-of-way for all but three residential lots along those roadways.

- The project will provide large lots offering the ambiance of privacy and solitude in a rural setting. The development east of Cornell Road is proposed to be a private and gated community. Proposed residences will be on large and custom lots (21,860 to 77,200 square feet lots). Rural standards will be applied: no sidewalks, curbs or gutters would be provided, and street lighting would be kept at the minimum required for safety purposes.

- Proposed residences located in enclaves west of Cornell Road will range in size from 10,200 to 25,800 square foot lots. The project proponent will request a waiver from standard Los Angeles County Subdivision Code requirements for these residential enclaves, so that rural standards will be maintained.

- The project will construct curvilinear roads that follow the lay of the land, rather than rectilinear roads that are forced onto it.

- To avoid the appearance of mass grading, the proposed project site has been designed to avoid the site's steeper slopes, in most instances. In steeper terrain, split-level pads are proposed to minimize grading.

As required by County Code Section 22.56.215(F)(1)(d), the proposed development demonstrates creative and imaginative design, resulting in a visual quality that will complement community character and benefit current and future community residents because:

1. **The project will complement and be compatible with surrounding neighborhoods.**

- Large building pads and lots are proposed to avoid the common tract appearance of large houses squeezed onto smaller lots.

- To preserve the existing semi-rural and rural character of Kanan Road and Cornell Road, the project will maintain a setback of 50 feet from future right-of-way for all but three residential lots along those roadways.

- The project will provide large lots offering the ambiance of privacy and solitude in a rural setting. The development east of Cornell Road is proposed to be a private and gated community. Proposed residences will be on large and custom lots (21,860 to 77,200 square feet lots). Rural standards will be applied: no sidewalks, curbs or gutters would be provided, and street lighting would be kept at the minimum required for safety purposes.

- Proposed residences located in enclaves west of Cornell Road will range in size from 10,200 to 25,800 square foot lots. The project proponent will request a waiver from standard Los Angeles County Subdivision Code requirements for these residential enclaves, so that rural standards will be maintained.

- The project will construct curvilinear roads that follow the lay of the land, rather than rectilinear roads that are forced onto it.

- To avoid the appearance of mass grading, the project site has been designed to avoid the site's steeper slopes, in most instances. In steeper terrain, split-level pads are proposed to minimize grading.

As required by County Code Section 22.56.215(F)(1)(c), the proposed project is conveniently served by neighborhood shopping and commercial facilities because:

1. The project site is located proximate to existing commercial land uses.

- The project site is located approximately one-quarter mile south of the U.S. 101 Freeway, and along the Kanan Road and Cornell Road.

- The project maintains the continuation of existing settlement patterns.

- Commercial development is located nearby, approximately one-third mile north of the site, with businesses including gas stations, government facilities, recycling centers, small businesses, restaurants and office buildings.

- The project site is located approximately 12 miles southwest of Warner Center (a major retail and commercial center in the western San Fernando Valley) and approximately 6 miles east of the Cities of Thousand Oaks and Westlake Village.

- The project site is surrounded by residential development on both its northerly and southerly boundaries.

As required by County Code Section 22.56.215(F)(1)(c), the proposed project can be provided with essential public services without imposing undue costs on the total community because:

- The project can be provided with fire protection, police protection, schools, libraries, parks and recreation, water, sewers and other utilities. The project's impacts to all agencies providing these services will be less than significant with the implementation of mitigation measures.

- The project site is located approximately one-quarter mile south of the U.S. 101 Freeway, and along the Kanan Road and Cornell Road.

- The project maintains the continuation of existing settlement patterns and proposes lot sizes compatible with surrounding residential development.

- Commercial development is located nearby, approximately one-third mile north of the site, with businesses including gas stations, government facilities, recycling centers, small businesses, restaurants and office buildings.

- The project site is located approximately 12 miles southwest of Warner Center (a major retail and commercial center in the western San Fernando Valley) and approximately 6 miles east of the Cities of Thousand Oaks and Westlake Village.

- The project site is surrounded by residential development on both its northerly and southerly boundaries.

As required by County Code Section 22.56.215(F)(1)(c), the proposed project is consistent with the objectives and policies of the General Plan and the Santa Monica Mountains North Area Plan (the "Plan") because:

1. **The project promotes Plan goals and policies relating to environmental preservation.**

   - The project clusters residential development on 15 percent of the project site, thereby preserving 271.7 acres, or 85 percent of the subject property, as permanent open space.

   - The development footprint is comprised of the least environmentally sensitive portions of the property, including previously disturbed land.

   - Grading will be minimized by concentrating development on the gentler slopes.

   - Split-level pads and variable setbacks will be used in steeper terrain.

- Contour grading techniques will be used to minimize the alteration of natural landforms and to smoothly transition manufactured slopes back into natural contours of adjacent land.

- The project uses special architectural and design techniques to ensure that development conforms to the natural land form in areas over 25% slope.

- The project limits grading in areas over 50% slope.

- Open space preserved by the project will be dedicated to an appropriate conservation agency or will be maintained by the homeowner's association.

- Preserving 85 percent of the subject property as open space limits ridgeline development (Policies IV-5, IV-13 and IV-31); limits grading (Policies IV-9, IV-16, IV-11 and IV-16); preserves natural environments and scenic beauty (Policies IV-16 and IV-31); maximizes the amount of open space (Policy IV-16); and preserves open space corridors and significant natural features (Policies VI-6, IV-9 and IV-8).

- The proposed concentration of residential development maximizes open space and avoids, to the extent feasible, development of sensitive environmental resources, on-site wildlife corridors and habitat linkages with adjacent open space (Policies IV-5, IV-13, IV-31, IV-9, IV-16, IV-11, IV-16, IV-31, IV-16, VI-6, IV-9, IV-8 and VI-24).

- Siting the development footprint in the least environmentally sensitive portions of the property and on gentler slopes and utilizing contour grading techniques limits ridgeline development (Policies IV-5, IV-10, IV-13, IV-31); limits grading (Policies IV-9, IV-16, IV-11); preserves natural environments and scenic beauty (Policies IV-16, IV-31); preserves open space corridors and significant natural features (Policies VI-6, IV-9, IV-8); protects ridgelines and natural-appearing views from surrounding vantage points (Policy IV-13); preserves topographic features of high scenic value such as Ladyface Mountain, preserves the area's hillside backdrop to the extent feasible (Policy IV-31); sites buildings so as to be compatible and harmonious with the surrounding environment (Policy IV-34); and structures development so that the pattern and character of planned development is compatible with and complementary to open space resources (Policy IV-42).

- Dedicating open space preserved by the project to an appropriate conservation agency or providing for maintenance by the homeowner's association promotes Plan goals encouraging the preservation of open space in perpetuity. (Policies IV-8 and IV-44).

2. The project promotes Plan goals and policies relating to biological resources.

- The project will not impact eleven of the fourteen sensitive plant species known to be present on the project site.

- Development has been sited to avoid direct impacts to the majority of on-site populations of the federally and state endangered *Lyon's pentachaeta*. Areas of the proposed project in close proximity to the *Lyon's pentachaeta* have been pulled back to the maximum extent possible, and the majority of the on-site population will be preserved as open space.

- The proposed project will translocate impacted individual species of the Santa Monica Mountains dudleya to new locations with suitable conditions and will collect seeds to be germinated and established at a suitable location.

- Where County of Los Angeles Fire Department-required fuel modification zones may conflict with sensitive resources, individual lots have been sited to minimize impacts to nearby sensitive plant species.

- The proposed project will limit clearing and grading of native vegetation to the minimum amount needed to create a building pad, allow access and provide fire protection.

- The project will preserve the majority of on-site oak woodland and riparian habitat, and any impact will be mitigated, including replacement.

- Of the 136 oak trees on or adjacent to the project site, the project would retain 116 trees, or 85 percent.

- No direct impacts are anticipated to Medea Creek, to the willow riparian forest in Medea Creek or to wetlands.

- No buildings will be constructed within a 50-foot flood hazard setback from the Medea Creek capital flood plain boundary.

- The project will comply with all state and federal agency regulations, including on-site or off-site restoration.

- The project will not affect the existing habitat connections to open space south of the subject property and will not directly impact the Liberty Canyon wildlife movement corridor to the east.

- With the exception of fuel modification areas, the project will use exclusively native plant species to blend the development area with the natural character of the site and the surrounding environment.

- The project will use local building materials (e.g. local stone for entrance monuments, etc.) in order to blend the development area with the natural character of the site and the surrounding environment.

- Siting development to avoid impacts to eleven sensitive plant species and to minimize impacts to the *Lyon's pentachaeta* and the Santa Monica Mountains dudleya preserves plant communities (Policies IV-3c and d); limits disturbance of protected biotic resources within designated habitat areas of rare, threatened or endangered species (Policy IV-3b); establishes, where possible, buffer zones adjacent to areas of important preserved biological resources (Policy IV-6); sites, where possible, structures so that no vegetation clearance encroaches on adjacent properties (Policy IV-33); and limits clearing and grading of native vegetation to the minimum amount needed to create a building pad, allow access and provide fire protection (Policy IV-24).

- Preserving oak woodland, riparian habitat and Medea Creek preserves plant communities (Policies IV-3c and d); establishes buffer zones adjacent to areas of important preserved biological resources (Policy IV-6); and limits the extent of vegetation clearance to that required for fire safety and sites, where possible, structures so that no vegetation clearance encroaches on adjacent properties (Policy IV-33).

- Emphasizing native species and local building materials promotes Plan goals and policies encouraging the use of native plant species (Policies IV-7, IV-25 and VI-27).

3. The project promotes Plan goals and policies relating to visual resources.

- The project sites and designs the proposed development to protect significant vistas and features.

- The project seeks to preserve views of Ladyface Mountain and major ridgelines by siting lots and roadways to avoid breaking ridgeline views and by concentrating development on gentler slopes and in disturbed areas. There will be a partial loss of views of Ladyface Mountain from Kanan Road.

- Landscaping and setbacks are proposed to buffer views of the developed areas from Kanan Road and Cornell Road.

- Siting lots and roadways to avoid breaking ridgeline views, by concentrating development on gentler slopes and in disturbed areas and using landscaping and setbacks to buffer views promotes Plan goals relating to view preservation (Policies IV-29 and VI-17).

4. **The project promotes Plan goals and policies relating to noise.**

- Off-site noise impacts derived from traffic pattern changes will be less than significant.

- On-site noise impacts from vehicle noise on Kanan Road would be reduced to less than significant levels with mitigation. Short-term construction-related noise impacts will be significant.

- By reducing on-site noise impacts to a less than significant level and by avoiding significant impacts from traffic pattern changes, the project substantially conforms to Plan policies requiring development projects to demonstrate that no adverse noise effects on the adjacent uses will occur from the project and that no adverse noise effects will occur on the project from adjacent influences, if the project is proposed within a 60dBS or greater CNEL noise contour and would create or impact noise sensitive land uses (Policy V-24).

5. **The project promotes Plan goals and policies relating to the preservation of rural character.**

- The project offers large lots offering the ambiance of privacy and solitude in a rural setting. The development east of Cornell Road is proposed to be a private and gated community. Proposed residences will be on large and custom lots (21,860 to 77,200 square feet lots). Rural standards will be applied: no sidewalks, curbs or gutters would be provided, and street lighting would be kept at the minimum required for safety purposes.

- Proposed residences located in enclaves west of Cornell Road will range in size from 10,200 to 25,800 square foot lots. The project proponent will request a waiver from standard Los Angeles County Subdivision Code requirements for these residential enclaves, so that rural standards will be maintained.

- The project will construct curvilinear roads that follow the lay of the land, rather than rectilinear roads that are forced onto it.

- To avoid the appearance of mass grading, the proposed project site has been designed to avoid the site's steeper slopes, in most instances. In steeper terrain, split-level pads are proposed to minimize grading.

- Large building pads and lots are proposed to avoid the common tract appearance of large houses squeezed onto smaller lots.

- To preserve the existing semi-rural and rural character of Kanan Road and Cornell Road, the project will maintain a setback of 50 feet from future right-of-way for all but three residential lots along those roadways.

- The project proposes no commercial development.

- Providing large and custom lots, applying rural standards and maintaining substantial setbacks from roads, the project is consistent with Plan goals and policies encouraging the provision and protection of features that contribute to rural character and rural lifestyles, in addition to maintaining low densities within rural areas (Policy VI-13).

6. The project is compatible with existing development patterns.

- The project is consistent with Plan goals and policies encouraging development compatible with existing development patterns.

- The project maintains the continuation of existing settlement patterns.

- The project site is located a quarter mile from the 101 Freeway and is surrounded by residential development on both its northerly and southerly boundaries.

- The project proposes lot sizes compatible with surrounding residential development.

- The project concentrates residential development on the least environmentally sensitive portions of the property, including previously disturbed land, in order to maximize open space and to avoid, to the extent feasible, sensitive environmental resources, on-site wildlife corridors and habitat linkages with adjacent open space.

- The project avoids development in Medea Creek.

- Rural standards will be applied to development east of Cornell Road: no sidewalks, curbs or gutters would be provided, and street lighting would be kept at the minimum required for safety purposes. The project proponent is requesting a waiver from standard Los Angeles County Subdivision Code requirements for the proposed residences located in enclaves west of Cornell Road, so that rural standards will be maintained.

- The project site's proximity to the US 101 Freeway and existing nearby residential and commercial development, as well as the application of rural standards and the development of lot sizes compatible with neighboring developments, promotes Plan policies encouraging development compatible with existing development patters. The project uses architectural and siting features that are compatible with adjacent existing and planned developments (Policy VI-15); limits requirements for curb, gutters, sidewalks, and streetlights to urban/suburban areas, unless required by public safety considerations (Policy VII-5); and limits the intensity of development in rural and mountainous areas to that which can be provided with adequate access that does not create significant adverse impacts (Policy VII-15).

7. **The project promotes Plan goals and policies relating to wildlife movement.**

- The project will preserve 271.7 acres, or 85 percent of the project site, as permanent open space.
- The project will not affect the existing habitat connections to open space south of the subject property and will not directly impact the Liberty Canyon wildlife movement corridor to the east.
- By preserving 85 percent of the project site as permanent open space and avoiding impacts to existing habitat connections, the project places emphasis on the preservation of large, unbroken blocks of natural open space and wildlife habitat areas and protects the integrity of habitat linkages (Policy IV-1).

8. **The project promotes Plan goals and policies relating to grading and geology.**

- Certain retaining walls and fill slopes will exceed ten vertical feet (10'). Whenever possible, retaining walls will be Olive crib walls, planted with evergreen vines to help minimize visual impacts. Manufactured slopes will be land-form graded.
- The project will employ contour grading techniques to smoothly transition manufactured slopes back into the natural contours of adjacent undisturbed areas.
- Proposed structures will not be located in areas characterized by unstable geologic conditions.
- The project generally limits development to the gentler slopes, but some slopes in excess of 25 percent will be graded.
- The project site is not within any Alquist-Priolo Special Studies Zone.
- No active or potentially active faults have been mapped on or near the project site.
- Portions of the project site are susceptible to seismically-induced landslides; however, implementation of the recommendations contained in the project's geotechnical reports and compliance with the Los Angeles County Building Code would reduce slope stability impacts to a less than significant level.
- Utilizing land-form and contour grading techniques promotes Plan policies requiring that manufactured slopes in excess of ten vertical feet be land-form graded (Policy IV-12) and other policies encouraging use of land-form grading techniques to recreate a natural hillside appearance (Policies V-2 and IV-32).

- Avoiding development in areas characterized by unstable geologic conditions and limiting grading of slopes in excess of 25 percent promotes Plan policies restricting structures for human occupation in areas characterized by unstable geologic conditions, and limiting grading of slopes in excess of 25 percent (Policy V-18); and Plan policies providing that, in areas susceptible to potential seismically induced landslides, avoidance of development over the implementation of engineering solutions should be emphasized (Policy V-1).

9. The project promotes Plan goals and policies relating to fire protection.

- The project site is located approximately one-quarter mile south of U.S. 101 (Ventura Freeway), along the Kanan Road and Cornell Road.

- The project site is concentrated low on slopes, in previously disturbed areas, and is accessible to emergency vehicles.

- Where County of Los Angeles Fire Department-required fuel modification zones may conflict with sensitive resources, individual lots have been sited to minimize impacts to nearby sensitive plant species.

- All structures will be located along paved, all-weather, and accessible roads.

- The residential enclave to the east of Cornell Road will be private and gated, but will be accessible to emergency service personnel.

- The project's location near the U.S. 101 Freeway and along a major freeway, the concentration of development low on slopes and the siting of development to minimize impact to nearby sensitive plant species minimizes the threat of loss from wildland fires while avoiding the need for massive vegetation clearance (Policy V-12); places a higher priority on avoiding development than on designing mitigation measures that would require intrusive fuel breaks and fuel modification areas (Policy V-10); and locates structures along a paved, all-weather, and publicly accessible road in a manner which avoids the need for firefighters to move equipment on to private properties without adequate turnaround space (Policy V-16).

10. The project promotes Plan goals and policies encouraging the expansion of the trail system.

- The project will implement the Los Angeles County Department of Park and Recreation's proposed trail system by dedicating an on-site 20-foot trail easement in the general vicinity of Medea Creek/Caleta Road for riding and hiking purposes for the Zuma Ridge Trail. No other recreational facilities are proposed.

- Dedicating an on-site 20-foot trail easement encourages the expansion of trail systems (Policies IV-4 and IV-48c and e).

11. The project promotes Plan goals and policies relating to clustering or development.

- The project will provide substantial public amenities, including additional dedicated open space, additional protection of environmentally sensitive lands and the provision of a dedicated easement for riding and hiking purposes for the Zuma Ridge Trail.

- The project will cluster residential development to preserve 271.7 acres of permanent open space, substantial coast live oaks and the majority of the on-site *Lyon's pentachaeta*, resulting in a more desirable and environmentally sensitive development plan that preserves significant environmental features.

- Of the 136 oak trees on or adjacent to the project site, the project would retain 116 trees, or 85 percent.

- The project concentrates residential development on the least environmentally sensitive portions of the property, including previously disturbed land, in order to maximize open space and to avoid, to the extent feasible, sensitive environmental resources, on-site wildlife corridors and habitat linkages with adjacent open space.

- Areas preserved as open space will be restricted to open space in perpetuity.

- The project maintains the continuation of existing settlement patterns, as it is located a quarter mile from the 101 Freeway and is surrounded by residential development on both its northerly and southerly boundaries.

- The project proposes lot sizes compatible with surrounding residential development.

- The project preserves the area's semi-rural ambiance by maintaining development setbacks from public roadways, minimizing or avoiding street lighting, and avoiding construction of sidewalks, curbs and gutters.

- By preserving substantial open space and the area's semi-rural appearance through the maintenance of rural development standards and the development of large and custom lots similar to the surrounding development, the resulting intensity and character of the developed area is compatible with the surrounding environment; and lot coverage and pad grading will not result in an urban-subdivision appearance.

- In addition, by providing substantial public amenities such as the preservation of 85 percent of the project site as permanent open space, additional protection of environmentally sensitive lands and the provision of a dedicated easement for riding and hiking purposes for the Zuma Ridge Trail, the project complies with Plan criteria for clustered development proposals (Policy VI-18).

12. The project promotes Plan goals and policies relating to water quality.

- The project will construct on-site storm drains, terrace drains and swales, debris basins and a separate storm drain system to convey 50-year storm runoff from the developed areas of the project to proposed urban storm water runoff basins or clarifiers, where first flush cleansing of urban runoff can be achieved. All storm water flows will be returned to natural drainage courses before discharging from the project site.

- The proposed project increases the amount of flat surface area, which creates more opportunities for groundwater infiltration, and constructs a debris and detention basin that is designed to release a controlled flow of runoff during peak storm conditions (Policy IV-28).

- Best Management Practices (BMPs) to reduce runoff and erosion will be employed.

- The project will reduce natural and barren land, thus reducing the amount of debris siltation reaching Medea Creek.

- Erosion control devises will be installed around all construction areas to insure that sediment is trapped and properly removed. Thus, the project will include provisions to prevent sediments and silts from entering and impacting storm drains and waterways (Policy IV-22);

- The project will prohibit the non-emergency storage of construction or landslide materials on the shoulders of roads adjacent to stream banks (Policy IV-23).

- Most proposed residential lots are sufficiently large to accommodate horse keeping. Thus, the project will locate livestock, including horses, in a manner that is protective of streams and natural drainages and the quality of water runoff and ground water (Policy IV-26).

- No buildings will be constructed within a 50-foot flood hazard from the Medea Creek capital flood plain boundary. Thus, the project will provide setbacks from natural streams and drainages that are adequate to protect them from development impacts in high storm flows (Policy IV-27) and open space will be preserved to protect streams and watersheds, to prevent vegetation clearance or grading of steep areas and to help reduce development-induced runoff (Policy IV-45).

- By constructing on-site storm drains, terrace drains and swales, debris basins and a separate storm drain system, by creating more opportunities for groundwater infiltration, by employing Best Management Practices (BMPs) to reduce runoff and erosion, by reducing the amount of debris siltation reaching Medea Creek, by installing erosion control devices and by avoiding development in the Medea Creek floodplain, the project promotes Plan policies relating to the protection of Malibu Creek and other key watersheds, and the prevention of negative impacts of urban and stormwater runoff in streams, to Santa Monica Bay and to beaches (Policies IV-1 and IV-19).

13. The project promotes Plan goals and policies relating to agency interaction.

- The project is consistent with the Plan goal of harmony between the differing missions of the individual agencies involved in the planning area.

- The project will comply with the applicable regulations of all local, state and federal agencies involved in the planning process.

14. The project promotes is consistent with Figure 1 of the Plan relating to location and intensity of development.

- The project's location and intensity conforms to the environmental threshold carrying capacities as outlined in Figure 1 ~ 'Environmental Thresholds and Appropriate Levels of Development' (Plan Policy VI-2).

- In areas with significant environmental features where a certain degree of development may be tolerated without significant environmental impacts (provided that development is appropriately clustered), where those areas have either (1) hillsides with a slope between 25 and 50 percent; (2) high water runoff; (3) habitat areas of "candidate" species, riparian and wetland vegetative communities, woodland areas, and areas that provide connectivity between core wildlife habitats where few linkage options are available; or (4) lands mapped as part of a County Significant Ecological Area (SEA) or a SEA buffer area (although development may be clustered into the least sensitive portions of the site in order to preserve and protect natural features), land use should be limited to undeveloped and developed recreation and low intensity rural use.

- The project clusters residential development on gentler slopes in the least environmentally sensitive portions of the property, including previously disturbed land, in order to maximize open space and to avoid, to the extent feasible, sensitive environmental resources, on-site wildlife corridors and habitat linkages with adjacent open space.

- 271.7 acres of the more environmentally sensitive portions of the project site, or 85 percent of the subject property, will be preserved as permanent open space.

- Development has been sited to avoid direct impacts to the majority of on-site populations of the federally and state endangered *Lyon's pentachaeta*.

- The project sites and designs the proposed development to protect significant vistas and features.

- The project seeks to preserve views of Ladyface Mountain and major ridgelines by siting lots and roadways to avoid breaking ridgeline views and by concentrating development in disturbed areas. There will be a loss of views of Ladyface Mountain from Kanan Road.

- Contour grading techniques will be used to minimize the alteration of natural landforms and to smoothly transition manufactured slopes back into natural contours of adjacent land.

March 11, 2005

Job No. 210-01-98

Ms. Susie Tae
Department of Regional Planning
County of Los Angeles
320 W. Temple Street
Los Angeles, CA 90012

RECEIVED
MAR 16 2005

Wagner Halladay
INCORPORATED
CIVIL ENGINEERS
SURVEYORS

RE: Tentative Tract Map 52419
Development Schedule Pursuant to
County Code Section 22.20.46(B)(3)(f)(8)

Dear Susie:

This purpose of this letter is to provide the development schedule required by County Code Section 22.20.46(B)(3)(f)(8).

The proposed development of Tract 52419 is anticipated to be a two-phase development. The two phases are separated by Cornell Road, with Phase 1 being defined as west of Cornell Road, on both sides of Kanan Road, and Phase 2 is located east of Cornell.

Phase 1, consisting of 54 single family lots, is proposed as a somewhat typical residential subdivision with full roadway improvements, sidewalks and street lighting. Phase 1 is proposed to be sold to a single merchant home builder.

Construction of Phase 1 is anticipated to be 6 to 8 months for grading and infrastructure with home construction expected to be complete in 18 months.

Phase 2, which may be developed concurrently with Phase 1, will consist of 27 "custom" home sites. Roadway improvements shall be rural in design and won't include sidewalk or street lights.

Home sites in phase 2 are expected to be developed either individually, or in small groups, but by "custom" home builders.

The time frame for construction of the infrastructure is anticipated to be 6 to 9 months, while the build-out of the 27 home sites may be up to three years due to the construction of custom homes.

Hopefully this information is useful to you. Please call me if you have any questions.

Sincerely,

WAGNER HALLADAY, INC

Dana S. Halladay
President

DSH:acm
J:\Corresp-05\210-01-98\SusieTae.ProjectPhasing.3-11-05.doc

C: Diane Fradkin; Sage Community Group

PLACENTIA OFFICE: 201 E. YORBA LINDA BLVD PLACENTIA, CA 92870 714 993-4500 PHONE 714 993-6837 FAX
CORONA OFFICE: 1181 CALIFORNIA AVE., SUITE 102, CORONA, CA 92881 951 278-9700 PHONE 951 278-2729 FAX

Burden of Proof for Requested Oak Tree Permit
Project No. 97-178-(3)
Vesting Tentative Tract No. 52419
Triangle Ranch Project

As required by County Code Section 22.56.2100(A)(1), construction of the project will be accomplished without endangering the health of the remaining oak trees on the subject property because:

- Residential building pads are designed to avoid impacts to remaining trees.
- Proposed roads are located to avoid impacts to remaining oak trees.
- The project will permanently preserve more than 270 acres (85 percent of the project site) as habitat and open space, which will protect the health of the remaining oak trees.
- The oak trees that will not be impacted by the project will be fenced during construction to ensure their protection from possible equipment damage.

As required by County Code Section 22.56.2100(A)(2), the removal or relocation of the oak trees will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated because:

- Of the 136 oak trees on or adjacent to the project site, the project proposes to remove only 18 trees.
- Oak trees proposed for removal do not currently provide significant erosion control to the area.
- The project incorporates appropriate erosion control measures to protect the health and safety of future and current residents in the area.

As required by County Code Section 22.56.2100(A)(3), at least one of the following findings apply:

1. **The removal or relocation of oak trees proposed is necessary as continued existence at present locations frustrates the use of the property to such an extent that (i) alternative development plans cannot achieve the same permitted density or the cost of such alternative would be prohibitive or (ii) placement of such trees precludes the reasonable and efficient use of the property for a use otherwise authorized.**

- The 18 oak trees proposed for removal are located within the project footprint and are thus unavoidable and necessary for the project to be constructed.

- The project appropriately clusters development on 48.6 acres of the 320-acre project site (of which 10.2 acres are previously disturbed), which precludes siting development so as to avoid removal and encroachment into the protected zone of a limited number of oak trees.

- The project will preserve the vast majority of the on-site oak trees within 270 acres of permanently preserved open space, and the limited impacts to oak trees allow for development of the site that promotes the Santa Monica Mountains North Area Plan.

2. **That the oak trees proposed for removal or relocation interfere with utility services or streets and highways, either within or outside of the subject property, and no reasonable alternative to such interference exists other than removal of the trees.**

- Seven of the 18 proposed oak trees removals are necessitated by road construction.

- Two of the 18 proposed oak tree removals are necessitated by drain installation and construction.

As required by County Code Section 22.56.2100(A)(4), the removal of oak trees proposed will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure because:

- The 320-acre project site, including 270 acres of open space, is sufficiently large to provide adequate land for the planting of replacement oak tress in areas with favorable conditions for their preservation and propagation while at the same time enhancing the character of the site and surrounding area.

- The project mitigation plan proposes to plant 99 replacement oak trees throughout the project site.

LAS VIRGENES MUNICIPAL WATER DISTRICT

Dedicated to Providing Quality Water & Wastewater Service

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Counsel

HEADQUARTERS
4232 Las Virgenes Road
Calabasas, CA 91302
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WESTLAKE
FILTRATION PLANT
(818) 251-2370
Fax (818) 251-2379

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(818) 251-2300
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(818) 251-2340
Fax (818) 251-2349

www.lvmwd.com

MEMBER AGENCY OF THE
METROPOLITAN WATER
DISTRICT
OF SOUTHERN CALIFORNIA

February 16, 2005

County of Los Angeles
Department of Regional Planning
Mrs. Ellen Fitzgerald, Supervising Regional Planner
Mr. Daryl Koutnik, Staff Biologist
320 West Temple Street
Los Angeles, CA 90012

Subject: Tract No. 52419 "Triangle Ranch"/"Live Oak Ranch"

Las Virgenes Municipal Water District ("District") has been asked to provide clarifications regarding a proposed water tank site on the property of the subject proposed development. The District's need is a notional 3-Million gallon tank in the general vicinity of our Cornell Pump Station (located near the intersection of Cornell Road and Agoura Road). The tank must be located on lands with an elevation of 1200 to 1225 feet. The tank is needed to meet future storage and operational requirements in the District's backbone water transmission system. While not needed immediately, the tank is identified as a long-term requirement for the District's overall water system.

A Preliminary Water System Design Report (WSDR) was prepared for Tract 52419 and the report identified a tank site on the property that could be used. As noted above, the need for a tank in this vicinity was identified in our Potable Water System Master Plan. It is not needed specifically for this development. Rather, it is needed in the future as a water system improvement for the District.

All that is required of the developer of the subject tract at this time is the dedication of a fee parcel of land for the tank site (1.5 to 2 acres) and an access easement to the tank site. It is not considered necessary for the developer to build the tank since it isn't required to support the proposed development. The tank would be built by the District when needed. Appropriate CEQA documentation and compliance for the tank construction would be the responsibility of the District.

Please feel free to contact me if there are any questions on this matter at (818) 251-2128 or email at GTalmadge@lvmwd.com.

Sincerely,

C.E. Talmadge
Planning Administrator
Las Virgenes Municipal Water District

CET:acg

LAS VIRGENES UNIFIED SCHOOL DISTRICT
4111 N. LAS VIRGENES ROAD
CALABASAS, CALIFORNIA 91302
Telephone: (818) 880-4000
Fax: (818) 880-4200

BOARD OF EDUCATION

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DISTRICT SUPERINTENDENT

July 22, 2003

James E. Hartl, AICP
Los Angeles County
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Subj: Tract No. 52419
Triangle Ranch - 108 single family residential

Dear Mr. Hartl:

The Board of Education of the Las Virgenes Unified School District wishes me to reiterate our concerns regarding changes in zoning in the general plan which increase density and thereby increase our student population. Each school serving the proposed project is overcrowded and unable to accept new students at this time.

Because of this, the Board would again like to urge the Planning Commission to adhere to the adopted general plan until such time as the plan is changed and the school district has adequate time to adjust to the changes.

Thank you for your consideration.

Sincerely,

Donald Zimring, Ph.D.
Deputy Superintendent

DMZ:kp

TR. 52419

JUDITH STEIN FRIEDMAN
4011 Cornell Road, Agoura, Ca. 91301
tel: (818) 889 1700 fax: (818)889 0004
email: Judie8@WORLDNET.ATT.NET
VIA FAX

Ms. Esther Feldman Chairwoman
LA County Regional Planning Commission
320 W. Temple St. LA. Ca 90012
fax: 213 626 0434

24th January, 2000

re: Vance Moran tract proposal

Dear Ms. Feldman,

As a medical doctor and writer respectively, my husband and I have devoted our lives toward the welfare and well being of others. As you well know, when one gives out it is also necessary to regroup in order to be of service to the community. Hence my husband and I chose Agoura as a place close to our work and cultural pursuits which also offers the kind of placid rural environment to safely keep animals and be physically connected to our planet's natural gifts. But now we're faced with the prospect of our magnificent mountains being leveled and terraced, of cement being poured over land that feeds Agoura's wild animals. Now we are threatened with increased traffic that not only threatens our children and all of our animals but also with excessive flood runoff, sewage spills, increased pollution and a landscape of cost effective mass clustering.

How many times have you needed to "cool out" so you took a walk or picked a flower or watched a bird soar through the sky? Agoura has that space, those animals, those flowers for all to enjoy. The Paramount Ranch which is South of Agoura Road has acres of wildlife in which to walk or ride a horse. Yet the money hungry developers want to clog the roads to these places of purity and upset the ecological balance so they can bank their profits on the lives of our children and animals and future generations with their cement landscapes, gasoline fumes and overflowing septic tanks.

Where will the butterflies go? Will our children grow up in monopoly-style developments, caged like their four legged friends? Sounds outrageous, but I've seen exactly that in many Communist countries and parts of Asia where no consequence is given to the balance of nature and urban blight has sprawled it's way across the countryside. This gives rise to children growing up in a half life, in a gray mass of sleeping wakefulness.

You are personally in a position of extreme importance, and although it might not immediately appear to be of universal consequence, preserving the natural balance on this planet is a task given to all of us with the ability to reason and make learned decisions. If you and I don't take a stand against the Vance Moran type developers to keep our planet alive, to preserve the gifts of nature, then why should others? It's the pyramid affect and the responsibility is in our hands. It begins in our own back yard. In this case, in Agoura. The land South of Agoura Road has always been and should always be an area of low density. We trust you will block the re-zoning for high density tract development south of Agoura Road, Please help this fight to preserve a living planet for our future generations.

Sincerely,

Los Angeles County Office of Education

RECEIVED
JAN 14 1998
REGIONAL PLANNING
L.A. COUNTY

Dr. Donald W. Ingwerson
Los Angeles County Office of Education
9300 Imperial Highway
Downey, CA 90242-2890

Attention: Bedelia Honeycutt, Regionalized Business Services Coordinator
Division of Business Advisory Services, EC Annex

Dear Dr. Ingwerson:

The LAS VIRGENES UNIFIED School District has received the map showing the new proposed subdivision known as Tentative Tract No. 52419, and is ☒ is not ☐ interested in acquiring a school site within the limits of this subdivision. This development will be served by our

TBD Elementary (or K-8),

TBD Junior High, and

Agoura High High School.

Very truly yours,

SIGNATURE

L.V.U.S.D.
SCHOOL DISTRICT

818-878-5203
TELEPHONE NUMBER

In addition to the sidewalks required by the Los Angeles County Subdivision Ordinance on all local streets within and adjacent to the subdivision (where lots are less than 15,000 square feet in area), it is anticipated that the children will use the following highways enroute to the schools in the area: (Please specify only those highways which provide direct access to schools and where alternate routes on local streets are not available.)

District cannot serve anticipated new students from this development in current schools

Additional Remarks:

JAN 1998
RECEIVED

STATE OF CALIFORNIA--THE RESOURCES AGENCY ARNOLD SCHWARZENEGGER, *Governor*

SANTA MONICA MOUNTAINS CONSERVANCY
RAMIREZ CANYON PARK
5750 RAMIREZ CANYON ROAD
MALIBU, CALIFORNIA 90265
PHONE (310) 589-3200
FAX (310) 589-3207

April 25, 2005

Christina Tran
Impact Analysis Section
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, California 90012

Draft Environmental Impact Report Comments Triangle Ranch Project,
Tentative Tract Map No. 52419
Project No. 97-178

Dear Ms. Tran:

The Santa Monica Mountains Conservancy (Conservancy) offers the following comments on the Draft Environmental Impact Report (DEIR) for the proposed Triangle Ranch project located on 320 acres at the eastern end of Lady Face Mountain in the Medea Creek watershed. The comments in this letter expand upon the Conservancy's comments in a January 19, 1999 letter for the Live Oak Ranch project at the same location, and in a July 27, 2004 letter on the Notice of Preparation for this project.

The DEIR states that the currently proposed project would result in unavoidable significant impacts to biological resources and visual resources, even after implementation of mitigation. For this reason, a meaningful alternative must be presented in the Final Environmental Impact Report (FEIR) that modifies the project to provide additional avoidance of biological and visual resources. Also, it is critical that the FEIR incorporate into the proposed project, and all alternatives, the requirement that any ungraded open space areas be dedicated in fee title to an appropriate public entity capable of managing open space for resource protection and recreational use. Long-term management of the open space by the homeowners' association does not provide the assurance that the open space will be preserved and managed adequately in perpetuity.

The Conservancy also emphasizes that although a project may be consistent with the number of housing units as prescribed by the Santa Monica Mountains North Area Plan, it is ultimately the project footprint that has direct bearing on the degree of environmental impacts, specifically related to biological resources. The project may be consistent with the

number of units prescribed by the North Area Plan and slope density formula (DEIR, p. III.K-4). Notably, however, the project is inconsistent with 24 goals and policies of the North Area Plan (DEIR, pp. III.K-13 to 38), ultimately rendering the project overall inconsistent with this plan. Why should a project applicant have a "right" to develop the maximum number of units, when the project would (1) be overwhelmingly inconsistent with numerous other aspects to that plan and (2) result in multiple unavoidable significant impacts. A large open space dedication offsets some habitat impacts, but in no way automatically makes sense out a proposed project that is incompatible with a site's terrain and natural resources. The discussion of project alternatives must focus on the area of impact as much as it does the number of units.

A flaw of the North Area Plan is that the direct impacts of a unit are not at all defined. The North Area Plan does not provide specific "flat pad sizes" by right per "unit." The spatial impact range of a unit (house and landscaping) can range from 7,500 square feet to 2.5 acres in nearby Santa Monica Mountains subdivisions. If there are extensive equestrian facilities, orchards, or vineyards, then the footprint impact can exceed 10 acres per unit. If the applicant's project objective includes "per unit disturbance footprints" that far exceed the enumerated constraints of the land, that should be the applicant's dilemma. Market conditions that define maximum profits for the applicant via lots and pads of a certain size should not determine the final project footprint.

Regional Significance of Project Site

The subject property is the dominant ownership within a major gateway to the Santa Monica Mountains National Recreation Area. Existing residential development in some areas in the vicinity does not eliminate this role of the property. The project areas on both sides of Kanan Road provide wildlife habitat that is integral to 1,000-plus-acre blocks of roadless (paved) habitat. Thus, the project provides an important, and continually eroding, east-west habitat linkage network across Kanan Road. A review of an aerial photograph of the area clearly depicts this open space connection. The DEIR inference that two-lane roads eliminate wildlife movement is counteracted by reams of tracking data.

As part of the Malibu Creek watershed, runoff from the site has a direct impact on water quality within the Malibu Creek aquatic communities, including the steelhead trout fishery. The site also contains the two easternmost known populations of the State and federally-listed Lyon's pentachaeta wildflower.

According to the DEIR (p. III.I-1), the most dramatic feature of the project site is Ladyface Mountain, which forms the western portion of the project site. The project site located between Kanan Road and Cornell Road supports Medea Creek, which is a perennial creek supporting a willow riparian forest and an important wildlife corridor (DEIR, p. III.F-17). The project site east of Cornell Road is contained within Los Angeles County's Significant Ecological Area (SEA) # 6 (Figure II-9). In addition, the Santa Monica Mountains North Area Plan identifies Kanan/Dume Road as a particularly significant scenic route and considers Cornell Road as "with scenic qualities" (DEIR, p. III.I-6).

The primary public policy objective to be pursued in this both ecologically and visually sensitive area should be to maximize the preservation of open space, key ecological resources, and primary viewsheds. This gateway to the Santa Monica Mountains is an integral element of the Public Trust.

Summary of Project Description and Impacts

The project consists of the subdivision of the 320.3-acre project site into 81 single-family residential lots, four landscape lots, and five open space lots. The development area would be confined to approximately 48.6 acres, with retention of approximately 271.7 acres of open space (p. S-1). Of this 271.7 acres of open space, approximately 260 acres would remain natural and in an undisturbed condition (p. S-20), with approximately 10 acres of fuel modification and one acre for a trail.

The project would result in significant unavoidable environmental impacts relative to biological resources (Lyon's pentachaeta, Santa Monica Mountains dudleya, loss of habitat for sensitive species, encroachment into SEA), visual qualities (i.e., scenic vistas, scenic resources, and visual character), and other environmental resources, even after implementation of mitigation (pp. S-2, S-17, S-19).

Need for a "Full Habitat Linkage/Wildlife Corridor, Sensitive Species Avoidance, and Riparian Buffer" Alternative Project

There can be no public policy objective that justifies the approval of the currently proposed project, given the number and extent of significant impacts to environmental resources that would result, even after implementation of mitigation. Some of the project components and mitigation measures are valuable and should be implemented to help reduce significant impacts to environmental resources (e.g., lighting restrictions, native landscaping). However, the basic issue is that without a reduction in the project footprint, the effects are

not mitigated to a less than significant level. The Conservancy recommends an alternative be considered in the FEIR that provides a full east-west habitat linkage/wildlife corridor, avoidance of impacts to sensitive plant species, and inclusion of adequate riparian buffers. Specifically, the Conservancy recommends a modified version of Alternative 4 presented in the DEIR.

Alternative 4 consists of a reduced project footprint, with a total of 44 lots. Alternative 4 would avoid nearly all areas where Lyon's pentachaeta are found onsite, although fuel modification impacts may occur (p. V-38, 39). Impacts to Santa Monica Mountains dudleya are eliminated. This alternative reduces impacts to tributary M, east of Kanan Road. Visual impacts from Kanan Road and Cornell Road are also reduced.

The Conservancy recommends that the project footprint shown in Alternative 4 between Kanan Road and Cornell Road be reduced or eliminated. Although Alternative 4 has reduced the number of units in this area from 10 to six homes, the footprint is only minimally reduced. This area is particularly important because it provides an east-west wildlife movement/habitat linkage, because it allows north-south wildlife movement, and because of the presence of the rich riparian habitat in Medea Creek. This area is also is key for the viewsheds along Kanan Road and Cornell Road. Really any homes in this area would result in unacceptable viewshed impacts.

If any units are permitted in this area between Kanan Road and Cornell Road, the development must be centered on the plateau and clustered more towards Kanan Road. The footprint should be located outside of the 50-foot flood hazard setback from Medea Creek capital floodplain boundary. (The currently proposed project is within the required 50-foot flood hazard setback from Medea Creek capital floodplain boundary [p. III.K-14].) Buffers on the order of 200 feet to riparian habitat are preferable to assure the protection of those riparian resources. The FEIR should clearly state how far the edge of the direct development disturbance footprint (including fences and lights) will be from the edge of the riparian habitat in Medea Creek. The Conservancy recommends that the County only approve a project on the order of the magnitude of this modified Alternative 4.

The DEIR (p. V-43) states that Alternative 4 would not meet the applicant's goal of developing 81 homes. In this case, let the applicant build 81 homes in the footprint described by our above-recommended footprint. The DEIR also states that the Santa Monica Mountains Conservancy Alternative (from the Conservancy's January 19, 1999 letter) was rejected because it failed to achieve some of the project objectives. The FEIR

must clarify which objectives were not met under the Conservancy's recommended alternative if that dismissal by the applicant is to have any meaning.

Cornell Preservation Organization Alternative

The only alternative project that meets all of the major avoidance objectives of park agencies is that proposed by the Cornell Preservation Organization (CPO). CPO's alternative clusters all development in the northwest project corner while preserving a key oak-lined drainage along the concerned northern project boundary. Most importantly it recognizes the need to pull all development out of both the Significant Ecological Area and the visually and ecologically sensitive area between Cornell and Kanan Roads.

If the FEIR analysis rejects any environmentally superior alternatives as economically infeasible, that analysis must also specifically define the threshold that in turn would make each of these reduced projects feasible. If the environmentally superior alternative in the FEIR is not designed to be feasible by the applicant, the FEIR analysis should specifically state what changes would have to be made to that alternative to make it "feasible." Some threshold point of economic feasibility must exist between the proposed project and the environmentally superior alternative. That threshold is arbitrary unless supported by a project-specific independent economic analysis, with clear statements of the assumptions used in the analysis. Any other conclusion by the County is flawed based on total absence of data.

Need for Open Space Dedication and Management Funding

The DEIR states that the project proposes the permanent retention of the open space to be maintained by the homeowners' association (HOA) and/or dedicated to a public agency acceptable to the County of Los Angeles (p. S-2). Long-term management of the open space by the HOA does not provide the assurance that the open space will be preserved and managed adequately in perpetuity. Homeowners' associations often have multiple objectives that may conflict with and trump the goal of preservation of the biological resources of the site, and the HOA may not have the expertise (e.g., biological) to manage the site. All FEIR development alternatives and the preferred alternative must also include a fee title dedication of all remaining open space outside of fuel modification zones to an appropriate public entity capable of managing open space for resource protection and recreational use. The Mountains Recreation and Conservation Authority (MRCA), the Conservancy's joint powers partner, would be an appropriate entity to accept this dedication. The landscape lots (shown on Figure I-6), however, should be dedicated to the

HOA. All fuel modification zones should also have a conservation easement placed over them to prevent future encroachment. Such easements should be in the favor of both the County and the park agency holding title to the open space.

The following prohibited uses in the dedicated open space should be added to the existing list (DEIR, p. III.F-47): development, structures, roads, grading, mineral extraction, grazing, vineyards, agricultural operations, planting of non-native vegetation, fencing (other than used for habitat restoration), lighting, fuel modification, and utilities (other than what is allowed under current utility easements). The FEIR should specify that allowed uses in this dedicated open space include trails (no greater than four-feet-wide) and habitat restoration.

The edge effects of a large, new subdivision with a large public open space dedication at the suburban interface warrants ranger patrol and ecological stewardship by a public agency. An annual contribution of $10,000 (with an inflation adjustor) would be necessary to adequately maintain any proposed open space dedication on the subject property. Two mechanisms to provide this maintenance funding include a non-wasting endowment set up by the developer over a specific period of time or a property assessment. To our knowledge, a Community Facilities District (CFD) is the optimal method for such a funding source. The Conservancy's joint powers entity, the MRCA, can be the entity that forms, administers, and benefits from the CFD. Such a CFD should also fund the recommended annual payment to manage the Lyon's pentachaeta, in addition to the $10,000 annual open space management budget.

This letter officially notifies the County that the Conservancy, or the MRCA would accept the open space dedication from a project approved on this property if it is accompanied by the above identified permanent maintenance funding.

Land Use Impacts

The DEIR demonstrates that the project is inconsistent with 24 goals and policies of the Santa Monica Mountains North Area Plan (pp. III.K-13 to 38), and it is incompatible with several SEA Compatibility Criteria (p. S-30). The DEIR states that these impacts would be reduced to a less-than-significant level by the project's approval of the Regional Planning Commission. The Conservancy respectfully disagrees with the conclusion in the DEIR that the approval by the Planning Commission constitutes mitigation that would reduce the level of those impacts to less than significant, no matter how many times the Regional Planning Commission voted. The inconsistencies/incompatibilities would remain. The project

should be modified to reduce the level of those impacts. The FEIR must also clearly state which land use impacts would not be reduced to a less than significant level.

Other Comments

The Conservancy supports the idea of providing a Zuma Ridge Trail dedication as part of the project. However, some issues need to resolved in the FEIR. The FEIR must assess the impacts to Medea Creek from construction of the trail. If those impacts are significant, alternative alignments should be proposed, without the trail being directly next to the traffic along Kanan Road. The FEIR must explain where the trail would connect to existing trails. A strong complementary alternative is to locate a trail on the east side of Cornell Road. All FEIR development alternatives that include more than 20 units should require the applicant to construct the trail, rather than have the public entity accepting the trail absorb those costs on behalf of the developer.

All springs or seeps on the project site, regardless of size (e.g., on the project site west of Kanan Road, near lots 17 and 18), should be identified in the FEIR.

The FEIR appears deficient for not addressing how the proposed trail alignments would result in a loss of Lyon's pentachaeta. The FEIR must demonstrate that all proposed trail alignments are physically feasible and that they can 100 percent avoid any direct or indirect impacts to this Federally listed species. The avoidance of indirect impacts requires the provision of adequate spatial buffers or locating the trail within a soil-vegetation regime where the species never occurs.

The FEIR must include both full disclosure and analysis about the extent of un-permitted grading that has occurred recently and historically on all portions of the site. The FEIR must describe what courses of action the County can take on remedying these grading sites. The FEIR must also address whether or not the average slope on the site is substantially reduced because the grading has created artificially level terrain.

The FEIR should include the County's permanent deed restriction of Caleta Road as part of the project, or a requirement for a conservation easement over this unbuilt road easement.

In summary, the Conservancy stresses that the FEIR must include a modified Alternative 4, to reduce significant biological and visual impacts. The FEIR must require that the project and all alternatives include a fee title open space deed to an appropriate public entity

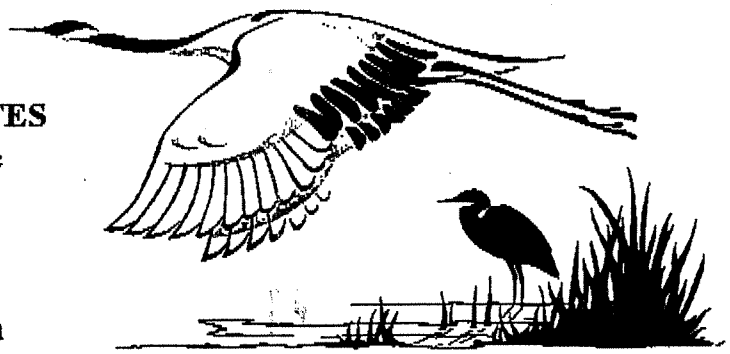
capable of managing open space for resource protection and recreational use, such as MRCA. Please direct any questions and future documentation to Judi Tamasi of our staff at the address on this letterhead or by phone at (310) 589-3200 ext. 121.

Sincerely,

Elizabeth A. Cheadle

ELIZABETH A. CHEADLE
Chairperson

FAX TRANSMISSION



TOM DODSON & ASSOCIATES
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Company Name: Los Angeles County

Attention: Dr. Hsiaoching Chen, AICP

Fax Number: (213) 626-0434

Date: 4/10/05

Time Sent: 10:55 a.m.

Pages (including transmittal sheet): 6

From: Tom Dodson

Subject or Job Number: Cornell Preservation Org
County Project #97-178

Comments: Dr. Chen, my name is Tom Dodson and I have been working with the Cornell Preservation Organization (CPO) in their review of Tract 52419, County Project #97-178. In response to the Notice of Preparation (NOP) distributed last summer (2004), I submitted comments on the NOP for this project, copy attached. In the second paragraph of this letter, I formally requested three copies of the Draft EIR, in accordance with Section 15086 and 15087 of the State CEQA Guidelines. CPO representatives indicate that the Draft EIR has been released for public review, yet I have not been provided any copies or any Notice as required under Section 15087 of the State CEQA Guidelines. On behalf of CPO, I requested three copies of the Draft (for which we offered to pay any reasonable fees). I am notifying you of the failure to provide a copy of either the document or the Notice of Availability to my office and am formally requesting that the County reset the 45-day review period to coincide with distribution of these documents to my office. It would be a shame for the County to proceed with the review with such a flaw in the public review process and have a court direct the County to go back and reissue the document for a second time as a result of a flaw in procedure. I appreciate your attention to this matter and if you wish to further discuss it, please give me a call.

Any problems with this transmission, please contact Chris at (909) 882-3612.

July 14, 2004

Dr. Hsiaoching Chen, AICP
Impact Analysis Section
Los Angeles County
Department of Regional Planning
320 W. Temple Street, Room 1348
Los Angeles, CA 90012

Dear Dr. Chen:

The following comments are submitted on the Notice of Preparation (NOP) distributed by your agency for the Triangle Ranch, Project No. 97-178, Vesting Tentative Tract No. 52419, Conditional Use Permit No. 97-178 and Oak Tree Permit No. 97-178. I am submitting these comments on behalf of the Cornell Preservation Organization (CPO), a group of local residents that live adjacent to and in the vicinity of this proposed project. This proposed residential project has been under consideration for several years and local residents have consistently attempted to work with the applicant, currently Sage Community Group. CPO's objective has been to reduce the density of the proposed development so that it would be consistent with the surrounding land uses, which include a number of small horse ranch properties. The applicant has consistently attempted to cluster development at much higher densities than the surrounding residential development, which creates conflicts with surrounding land uses (discussed in more detail below) and with the adopted Area Plan that controls land use at the project site. This conflict with the community character is a major reason the CPO feels this project should be rejected.

As listed on pages 2 and 3, the Department has essentially required a comprehensive environmental impact report (EIR) for the project. The comments provided below are designed to provide the Department with additional detailed issues of focus in the EIR, beyond the specific topics. On behalf of CPO, we wish to receive copies of the Draft EIR when it is distributed (we will pay any reasonable fees). One hard copy and two electronic copies would be appreciated. This is a formal request in accordance with the California Environmental Quality Act (CEQA). The issues below are discussed in the order discussed in the Initial Study attached to the NOP.

Geotechnical: Concur with the scope of the geotechnical investigation. There are policies

in the Santa Monica North Area Plan regarding grading in areas with steep slopes. These policies should be examined as part of the geotechnical investigation, including the residual slopes.

Flood: Medea Creek is subject to significant flood hazards, including the inclusion of substantial sediment from erosion. This condition is, in effect, a high mudflow condition and the potential for damage from this potential hazard should be added to the list of issues to be addressed in the EIR. Relative to the development within the flood plain, one of the key concerns is the increase in runoff and the redirection of runoff downstream that will result from the proposed development. A detailed hydrological evaluation of the modified drainage is needed to ensure that downstream erosion and flooding will not result from the proposed project's implementation. As Medea Creek is already deemed to be polluted, the potential water quality degradation associated with construction, obviously including erosion and sedimentation, and after development need to be examined. A careful analysis of Total Maximum Daily Load (TMDL) and whether the Creek has any assimilative capacity must be prepared to adequate characterize the physical changes in the Creek as a result of this development.

Fire: The tract map indicates that development north of Kanan Road may have roads too steep and be difficult to serve. Adequacy of the water supply to meet fire flow requirements needs to be demonstrated. The area may have inadequate water storage to meet such requirements. An indirect effect of placing this project within the high fire hazard zone at the densities proposed is that a substantial fire buffer zone will have to be installed around the residences. This will result in converting substantial additional area to man-made landscape with two consequences: increased irrigated landscape and use of water and loss of native habitat. It is essential that a professionally prepared fire protection plan be prepared for those areas exposed to high fire hazards and significant vegetative fuel loads. Such a plan will define defensible space required to ensure that the structures are not placed at unreasonable risk, and it may lead to redesign of the project due to the significant exposure to fire hazards. This plan must be prepared as part of the CEQA process otherwise it could defer mitigation that could have additional significant impacts to the surrounding environment.

Noise: The finding that the project site is not located adjacent to a high noise source is inaccurate. Kanan Road has a high level of traffic; generates significant hourly and 24-hour noise levels; and has very high noise levels associated with vehicles racing up and down the road. Also, in contrast to most roadway noise sources, the greatest noise is generated on the weekends when substantial tourist traffic uses Kanan to access the local beaches. Several locations of the project require a noise study to examine actual exposure in comparison with County Plan significance thresholds. A forecast of future noise levels, cumulative with the project, also needs to be included in the EIR.

Water Quality: As stated above, the local creek does have water quality problems (Medea Creek) due to upstream development. This project will contribute to water quality problems, both during construction and after the project is occupied. It is essential that the proposed project be considered in the context of the Regional Board's Water Quality Control Plan and the assigned beneficial uses and water quality objectives for Medea Creek. Further, it will be necessary to define the specific best management practices (for both construction and long-term occupancy) that will be implemented so they can be evaluated for both adverse impacts as mitigation measures and to define the mechanism for maintaining the BMPs over the long-term to ensure their continued effective function. Failing to consider the BMPs would effective defer mitigation and analysis of mitigation measures which CEQA no longer permits. It is clear to CPO that a detailed antidegradation analysis of the project's water quality impact on Medea Creek needs to be considered within this EIR.

Air Quality: Concur with the scope of the air quality analysis. Two additional issues are of concern to CPO. The Kanan/Highway 101 Interchange and the adjacent intersections are significantly backed-up on the weekends during afternoon peak hour. As part of the project impact evaluation, the potential for existing CO Hotspot to occur should be examined. Since these is no monitoring station locally, monitoring for CO concentrations on weekends should be included to ensure that the impact forecast for the project is accurate. This project may require a zone change and as a result, consistency with SCAQMD's AQMP and the SCAG's RCPG should be considered in the EIR.

Biota: Concur with the scope of the biota evaluation. However, it should be noted that the biological resources on this property are very important to the species of special concern and these biota resources must be considered in the context of the remaining resources within the region.

Cultural Resources: Concur with the scope of the cultural resources evaluation. However, checklist item f. was checked as no impact when CPO believes that this project will have a substantial adverse effect on the value of Lady Face Mountain as a unique geologic feature. The damage that this project may cause to Lady Face must be included in the EIR.

Mineral Resources: Concur with the deletion of this issue.

Agricultural Resources: The portion of the property located adjacent to Cornell currently serves as pasture land and should be considered for its agricultural value. Use of this site will convert land being used for low-intensity agriculture to alternative uses. This loss of pastoral open space should be considered in the EIR.

Visual Qualities: Concur with inclusion of issues a. through c. We also feel that the clustering of development creates a visual setting that is out of character (item d.) with the

adjacent uses which are low density residential uses. This contrast is one of the primary concerns for CPO, i.e., creating a different neighborhood model compared to the existing visual setting. Such higher density clustering sets a precedent for our portion of the Cornell community and the visual impact of such a change needs to be evaluated and assessed for significance of impact. We are hearing about the possibility of very high retaining walls on Lady Face and such walls could create significant visual impacts on this major scenic corridor adjacent to Kanan Road.

Traffic/Access: Traffic impacts are a major concern, but the Initial Study dismisses one of the major concerns we have, traffic hazards. Project entrances onto Kanan and Cornell have very poor sight distance circumstances and the speed of traffic on both roads creates very significant hazards along these roadways. These hazards and potential design requirements or mitigation to control them are an critical issue to be addressed in the EIR. This topic must be added to the scope of the EIR. Similarly, parking for residences must be carefully examined. Parking along Cornell and Kanan creates significant hazards. This constrains future residential activities, such as birthday or other gatherings because there is insufficient parking for such events. Thus, one can envision circumstances in the future where the typical residential events will lead to significant traffic hazards along these roadways. This issue needs to be added to the scope of the EIR.

Sewage Disposal: Concur with inclusion of this issue in the evaluation.

Education: Concur with inclusion of this issue in the evaluation.

Fire/Sheriff: Concur with inclusion of this issue in the evaluation. A key issue of concern is adequacy of water storage for fire flow requirements. Another issue is availability of emergency access during weekend traffic jams on local roadways.

Utilities/Other Services: It appears that the public water supply question was checked in the wrong place. We have major concerns regarding overall water supply availability to the local water purveyor given the current State drought and are equally concerned regarding the adequacy of the local water storage and distribution facilities. A detailed evaluation of this project and cumulative demand on the available water and infrastructure is a key issue of concern. Under item e., please define all of the offsite utility infrastructure improvements that will be necessary to support this project so it can be determined what indirect effects may be caused by approval of the project.

General: We do not concur with the finding regarding "no impact" on the pattern, scale and character of the community. As described above, the cluster development will conflict with the existing development within the Cornell/Kanan corridor and this issue needs to fully examined as part of a policy review in the context of the adopted Area Plan.

Environmental Safety: Concur that this project does not raise significant environmental safety issues, with the exception of fire hazards and traffic hazard issues previously identified.

Land Use: This project may have substantial conflicts with the adopted Area Plan. As mentioned above, the primary concern is that the project cannot be developed as proposed without conflicts with various goals, objectives and policies of the plan. Several of these issues relate to Hillside Management Criteria and related hillside development issues adjacent to Lady Face Peak. Other issues relate to consistency of the proposed development with the surrounding development and the Area Plan policies. A full evaluation of these policies is essential to determine whether the project is consistent with the land use designations.

Population/Housing/Employment/Recreation: Concur with the findings under this section including the increased demand for recreation.

In addition to the above issues, a comprehensive evaluation of cumulative impacts should be provided in conjunction with this proposed project and an appropriate evaluation of alternatives should be included. CPO has many members with development and architectural backgrounds, and we are developing an alternative that will be submitted to the County for consideration in the EIR. We have approached this alternative with the objective of creating a feasible project that would be consistent with and integrated into the local community.

We look forward to reviewing the Draft EIR once it is distributed. Please note that we have requested three copies, with at least one hard copy for review by our membership. If you have any questions, please do not hesitate to give me a call.

Sincerely,

Tom Dodson
cc: Cornell Preservation Organization

FAX TRANSMITTAL

for State of California
Department of Fish and Game

South Coast
Region

To Christina Tran
L.A. County - Reg. Plan.
@ Fax No.: 213 626 0434
Date: 5.9 Time: 12:40

From: Sarah Leslie *for* Scott Harris
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# of pages sent **including** transmittal sheet 6 ***Please call me immediately at (858) 467-2702 if you do not receive all pages.***

Comments:

Triangle Ranch

State of California – The Resources Agency ARNOLD SCHWARZENEGGER, *Governor*

DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
4949 Viewridge Avenue
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(858) 467-4201

May 9, 2005

BY FACSIMILE AND U.S. MAIL

Ms. Christina Tran
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012
Fax No.: (213) 626-0434

Draft Environmental Impact Report
Triangle Ranch, Project No. 97-178
SCH # 1998111091, Los Angeles County

Dear Ms. Tran:

The Department of Fish and Game (Department) appreciates this opportunity to comment on the Draft Environmental Impact Report (DEIR) for the above referenced proposed project relative to impacts to biological resources. The project proposal consists of the subdivision of a 320.3-acre site into 81 single-family residential lots. Proposed development would occupy approximately 48.6 acres while the remaining 271.7-acre portion of the site would be retained as open space to be maintained by the homeowner's association or dedicated to a public agency. The project site is undeveloped and supports special status species including the State- and federally-endangered Lyon's pentachaeta and the federally-threatened Santa Monica Mountains dudleya. Medea Creek and several of its tributaries traverse through the project site and the site is located within the Los Angeles County designated Las Virgenes Significant Ecological Area #6. The proposed project is located in the Santa Monica Mountains near the intersection of Kanan Road and Cornell Road, less than a quarter mile south of the Ventura Freeway.

The following statements and comments have been prepared pursuant to the Department's authority as Trustee Agency with jurisdiction over natural resources affected by the project (CEQA Section 15386) and pursuant to our authority as a Responsible Agency under CEQA Section 15381 over those aspects of the proposed project that come under the purview of the California Endangered Species Act (Fish and Game Code Section 2050 et seq) and Fish and Game Code Section 1600 et seq.

Impacts to Biological Resources

1. Biological Surveys - The DEIR states that the most recent survey for wildlife resources on the site occurred in 1999.

   a) The Department generally does not consider biological surveys over one year old as representative of current site conditions for the purposes of determining project impact, avoidance and mitigation measures under CEQA. Special status species not

observed on the proposed project site during focused surveys conducted over five years ago should be included in a current biological resource assessment of the site. If current surveys are not performed, any species identified in the DEIR as having a moderate to high potential for occurring on the site should be assumed to occur on site.

b) The Department recommends that current biological surveys for special status species include California red-legged frog (Federally Endangered) and two-stripped garter snake (California Species of Special Concern).

c) The Department recommends that the section of Medea Creek that flows through the project site be live-trapped for Southwestern pond turtle (WPT) a California Species of Special Concern. The DEIR states that the southwestern pond turtle is not likely to occur on the project site due to the degraded nature of the aquatic habitat on the site. It has been the Department's experience that WPT can be overlooked during biological surveys utilizing observation-based surveys only to be detected when live-trapping efforts are used to document the presence of this species. The Department will likely require live-trapping of WPT as a condition for any streambed alteration agreement the Department enters into with the project proponent. If WPT is detected on the proposed project site, additional avoidance measures will need to be discussed in the DEIR pertaining to impacts to Medea Creek and adjacent upland habitat proposed for project disturbances and/or trails as WPT require uplands to reproduce, aestivate and escape flood waters. If WPT surveys are deferred until the streambed alteration agreement process, further revisions to the proposed project may be required to avoid and minimize project impacts.

d) Fuel modification zones (FMZs) required by the Los Angeles County Fire Department may be less stringent than those requested by private insurance carriers for homeowners seeking fire insurance coverage. The FDEIR should discuss the maximum fuel modification zones and associated biological resource impacts which may result. Due to the potential for adverse impacts to endangered plants from fuel modifications, these areas need to be located outside endangered plant preservation areas.

2. Riparian Resource Impacts – Table III F-1 of the DEIR states that the proposed project site contains 29 drainages (9.8 acres) considered jurisdictional by the Department. The executive summary for the DEIR lists the Department of Fish and Game Section 1603 Agreement to implement streambed alteration as an anticipated entitlement however the impacts and mitigation measure to jurisdictional drainages do not appear to be clearly discussed within the biology impact and mitigation section of the DEIR.

a) The Department opposes the elimination of watercourses and/or the channelization or conversion to subsurface drains. All wetlands and watercourses whether intermittent, ephemeral, or perennial, must be retained and provided with appropriate setbacks which preserve the riparian and aquatic habitat values and maintain the value to on-site and off-site wildlife populations. The Department recommends a minimum buffer zone of 100 feet on each side all tributary drainages to Medea Creek and a minimum of 200 feet on each side of Medea Creek where habitat presently exists for such buffers.

b) The Department concurs that a Streambed Alteration Agreement (SAA), pursuant to Section 1600 et seq. of the Fish and Game Code, with the applicant will be required prior to any unavoidable direct or indirect impacts to a stream bed, bank or channel

or associated riparian resources. The Department's issuance of a SAA for the subject proposed will be a project that is subject to CEQA. To facilitate our issuance of the Agreement, the Department as a responsible agency under CEQA may consider the local jurisdiction's (lead agency) document for the project. To minimize additional requirements by the Department under CEQA the document should fully identify the potential impacts to the lake, stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the Agreement. Early consultation is recommended, since modification of the proposed project may be necessary.

Mitigation Measures for Botanical Resources

1. Special Status Botanical Species - The DEIR states the proposed removal of 1.55 acres of Lyon's pentachaeta and the loss of 0.1 acres of Santa Monica Mountains dudleya will result in unavoidable significant adverse impacts despite the implementation of mitigation measures which includes the establishment of a preserves for these species.

   a) The Department concurs with the DEIR that the project area is known to support an important population of the state and federally listed endangered plant species, Lyon's pentachaeta. The project site represents the largest remaining large tract of natural land supporting meta-populations of Lyon's pentachaeta in the eastern portion of the species' range. Most of the remaining populations of this endangered species occur in fragmented habitats on small patches of land, bisected by roads and often subject to adverse edge effects from nearby development, including weed invasion, alterations of wildfire regimes, and invasion of pollinator habitat by non-native insects.

   Lyon's pentachaeta occurs at multiple locations within the proposed project development area. The Ladyface occurrences of Lyon's pentachaeta are critical to the continued survival of this species and are found at the easternmost edge of this species' range. The conservation of this endangered plant will require establishment of one or more effectively designed preserve areas protecting core populations of Lyon's pentachaeta, suitable adjacent habitat and its insect pollinator's habitat. Dedication in fee title of the preserve to a public resource agency and permanent protection via a conservation easement will further help ensure the long term persistence of the population in this area.

   The Department does not agree with proposals to transfer responsibility for habitat preserves to a local Homeowners Association. A local land conservancy or other state or federal resource agency holding and managing public lands in the area would be better suited for this purpose. Dedication of protected open space within the proposed project site should include an endowment sufficient to fund ongoing maintenance and management of the preserve area.

   Additionally, the project will need to comply with the requirements of the California Endangered Species Act, Section 2050 et seq. and associated regulations which address legal protections afforded state-listed endangered species. As such, the Department will serve as a Responsible Agency for this project due to the potential for direct or indirect effects to Lyon's pentachaeta from proposed development activities. We therefore urge the applicant and lead agency to coordinate directly with the Department to ensure that the conservation of this endangered species is adequately addressed and consistent with the full mitigation requirements of the

CESA. Our current review indicates that project modifications may be required to ensure effective preservation of Lyon's pentachaeta. Please contact Mary Meyer Plant Ecologist, at (805) 640-8019 to discuss this further.

b) The Department does not recommend equestrian use within areas designated as proposed botanical preserve areas as horse traffic may create erosion, adversely trample plants and introduce additional exotic weed seeds/species into the area through horse droppings.

Mitigation Measures for Wildlife Resources

1. The Department recommends that the following mitigation measures be included in the FDEIR during project disturbance including grubbing grading and trenching. Capture and handling of wildlife species shall be accomplished by individuals possessing the appropriate State and federal permits/authorizations.

a) San Diego Dusky Footed Woodrat (DFW) – Areas to be disturbed should be inspected for nests of the DFW. Areas suspected to be occupied by DFW should be live-trapped no more than two days prior to site disturbances to remove individuals off disturbance area into adjacent appropriate habitat not to be disturbed by project activities. Nesting material from trapped DFW shall be relocated into the same protected area prior to release of captured DFW. If DFW nests are found but no individuals are live-trapped the nesting material shall be removed into adjacent appropriate habitat no more than two days prior to initial site disturbances.

b) Salvage of Species of Low Mobility - Meaningful salvage of wildlife species of low mobility including San Diego coast horned lizard and western whiptail may only be achieved by the use of drift fencing and pit-fall traps employed at the appropriate time of the year/day when surface temperatures are conducive to reptile activity/ movement. The Department recommends that that these methods are employed as part of the salvage plan for these species. Additionally a biological monitor should be on site during grubbing and grading operations to salvage wildlife which are not injured during the operation.

c) Southwestern pond turtle - If live-trapping reveals that SPT are located within Medea creek and vicinity the age classes of observed turtles should be noted to determine if a reproducing population occurs within the project site. Appropriate upland nesting sites within the project site should be avoided as determined by a biologist experienced with WPT biology and reproductive requirements with the concurrence of the Department.

d) Grubbing and Grading Precautions - Any grubbing and grading activities on the proposed project site should be done in a manner which ensures that mobile species can escape and safely reach adjacent habitat off site. Phased grading activities which sometimes leave islands of habitat on the site creates a false sanctuary for wildlife species which remain within these islands rather than flee across newly cleared areas of no remaining cover. These animals are then vulnerable to being killed by the subsequent grubbing/grading of this remaining island habitat The grubbing and grading techniques and biological monitor should assure that needless loss of wildlife does not occur on the site in this manner.

Alternative Analysis

As stated in the mitigation measures described in the DEIR, the applicant's preferred project alternative will result in a significant adverse impact to biological resources. To maintain the integrity of public trust resources, the Department maintains that the only truly effective alternative to avoid impacts to sensitive biological resources and landscape function on the site is the no project alternative. The sensitivity and topography of this site is not conducive to incompatible land uses such as is proposed by this project. Dedication or acquisition of this site for the purposes of preserving is biological resource and open space values should be seriously considered as the prime planning goal by the lead agency within this area of the Santa Monica Mountains. The Department also recommends an alternative be considered which consolidates the project footprint and establishes an effective permanent preserve that minimizes adverse edge effects and habitat fragmentation for Lyon's pentachaeta and other rare plants. The elimination of all development from the area between Kanan and Cornell Roads to protect the integrity of Medea Creek riparian area and wildlife movement through this area is also recommended.

In conclusion, the Department is concerned that the project as proposed does not reduce adverse impacts to public trust resources to a level of insignificance. Further revisions to the proposed project are therefore required to avoid and minimize adverse biological resource impacts and ensure that feasible mitigation measures are incorporated into the project.

Thank you for this opportunity to provide comment. Questions regarding this letter and further coordination on these issues should be directed to Mr. Scott Harris, Associate Wildlife Biologist, at (626) 797-3170.

Sincerely,

C. F. Raysbrook
Regional Manager

cc: Ms. Morgan Wehtje
Mr. Scott Harris
Ms. Mary Meyer
Mr. Ronnie Glick
HCP-Chron
Department of Fish and Game

State Clearinghouse
Sacramento

SPH:sph
spharris\Triangle Ranch_05-05.doc

RESOURCE MANAGEMENT AGENCY
county of ventura

Planning Division
Christopher Stephens
Director

May 9, 2005

Post-it® Fax Note 7671	Date 5/9/05	# of pages ▶ 2
To C. Tran	From C. Morehouse	
Co./Dept.	Co.	
Phone #	Phone #	
Fax # 213 626 0434	Fax #	

Ms. Christina Tran
Department of Regional Planning
County of Los Angeles
Department of Regional Planning
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

FAX #: (213) 626-0434

SUBJECT: Triangle Ranch Project (L.A. Co. #97-178, et al); NOA of Draft EIR

Thank you for the opportunity to review and comment on the above subject document. Attached are the comments that we have received resulting from an intra-county review of the projects.

Any responses to these comments should be sent directly to the commenter, with a copy to Carl Morehouse, Ventura County Planning Division, L#1740, 800 S. Victoria Avenue, Ventura, CA 93009.

If you have any questions regarding any of the comments, please contact the appropriate respondent. Overall questions may be directed to Carl Morehouse at (805) 654-2476.

Sincerely,

Christopher Stephens
County Planning Director

Attachment

County RMA Reference Number 05-019

PUBLIC WORKS AGENCY
TRANSPORTATION DEPARTMENT
Traffic, Advance Planning & Permits Division
MEMORANDUM

DATE: May 6, 2005

TO: Resource Management Agency, Planning Division
Attention: Carl Morehouse

FROM: Nazir Lalani, Deputy Director

SUBJECT: Review of Document 05-019
Triangle Ranch Project, Tract Map #52419
DEIR for 81 single-family residential lots in the unincorporated area of Los Angeles County, adjacent to and south of the City of Agoura Hills.
Applicant: Sage Community Group

The Transportation Department has reviewed the DEIR for 81 single-family residential lots in the unincorporated area of Los Angeles County adjacent to and south of the City of Agoura Hills.

The project location is outside of Ventura County jurisdiction. The DEIR did not analysis any roadways or intersections in Ventura County. However, the traffic study included in the DEIR indicated that 9% of the ADT from this project would travel north on Kanan Road. No adverse site-specific impacts to County Roads were identified in the EIR.

The cumulative impact of this project when considered with the cumulative impact of all other approved (or anticipated) development projects in the County is potentially significant. The agreement between the City of Agoura Hills and the County of Ventura dated February 2, 1992 requires the City to condition project to mitigate the traffic and circulation impacts due to this project by the payment of traffic impact mitigation fees. Based on the information provided in the DEIR and the TIMF rate for the Thousand Oaks area, the TIMF due to the County is:

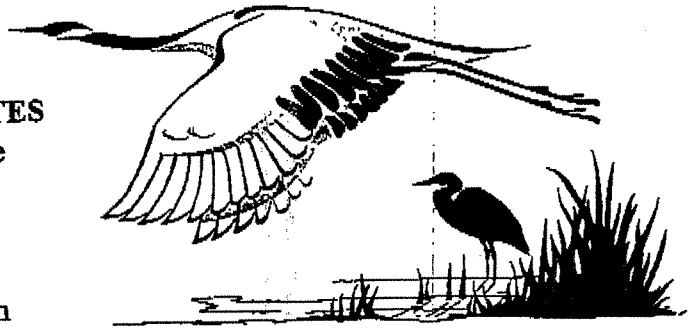
81 Single Family Dwelling Unit (SFDU) X $ 61.00/ SFDU = **$ 4,941**

The above estimated fee may be subject to adjustment at the time of deposit, due to provisions in the Traffic Impact Mitigation Ordinance allowing the Fee to be adjusted for inflation based on the Engineering News Record (ENR) construction cost index. The above is an estimate only based on information provided in the draft environmental document. If the project cumulative impacts are not mitigated by payment of a traffic mitigation fee, current General Plan policy will require County opposition to this project.

Our review is limited to the impacts this project may have on Ventura County's Regional Road Network.

Please call me at 654-2080 if you have questions.

FAX TRANSMISSION



TOM DODSON & ASSOCIATES
2150 N. Arrowhead Avenue
San Bernardino, CA 92405
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E-Mail: tda@tstonramp.com

Company Name: LA County Dept. of Regional Planning

Attention: Ms. Christina Tran

Fax Number: 213-626-043

Date: 5-11-05

Time Sent: 11:20am

Pages (including transmittal sheet): 22

From: Tom Dodson

Subject or Job Number: Comments on County Project No. 97-178, State Clearinghouse No. 1998111091

Comments: Please see document.

Any problems with this transmission, please contact Michelle at (909) 882-3612.

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May 11, 2005

Ms. Christina Tran
County of Los Angeles
Department of Regional Planning
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

Subj: Comments on County Project No 97-178, State Clearinghouse No. 1998111091

Dear Ms. Tran:

I previously submitted comments on the Notice of Preparation for the subject project on behalf of the Cornell Preservation Organization (CPO). At the request of the CPO membership, I have carefully reviewed the Draft EIR for this project and developed the following comments for the County's consideration. The comments are extensive as I believe that the analysis presented in the Draft EIR contains a number of major flaws and errors. As a professional, I have tried to present these comments in a manner that will elicit responses that will make the final environmental document presented to decision makers an "adequate" document in the full intent and meaning of this term as implied in the California Environmental Quality Act (CEQA). Please accept the following comment on behalf of CPO in this context.

COMMENTS

Page 1-2, applicant's objective: achieve a profitable economic return on property investment. To validate this objective, the applicant must provide an evaluation of what constitutes "a profitable economic return on property investment". A detailed economic analysis of the original investment; costs of development; and expected return to the project applicant must be provided for public review in order to determine whether the proposed level of development is what is required to meet this objective, to define what is a financially feasible project.

Page 1-4, a Streambed Alteration Agreement is no longer a "Section 1603" Agreement; both private and public Agreements are issued under Section 1602. Also, NPDES permits are not obtained from the Regional Board, they are filed with the State Water Resources Control Board and enforced by the Regional Board. It also appears that the requirement to obtain an urban stormwater management plan is not included in the list of permits/approval required from other agencies. It should be listed in this section.

Surrounding land uses are misrepresented in this description of the project location. Land uses south of the project site consist of low density residential south of the western portion of the eastern 1/2 of the property (along Cornell) and open space south of the eastern 1/2 of the eastern 1/2 and south of the western 1/2 of the site (along Kanan).

Page 1-8, an essential issue is how the area to be retained as open space will be maintained. A decision on the level of maintenance is essential to understand the ongoing costs of maintenance and whether an HOA can actually afford to assume responsibility for maintenance or whether an endowment needs to be established as part of the approval process and the property deeded to an entity with the ability to carry out the required annual maintenance of the property.

Figure 1-4 shows Caleta Road as a through street on the site plan. It is currently a cul-de-sac and it is unlikely to ever be extended to the south.

Page 1-12, why are lots west of Cornell Road being developed with streetlights, sidewalks and curbs/gutters? This area is also within the rural residential zone. What is the range of slope on the "curvilinear roads" that are supposed to follow site topography? What are slope angles of the "gentler slopes". What is the amount of grading and what are the range of cuts and fills on the property? What constitutes a "majority of development on gentle slopes, i.e., what proportion of the site is being developed on natural slopes in the 0-10% slope category; the 10% to 20% category; the 20% to 30% category; and the 30% and above category? Where are the retaining walls proposed to be sited and how high are they?

Does the term minimize impacts to nearby sensitive native plant species mean that the project has avoided impact on these species to install the fuel modification zones or will such zones result in impacts to such species? In other words, does the requirement for fuel modification zones expand the area of potential impact of the proposed residences into sensitive plant habitat?

What does the term "almost exclusively" mean in terms of native plant species? Please put some quantification to vague and meaningless terms such as this.

Page 1-13, the discussion of grading does not provide any information regarding where grading will occur and what the existing slopes are and what the finished slopes will be when the grading. Without this information it is not possible to assess whether the proposed grading will conform to the grading plan criteria. For example, the objective of not breaking any ridgeline views appears to be violated somewhere on the project site, but without the grading plan it cannot be determined where this will occur. At a minimum a conceptual grading plan needs to be supplied or at least referenced in the discussion on this page.

Page 1-14, how much will the open space area be diminished by the "areas subject to fuel modification". The actual acreage needs to be defined. The project description needs to define what proportion of the Lyon's pentachaeta habitat and population is being impacted out of the total acreage that exists on the property. How much of Drainage B acreage constitutes "Major

portions", please quantify. When it is stated that the project does not intrude into Medea Creek, is this an absolute fact? Does creek mean the whole riparian area, the 100-year flood area, or what? Does this mean that there will be no drainage outlets into this creek; no (meaning zero disturbance) construction activity within the creek; and no infrastructure, including drainage facilities, that will have to be installed within or across the creek?

For the landscape plan, please define what percentage of plants will be non-native landscape plants. Regarding non-native invasive species, no such species must be allowed in the landscape plant palette.

Page 1-16, if the landscape plan is not provided in this document, at least a conceptual plan, it is impossible for interested parties to review the plan and provide an evaluation of 1) the feasibility of implementing the plan at this location; and 2) the impacts of implementing the plan. Deferring the review of the plan solely by County agencies prevents the public and other interested agencies, such as the Department of Fish and Game, from the opportunity to make substantive comments on this essential element of the project. The failure to provide a general description of the actual proposed landscape plan is a fatal flaw in the project description and is an example of deferral that is no longer acceptable under CEQA and the State CEQA Guidelines.

Will the drainage system installed be maintained by the County or by the HOA? Since a drainage system requires professional maintenance and operation (such as measuring water quality downstream from the "clarifiers), how will a HOA accomplish this if the system is maintained by it?

Page 1-17, how will flows be returned to the natural drainage courses and where will the energy dissipaters be installed?

What is the significance of placing the building pads below elevation 960' amsl? Further, will structures be allowed to exceed this height.? What are the proposed CC&R "ground rules" for aesthetic compatibility? Without defining these rules, it is not possible for the interested public or agencies to assess their potential feasibility, effectiveness or impacts.

What construction requirements occur from installing a four lane road section at the proposed A Street/D Street intersection? For example, how much cut and fill will be required for this specific infrastructure improvement?

Page 1-18, even if the water tank is not required for this project, if a site is set aside on the project site, the potential effects of installing such a tank needs to be evaluated, in this EIR not in some future environmental document that would be prepared by the Water District. In particular, the access route, grading and visual effect of a 3-million gallon tank need to be taken into consideration in this document. This is because the dedication of the land for the tank site and the access easement is the first step in a chain of events that may result in the tank being installed on the property. Such a step removes this possible facility from a speculative project and makes

it a project subject to evaluation at the first step that could lead to the installation of the tank. The discussion in this section clearly indicates that this issue is being inappropriately deferred.

Page II-1, the previous comment pointed out that the project site is bounded by residential development only directly south along existing roadways, and is open space in the areas south of the western-most and eastern-most segments of the existing project site. It is misleading to imply that residential development occurs along the whole southern boundary of the property.

Page III.A-14, installation of debris flow mitigation facilities may require additional ground disturbance. The EIR needs to identify the locations of such mitigation sites; the size of the proposed mitigation facilities (J-walls, catchment fills or impact walls); and evaluate the potential site specific resource impacts (biology, cultural, etc.) from installing these mitigation measures.

Regarding mitigation for boulder roll, what type of fences will be installed; what will be their construction and permanent footprint; and what resources will be impacted by their installation?

Page III.A-15, the discussion of mitigation for soil and erosion losses ignores the environmental effects of installing, operating and monitoring future best management practices, and is a classic case of deferring evaluation of the issue. First, what level of erosion and sedimentation control will be achieved, both during construction and over the long-term? Second, what specific level of control will be achieved, 100% or some lesser value and how does the selected percentage of control meet with standards established by the Regional Board for Medea Creek. Third, what specific BMPs will be installed; where will the be installed; and what will be the impacts from their installation? All of these are critical impact issues that have been ignored and left unanalyzed in this EIR. Without this analysis it is not possible to assess the total impact of implementing the project on erosion and sedimentation and impacts from the specific BMPs that will be implemented for this project. In essence, there is insufficient data to determine whether soil erosion and loss of topsoil impacts are actually mitigated, or whether the proposed mitigation may not be successful, or whether the impacts of the mitigation measures may cause additional significant impacts over the short- or long-term that will need to be further mitigated.

Page III.A-18, it seems unusual that the first issue to be discussed under cumulative impact, landform alteration, is not even discussed or analyzed in the geology section. There is no evaluation regarding the significance of the proposed alteration to landforms on the property as a result of proposed grading. Specifically, no discussion is provided regarding the creation of 70-foot high cut slopes east of Cornell, nor the effect of any cut slopes west of Kanan. The issue of landform alteration and its visual effect was ignored in the analysis and there is no basis for assessing the project's cumulative contribution to regional topographic modifications as implied in the discussion of cumulative impacts. Further, the cumulative impact discussion does not adequately address the topographic modification process. It introduces this discussion and then shifts to a discussion of hazards without ever discussing the cumulative landform alterations of the proposed project and the alterations related to two cumulative projects, No. 6 and No. 10. As a result the whole analysis of the landform issue is inadequate and flawed.

Page III.B-5, the specific mitigation required in the geotechnical reports is not discussed in the EIR text. These measures must be discussed in order to determine whether their implementation will cause additional adverse environmental impacts. In some instances, mitigation simply requires a specific kind of foundation which does not increase adverse impact; but in other instances, mitigation may require blasting of bedrock or pile driving and such mitigation does result in additional adverse environmental impacts. This section of the document defers essential analysis of potential environmental impacts that the public and decision makers need in order to fully evaluate the full effects of the proposed project.

The discussion of ground rupture impact is not logical. At first the document concludes that potential for ground rupture is low. Then it discusses mitigation for ground shaking, which leads to a conclusion that impacts from ground rupture are less than significant. The mitigation measures for ground shaking can do nothing to address ground rupture. Either the ground rupture impact is less than significant because it is low, or the potential impact requires different mitigation.

Page III.B-6, how deep is the bedrock at the locations where mitigation is required that fill be placed on bedrock? How much additional excavation over that which would normally occur may be required in this area? Is it possible that the excavated material may not be suitable for fill and may require transport and disposal at another location? Finally, is there any concern regarding the alluvium adjacent to Medea Creek where lots 45 through 54 are proposed to be constructed? This would be the logical location for high groundwater table and coarse alluvium at this location could result in significant liquefaction hazards.

In section on potential significance of impacts before mitigation, there is no discussion of the potential significant impacts, only a discussion of impacts after mitigated. This section should be revised.

Page III.B-8, in all of the discussion of seismic impacts, there has been no discussion of the effect of the MPE on the structures that will be constructed if this project is approved. When an MPE occurs, will the buildings survive without any damage or with some damage; will the buildings collapse; and will people be safe in the structures? These simple, but ultimate impact questions, have not been addressed in this chapter and they need to be. This is because the cumulative effect of seismic hazards is rarely that two projects will interact to cause a greater "cumulative" hazard, but the addition of new development does increase the societal cost and exposure of dealing with the aftermath of an earthquake, for example the Northridge earthquake. The decision-makers need to understand whether this new development will result in structures that will significant increase the demand on society if a MPE occurs in the project area, or if the new structures will incur damage, but not significantly so. Please address this issue, since it is the real cumulative effect of seismic hazards on society.

Page III.C-16, although the potential for significant toxic air emissions is relatively low, the EIR does need to address toxic emissions during construction (diesel particulates) and during occupancy of the proposed project. No data, analysis or findings are presented for Toxic Air Contaminants. Additionally, the excavation of bedrock may contain some toxic materials. For example, in certain areas the presence of serpentine bedrock can result in the release of asbestos fragments. Does the local bedrock have any particular constituents that would be considered hazardous.

Page III.D-7, it is not clear whether the open space drainage system, including debris basins and pipelines is part of the 48+ acres that will be disturbed by the proposed project, or whether these are additional disturbances. What is the area (acreage) of these systems during construction and when permanent, and where are these systems located? What type of access must be maintained to these sites to ensure that they can be maintained over the long term.

Although the County may require a 50-year inundation area to be considered, an alternative reasonable standard is the 100-year inundation area. Please show where the 100-year flood hazard area is on Medea Creek and where the structures are relative to this flood elevation in the Creek.

The discussion on page III.D-11 regarding the reduction in storm runoff includes a comment that "the lower elevations would be developed with high percentages of pervious surfaces". This does not make sense. The project will include extensive impervious surfaces relative to the existing condition which does not contain much impervious surface. To claim that the after development site would contain a high percentage of pervious surfaces ignores what the project is being compared to, which is the undeveloped condition. An actual reduction in the 50-year runoff may occur, but the statement that this is due to pervious surface needs to be corrected.

Page III.D-15, the conclusion regarding the 100-year flood plain hazard is not supported by any data in the Draft EIR. All of the analysis presented in the Draft EIR addresses the 50-year flood hazard area. Thus, the finding in this section is both unsubstantiated and inadequate to meet the CEQA requirements. Data on the 100-year flood hazard elevation must be included in this document to determine whether the setbacks are adequate to protect proposed structures adjacent to Medea Creek from flood damage. Similarly, mitigation measure D-2 on the following page does not clearly provide protection from the 100-year flood hazard elevations.

Page III.D-16, measure D-1 is in essence a deferral of evaluation of potential impacts for the following reason. The analysis in this document indicates that the Drainage Concept will be implemented, and as implemented, it will not cause significant adverse impacts. However, this measure allows the County Department of Public Works to subsequently revise the Drainage Concept without further review. Either the County has approved the Drainage Concept at presented, or the possible County modifications need to be analyzed in this document and not deferred to the future.

The same problem exists with the impacts associated with the "newly graded portion of Kanan Road". The stormwater conveyance and creek protection measures need to be defined and evaluated now, not deferred to the future. Otherwise, the potential impacts, such as loss of riparian vegetation, will not be defined.

Where and what type of energy dissipaters will be installed and what is their impact?

Page III.D-17, how can the City or developer force a private property owner to maintain drainage devices and if they are not maintained, what is the consequence?

Page III.E-4, after describing the beneficial uses, where are the water quality objectives defined that need to be met for these uses in Medea Creek? Without these it is not possible to evaluate the short- and long-term water quality impacts of the proposed project.

Page III.E-8, the analysis of bacteria identifies a reduction in bacterial loadings from low density residential uses that would apply to the proposed project. However, no similar value is given for nutrients, nitrogen and phosphorus.

Page III.E-9, in order to dismiss other pollutants with objectives in the Basin Plan as irrelevant, it is necessary to identify them and indicate why they are not likely to be discharged by low-density residential land uses.

Page IIIE-14, the discussion regarding the SWPPP and BMP is conclusory, not analytical. The specific control of pollutants that must be achieved to meet the current TMDL and Basin Plan water quality objectives by the BMPs is not defined and evaluated in the EIR. Assuming that the site will be exposed to substantial surface runoff during its construction, what level of pollutant removals will the project BMPs achieve, i.e., all nutrients must be captured due to the existing TMDL exceedance; all bacteria must be captured due to the existing TMDL exceedance; all trash must be captured; and all sediment must be captured to meet the TMDL requirements. There is not demonstration that the selected BMPs will achieve these requirements and not further degrade the downstream water quality during site construction. Fundamentally, the EIR does not provide any analysis to demonstrate that the level of control of storm water discharges from construction sites will fulfill the identified thresholds of significance.

Page III.E-16, after reviewing the possible benefits of the clarifiers that will be installed with the project, there is no analysis of the potential discharge compliance with the TMDL limitation or the overall water quality objectives previously listed. Thus, we have a system that is being installed and no data are provided to demonstrate that this system is adequate to remove the required quantities of pollutants, particularly of those that are not likely to be removed by filters, such as nitrogen, phosphorus and bacteria. Without demonstrating compliance with these thresholds, it is not possible to conclude that the project can be constructed without making a cumulatively significant contribution to already degraded water in Medea Creek.

Further, the text on this page implies that the secondary storm drain system will also collect runoff from natural areas, but the text in the previous chapter indicates that the flows that will be captured are those from the proposed developed portion of the project site. Please clarify.

The discussion of energy diffusers is not very informative. As in previous instances in this document, too much is left to the imagination, i.e., deferred. Specifically, at each of the discharge locations for the stormwater system, it is necessary to identify whether "rip-rap" will be used for the purpose or some other design. We also need the information defining the footprint and exact location where the energy dissipaters will be installed, i.e., in the Medea Creek channel or upstream of the channel. Finally, some specific objective regarding the discharge rate, volume and speed needs to be provided to be able to verify that the energy dissipaters are sufficient to deliver the runoff in the pipes to the channel without causing downstream erosion. Without these data, the conclusion regarding control of downstream erosion cannot be verified and a finding of less than significant impact cannot be supported.

Page III.E-17, the landscape plan is deferred to the future. This plan is essential to evaluating and determining whether the source control BMPs can and are being implemented. Deferral of the plan to the future prevents the general public and decision makers from understanding whether the plan will be effective for this purpose and whether the plan itself causes additional adverse environmental effects. Without these data, the EIR is inadequate.

Page III.E-18, either the text or the table are mislabeled and mis-referenced on this page. Please indicate what the correct table number should be.

Page III.E-19, there is no foundation for assuming that TSS and TDS are comparable. In particular, several of the pollutants of concern occur as TDS (phosphorus and nitrates) and suspended solids may have no relationship to these pollutants. Using TSS as a surrogate is not an acceptable bait and switch option to make a determination that the project would be consistent with the 2,00 mg/L TDS standard. This is a basic flaw in the analysis and constitutes an inadequate evaluation of the issue.

The analysis of TSS ignores the construction component of this project and without knowing the background concentrations of TSS in the relevant portion of Medea Creek and the project's cumulative contribution to the Creek, the conclusion made in this section is not correlated to the standard, i.e., will the TSS cause a nuisance or adversely affect beneficial uses which are already degraded.

Page III.E-19, the analysis of hydrocarbon removal indicates 85% will be removed. That means that 15% of the hydrocarbons that come off of the newly developed portion of the project site will be delivered to the creek. This is a new increment of hydrocarbons that would not be delivered to the creek without this development. How much is estimated to get to the creek? Without this information and its overall effect on the creek water quality standard for hydrocarbons, this analysis is not complete, as it does not indicate what the actual impact on the

creek will be. Similarly, the text claims that the equipment will remove other urban pollutants. Which ones? And are they removed at a rate of 85% as well. Please clarify.

Page III.E-20, the discussion of pesticides, herbicides and fertilizers also suffers from a lack of data and analysis. First, the master landscape plan is not provided and it is not possible to determine whether it will accomplish what is stated. So, reliance on a document not yet compiled, but deferred, is a wholly unacceptable basis upon which to base a conclusion of no significant impact. Second, the real world doesn't always accommodate the use of these chemicals. You cannot have non-toxic herbicides or pesticides, this is a non-sequiter. You can have such chemicals with lower toxicity, but they are still likely to get into the water and some may adversely impact the biota in Medea Creek because they contain endocrine-disrupters. Finally, any use of fertilizers, associated with typical, urban runoff due to irrigation, will deliver nitrates, sulfates and phosphates to the creek. There is already a TMDL for the creek for these materials and any additions would be significant. The stormwater may need to be treated to by the project to reduce these pollutants due to the background levels of pollution. Without an analysis of these issues, the conclusion in this section is unsupported and the finding of less than significant impact cannot be made.

Page III.E-21, what constitutes "regular street sweeping" and do we know how effective such sweeping is in removing trash and debris based on the sweeping schedule? Please clarify.

Page III.E-22, please provide the basis for determining that a clarifier can remove up to 90% of dissolved nitrogen and phosphorus. In addition, what is the average removal percentage as opposed to the maximum. Further, what was the location for the reference to EPA data base for the amount of nitrogen and phosphorus relative to low density development. Was it a southwestern state or another location that may not be applicable to horticultural practices found in southern California.

It is the dry-weather runoff from the development that poses the greatest problem. A landscape maintenance plan that is not available for review cannot be used to conclude that it will be effective in controlling pesticide, herbicide and fertilizer pollutants. For example will the plan be enforced on individual homeowners; will irrigation be controlled to ensure there will be no dry weather runoff; how will this be accomplished? These remain unanswered questions.

Page III.E-23, it is not clear where the 1% value of bacteria from Low Density Residential derives. The previous table allocated 74% of the bacterial pollution to this use in the pertinent portion of Medea Creek. Assuming low density residential causes only 1% of current levels is not consistent with this high percentage contribution previously identified. The analysis presented on this page regarding removal of bacteria is useless because it does not quantify the residual bacterial concentration (even assuming 97% could be removed) that would be delivered to Medea Creek lower reach. In addition, there are no data presented that clarifier and filters remove bacteria or what specific percentage of bacteria may be removed. Second, the desilting basin has nothing to do with the developed portion of the project site which is the primary source

of bacteria. Without additional data and correction of assumptions, a finding regarding the bacterial issue cannot be made. Regardless, even the optimistic analysis presented here does not indicate that the surface runoff, particularly the dry-weather runoff, will have all bacteria removed. Any additional increment from a developed site during the summer (note that the undeveloped site would not have any runoff during the summer when there is no precipitation), when compared to the already existing bacterial levels in the creek channel, represents a significant adverse impact on the creek.

Page III.E-24, the analysis on this page misses the point. In fact, summer runoff is probably dominated by dry-weather surface runoff from all urban development. The proposed project will contribute to this runoff which will make up the majority of what percolates downstream. If upstream water is contaminated (it obviously is contaminated with nitrates, phosphates and bacteria), this project will make a minor contribution to the overall surface water flows in the summer that are likely to percolate into the groundwater basin at the confluence of Malibu Creek and the Pacific Ocean. Some conclusion regarding the significant of this impact, based on the current water quality of the groundwater needs to be included in this document so the people that rely upon this groundwater basin understand the potential impacts.

Page III.E-25, the statement about the project not affecting percolation is flawed. As indicated due to onsite impermeable surfaces after development, no percolation could continue to occur on the alluvial bench located between Kanan and Medea Creek. Surface runoff would be diverted and if any percolation occurs it would occur downstream away from the immediate project area. This may be a less than significant impact, if no local residents have installed wells to use groundwater, but it has not been properly characterized.

Page III.E-26, measure E-3 ignores material spilled on permeable surfaces or into surface water. With construction directly adjacent to Medea Creek, both for new homes and for drainage facilities, additional measures must be specified to address this circumstance. Without them, potentially significant water quality degradation could occur with consequent significant impact.

Measure E-4 defers mitigation definition until a later date. This is impermissible. The measure needs to specify the schedule of leak checks; the location of vehicles and material storage and of equipment maintenance, and whether major maintenance can be conducted onsite or must be handled offsite.

Page III.E-27, Measure E-9, this measure defers the location of critical areas to the future and prevents the public from knowing the locations of such buffers. To be effective, this measure must define such boundaries now, or establish specific buffer performance standards, such as the nearest that equipment can come to the creek channel (except for drainage facilities) is 25 feet or something similar.

For measures E-12 and E-12, please define the term limited, what does this mean in order to effectively control impacts..

Page III.E-28, Measure E-15 and E-16 suffer from the same problem, i.e., what should residual runoff velocities be and what protection requirement should be implemented for stockpiled soil and landscaping materials. Please define in this document, not defer to the future.

Measure E-21, the SWPPP should have been available for review prior to release of the EIR, but must be available for review by the public prior to approval. It contains measures that may cause additional adverse environmental impacts and it needs to be reviewed by the public to ensure it can accomplish all that was identified in the EIR.

Page III.E-29, Measure E-25 is a violation of CEQA as it defers defining a major project component with potential impacts until after the review process is completed. We believe this is a fatal flaw in this document that must be rectified by preparing this document and recirculating the EIR after it has been incorporated.

Page III.E-30, the nonsignificant water quality finding regarding cumulative impact is not supported by the data in the record. At a minimum this project will contribute bacteria to an existing setting where significant bacterial degradation already exists. There is probably no increment under the circumstances, particularly given bacteria's ability to reproduce rapidly, that would not be significant. We strongly challenge this finding based on the available data. The cumulative impact on water quality, particularly bacterial contamination, justifies a finding of significant impact and the EIR must be recirculated after address all of the concerns we have raised regarding this issue.

Page III.F-3, does the 3-5 feet per second flow rate indicate a 3-5 cubic feet per second or just the speed of the flow of water in the channel? Please clarify.

Page III.F-19, line four of the first paragraph on the page, the word "squatter" should probably be "square". In the previous line, "distributes" should read "distributed".

Page III.F-32, please note that the U. S. Fish and Wildlife Service protocols for listed animal species surveys typically require a current survey, i.e., within the last year, in order for the conclusions regarding presence or absence to be accepted. All of the protocol surveys are over one year only and the findings regarding presence/absence is not current or adequate. New surveys should have been conducted prior release of the EIR in 2004 for an adequate data base to exist regarding the listed species.

Page III, F-39, the text does not discuss whether any of the heritage oak trees will be impacted by the proposed project. Please provide this information in the main body of the Final EIR text.

Regarding wildlife movement, the project does have a potential to affect wildlife movement. For species migrating to the Simi Hills the Medea Creek and Lindero Creek channels represent a critical local wildlife movement corridor. Although the residential development will not directly affect Medea Creek channel (note that drainage facilities and other potential construction

activities may extend directly into the channel), it will encroach within 50 feet of the channel where residences are proposed to be constructed between Kanan and Cornell. This is a sensitive location because it represents human intrusion into an area just downstream of the crossing beneath Kanan Road. This encroachment will constrain wildlife movement at this critical juncture and represents a foreseeable significant effect on this important wildlife movement corridor. The analysis in the EIR is inadequate and needs to be reconsidered in the final EIR.

Page III.F-40, the finding in the top paragraph on this page fails to analyze the loss of the ~60 acres of habitat. What it says is that the preservation of about 271 acres makes the loss of 60 acres of wildlife habitat less than significant. However, these is not evaluation of the impact from losing the approximate 60 acres. Thus, there is no basis for concluding that this loss is "less than significant." A very persuasive argument can be made that the loss of the identified habitat will have a significant adverse effect on local wildlife populations. Although not directly proportional, about 18% of habitat loss will equate to a comparable loss of wildlife. In addition, some of the habitat being lost supports sensitive species. It is this absolute loss of habitat that supports wildlife that is the second greatest impact of the proposed project and a finding of less than significant impact is not justified by the analysis in this section.

Regarding the protocol surveys, again please note that they are not current and do not reflect the high rainfall winter just experienced.

Page III.F-41, regarding waters and wetlands, the analysis of this issue ignores the mandatory requirement to achieve a no net loss of waters of the U. S. Further, the overall analysis does not address any of the project drainage components that are likely to intrude into the Medea Creek channel. Where else can energy dissipaters be effectively installed without disturbing adjacent properties. Without mitigation, this loss should be considered significant based on this clearly established federal and state policy. Mitigation is available to offset this loss, but the analysis in this section is flawed because it did not take the no net loss policy into consideration.

Page III.F-43, based on the limited direct and indirect effects on Medea Creek from adjacent residential development, the conclusion regarding consistency with and retention of this important wildlife corridor in "undisturbed" state seems disingenuous.

Page III.F-46, mitigation measure F-4 is a deferred measure that does not allow detailed evaluation of the effects of implementing the plan and the potential acceptability of the plan to actually mitigate the effects defined. This is a major flaw in the EIR as previously noted.

Measure F-5 does not include any endowment or fencing allocation to ensure that it can be maintained over the long term. Thus, this measure is only partially successful.

Page III.F-47, measure F-6 is not a mitigation measure for wildlife, it is a potential impact to wildlife and should be removed as a "mitigation measure" and evaluated as part of the project.

Page III.F-48, measure F-9 is a deferral of mitigation. Specifically, the applicant should have identified suitable/acceptable mitigation for these agencies and allowed them to comment in the EIR on acceptability or suitability. As written, this measure does not define any actual mitigation and needs to be replaced.

Measure F-11 is also a deferred mitigation program with no assurance that it can accomplish the mitigation envisioned in the text. The suggested Revegetation Plan must be incorporated as part of the project to ensure that it can be implemented and what the effects of its implementation will be.

Page III.F-48, the cumulative impact analysis for biological resources is inadequate. There is no discussion of the cumulative effect of the project's conversion of 50 acres of essentially natural habitat to suburban development in conjunction with all the other projects listed in the previous table. There is no evaluation of the cumulative contribution of loss of Lyon's pentachaeta and dudleya habitat to the overall loss of individuals and species habitat in the region. The same applies to wildlife corridor issues and SEA incompatibility issues. Without consideration of these broader cumulative impact issues, this section is terribly inadequate and requires complete revision.

Page III.H-11, the conclusion at the top of the page is unsupported with any data. Specific estimates of blast noise and vibration from a typical blasting scenario is needed in order to address potentially significant impacts on local residences. Note also, that the shock of a blast can be very disconcerting and some form of notice should be made to immediately surrounding residences if blasting is required, if for no other reason than courtesy.

Page III.I-6, fourth paragraph, the second quote is not closed so it is not clear where the EIR text begins. Please correct and clarify.

The comment regarding siting on gentler slopes is a relative one and it may minimize grading of the project on this site, but it does not eliminate some very major cuts, including major crib walls. For example, it appears that a 30 foot cut wall will be created west of Kanan and several major grading cuts, including what appears to be a 70 foot high cut wall will be installed east of Cornell. Stating that grading has been minimized and is based on contours is not accurate based on the facts in this instance. In a few instances substantial to massive cuts are proposed and will be highly visible.

Page III.I-11, note that the concept landscape plan contains no data regarding specific landscaping requirements or methods. To reiterate, not including a Master Landscape Plan for evaluation in the EIR is a major flaw in this document because it defers evaluation of a primary project component, both in determining the effectiveness of the plan and the impacts of implementing the plan.

Note that a site has been generally identified for the water tank and since it has been requested at this time, it should have been evaluated in all of the sections of this environmental analysis, particularly the visual section. This project component is being inappropriately deferred, given the specific request for a site on the property.

Page III.I-32, relative to the last paragraph, it would more accurate to state that there will be no visually intrusive alteration of Medea Creek since certain drainage features must be located within the channel.

Page III.I-33, paragraph 4, the total area of visual modification is not 48.6 acres or 15% of the site. It includes both the direct residential development and them maintained fuel modification area, 28.7 acres. Total area of the existing scenic resource area that will be impacted is actually 77.3 acres, or about 23% of the site.

In the discussion contained in paragraph 3 on this page, the analysis ignores the mass grading effect east of Cornell where cut slopes of up to 70 feet are proposed. The area of such cut slopes is not great, but it is misleading to imply that there will not be massive cuts associated with this project. Furthermore, this analysis appears to ignore what such cuts will look like within the proposed residential development. Based on the facts, there will be significant topographic alterations on the project site, which are large enough to be considered a significant alteration in the visual setting and in scenic vistas looking southeast from Cornell.

Page III.I-34, as noted before, measure I-1 or similar previous measures are a deferral of a major project component that needs to be addressed now, not later. This is a major deficiency in the EIR.

Page III.I-35, the cumulative impact analysis is too narrow, i.e., restrictive. The two projects along Kanan Road will contribute to the overall, cumulative modification of the viewshed as one leaves or enters the City of Agoura on Kanan. This cumulative change in the visual setting will be significant, relative to the existing visual setting, and should have been evaluated in the EIR.

Page III.J-7, the analysis on this page addresses scenic route effects of the proposed project lighting and concludes that it will not be significant because of existing street lighting and the brief period the street lighting would be visible. However, the analysis ignores the change in the lighting in the before and after setting. At present, driving south on Kanan there is a distinct break in the night light environment immediately south of the Cornell/Kanan intersection. After the site is developed the night "glow" will be extended several hundred yards south of this intersection. In essence, the suburban setting will have been extended further into the canyon. This will be a notable change as the point where one enters the scenic "corridor" without lighting will be extended south. The same, although at a lesser level of intrusion, will occur south of the intersection of Caleta and Cornell. The existing glow will now be increased by the proposed residences and this will result in the urban light fringe being extended almost to Silver Creek.

For local residents or people who already use these roads, this change in the night light environment may be considered significant.

Page III.J-9, in the first paragraph assessing vehicle headlights, item #3 is incorrect. There are not multiple roadways and entrances. Each area has only one entrance and vehicle headlights will be concentrated on these single roads and single intersections at entrances to all three residential locations. The analysis of this concentrated headlight impact is presently inaccurate and needs to be revised to address the actual future proposed condition related to headlight effects.

Regarding night sky illumination, the conclusion that project lighting would not make any material contribution to the already existing sky glow is a conclusory statement and needs some substantiation to verify it. Otherwise the evaluation of this issue is inadequate and the impact conclusion is not supported.

Page III.J-10, the conclusion that light sensitive species would be able to withdraw from the project's night lighting is not totally correct. The greatest wildlife impact due to night lighting will occur at the residential area between Kanan and Cornell. The reason for this is that this is a primary wildlife movement corridor and the lighting associated with this proposed residential enclave has a potential to cause significant effects on this corridor, possibly to the extent of substantially reducing movement along the creek channel which is a major unobstructed connection between the Santa Monica Mountains and the Simi Hills to the north. This issue needs to be revisited with this potential impact in focus.

Page III.J-11, the two findings of less than significant impact for headlights and scenic highway are not well substantiated as outlined in previous comments. These are potentially significant impacts, including impacts to wildlife movement in the Medea Creek movement corridor.

Page III.J-15, we do not concur with the level of significance findings for night lighting relative to night sky, wildlife, and headlights for the reasons outlined above.

Page III.K-4, at least to this point, no analysis is presented that demonstrates the project site is suitable for 81 units based on the slope density formula in the SMMNAP. Please include these data because we believe the allowable number of units is much less.

Page III.K-8, footnote 9 is interesting. If we read it correctly, it implies that project's involving permits or licenses that <u>may</u> affect the recreation area are subject to the review authority of the National Park Service. There are four federal permits/licenses that may have an affect on the recreation area. These include: NPDES, construction stormwater discharges, which could adversely impact surface runoff in the recreation area; the Corps and Regional Board permits (404 and 401) that address water quality related to development that requires these permits, see the conclusion regarding discharges in surface runoff from the project development; and endangered species permits (Section 7 or Section 10) in that loss of portions of Lyon's

pentachaeta habitat places a greater burden for preservation of this species on public land in the recreation area. Does the applicant intend to submit their project to the Park Service for review by law? If not, why not since there is clearly a "may affect" relationship to the recreation area, even if indirect.?

Table III.K-1, Policy IV-3c, the consistency analysis indicates impact to riparian habitat will be mitigated and no impacts will occur to Medea Creek. There is a loss of 0.08 acres of waters and no mitigation was required or identified and there appear to potential direct impacts from erosion control measures and energy dissipaters in Medea Creek that are not defined. This analysis appears to be flawed. In addition both direct and indirect effects to the wildlife movement corridor along Medea Creek will result from this project which have not been properly evaluated or significance determined. See the text discussion of adverse effects on policy IV-6 which supports the above conclusion.

Policy IV-8, the consistency analysis indicates that the open space will be dedicated to an appropriate public agency. This is not consistent with the project description or the analysis in the biology section of the EIR. The owner is retaining the option of the HOA retaining ownership of the open space and no endowment has been discussed for long-term management of the open space if it is turned over to a public agency. Therefore, the analysis in this section is inaccurate and the finding at this time should be "inconsistent" not consistent.

Policy IV-9, the grading includes slopes up to 70 feet high and 498,421 cubic feet of cut is not realistically minimizing grading. Minimizing grading would be to cut only pads for individual homes or lots, not the extensive mass grading proposed. This policy should be identified as being inconsistent, not substantial conformance.

Policy IV-13, The consistency finding on this policy is ridiculous. The previous two policy analyses indicated huge cuts and fills, particularly related to lots 67 and 68. The notion that these cuts and fills adapt to natural hillside topography is ludicrous. The finding for this policy should be inconsistent, not based on ridgeline development, but on the topographic alterations on the east side of Cornell.

Policy IV-18, this project actually has identified a good set of BMPs; however based on the previous extensive comments relative to this project's compliance with TMDL's, this project clearly cannot be developed without contributing to the already degraded water quality in Medea Creek. In this case, even removals of 90% of bacteria and nutrients, particularly during dry weather flows, is not sufficient to prevent further degradation in water quality and further violation of the TMDL limits.

Policy IV-27, this is a slippery issue. The analysis demonstrates that the project will be setback from the 50-year flood. But, CEQA requires a discussion of the 100-year flood hazard elevation which is not provided in this EIR and therefore, for the 100-year high storm flow there has been no demonstration that this project is consistent.

Policy IV-32, as previously noted several of the cuts and fills will be very large and will not "blend" into the site and surroundings. As a result, this project is inconsistent with this policy.

Policy IV-49b, since the project does not provide any recreational facilities, it is difficult to see how consistency was determined. It appears to be inconsistent.

Policy V-3, as previously noted, no data are provide relative to the 100-flood hazard are associated with this project.

Policy V-17, the grading of over 7.84 acres with slopes in excess of 25 percent (16%+ of the site) does not appear to be consistent with this policy.

Policy V-24, this policy states "no adverse noise effects on adjacent uses", and there will be significant noise effects. The project is clearly inconsistent with this policy, even if the noise impact is temporary.

Policy V-26, the analysis does not speak to this policy. The policy states that noise levels should not increase by more than 3 dB(A) in any natural area. The noise impact analysis did not evaluate the increase in noise within the SEA from developing east of Cornell. We strongly suspect that the noise levels away from the road will be increased by more than 3 dB (A) relative to the existing background condition due to the typical sound levels associated with residential development (typically about 55 dB CNEL or Ldn. There are no data to support a consistency finding.

Policy VI-6, please refer to previous comments regarding possible direct and actual indirect effects on Medea Creek and its wildlife movement corridor values. We believe the project is inconsistent with this policy.

Policy VI-13, many of the project components (including double loading cul-de-sacs and small lots) do not conform with this policy.

Policy VI-14, mass grading and very high cut walls do not conform with this policy.

Page III.K-41, top of page the density of the project is not one unit per 1.6 acres; it is one unit per 0.6 units per acre.

Page III.K-42, regarding surrounding lot sizes, some reference is needed to verify the 60 percent of proposed lots are the same size or greater than those in the surrounding area. Please provide in the final or revise.

Page III.K-43, regarding conflict with plans, consistency is a complicated issue, but this project is inconsistent with so many County plan policies that it must be concluded to inconsistent as a whole, not "entirely consistent".

Page III.K-44, mitigation is required to be considered (Section 15126.4 of the State CEQA Guidelines), unless infeasible. There are mitigation measures to eliminate the inconsistencies with County plans and policies. Proposed residential lots that cause the inconsistencies could be eliminated. This is a reasonable measure to consider. The only rationale for not considering such mitigation is that such measure is infeasible. However, if the developer claims that such reductions in units are infeasible, then the developer must provide data that verify the infeasibility. No such data have been included in the administrative record to date. Therefore, since this EIR fails to consider obvious mitigation, it is inadequate and needs to be revised to fully consider this measure and, if infeasible, provide the requisite data to demonstrate the data to demonstrate infeasibility to the decision makers and general public.

The level of significance evaluation appears to pointedly ignore the finding that the project is significantly inconsistent with plans and policies. This is an obvious oversight and needs to be added to this summary of significant impacts after application of mitigation which was ignored.

Page III.L-31, in response to the Notice of Preparation, we requested that the traffic study include an evaluation of weekend traffic because of the special circumstances that apply to Kanan Road's role as a major access route from the inland areas to the beach areas around Malibu. This issue was ignored. The local residents experience significant delays in entering and turning off of Kanan during afternoon peak hours. Often times, backups extend for more than 1/4 mile for vehicles returning from the beach to Highway 101. This potential impact issue was ignored and represents a major inadequacy of the EIR. This is a real traffic impact issue that creates substantial conflict on the roadway and it will affect the two access points from the proposed project enclaves west and east of Kanan. Failure to address this issue means that future residents will experience substantial delays in accessing their homes during weekend afternoon peak hour conditions, with all the attendant adverse effects related not only to personal access to residences, but problems with emergency access during such periods. The EIR needs to incorporate this issue and address it with facts, not silence. The EIR needs to be re-circulated to allow public comment on this significant traffic impact issue.

Page III.M.1-2, bottom of page, please reference the data that support the conclusory statement that the water district has adequate water supplies. The referenced facilities discuss water pipelines, but not required fire flow rates and storage at this location to meet the mandatory requirements of the County.

Page III.M.1-5, the discussion regarding adequacy of water supply does not address the special needs of being within a wildland fire hazard area, only for structural fires. Would there be sufficient water to provide wildland fire fighting in areas adjacent to (recognizing that there will be buffer areas) residences in each residential enclave. This issue is not addressed.

Regarding a separate issue, the location/alignment of the loop water lines for Kanan and Cornell are not described in the project description. Where will they be installed and are there additional adverse effects from their installation that have not been discussed in the EIR?

Page III. M.1-6, at several points the analysis states that the project site is adjacent to Fire Station No. 65. This is correct for the east of Cornell enclave, but it is not valid for the other two enclaves. The Fire Department will have to travel more than a mile to access these two sites.

Regarding emergency access, the discussion indicates that the Fire Department may necessitate multiple ingress/egress points. The text indicates that since the project conforms with the Subdivision Code, the impact is less than significant. Doesn't this ignore the fact that the Fire Department may have site specific reasons for stating that multiple accesses are required? Fundamentally, this issue remains unresolved until the Fire Department indicates that a single access route is acceptable and does not create an untenable situation for the three enclaves. The finding that this access issue is less than significant is suspect until this issue is resolved.

Page III.M.1-12, CEQA does indicate that payment of fair share costs for cumulative impact is sufficient to reduce a project's cumulative contribution to a less than significant impact. However, such mitigation, accomplished only by the language in the Guidelines, ignores two facts. First, there will in fact be inadequate fire protection resources until sufficient funds are accumulated to provide adequate fire protection resources, so there can be a significant impact in reality, especially if homes are lost due to inadequate resources; and second, even with payment of these fees the Fire Department indicates that resources for Area 1 will be inadequate even after a new station, Fire Station No. 89, is installed. Thus, the cumulative impact remains even with payment of fees and installation of the only anticipated new fire protection facility. The EIR may find that impacts area "mitigated" by paying fees, but in fact there will be an unknown period during which impacts on fire service will be significant and adverse.

Page III.M.3-5, this is another instance where the mitigation defined as acceptable does not really address the potential impact. By artificially defining adequate mitigation for an actual significant impact, society as a whole is adversely impacted by a lack of adequate infrastructure. Clearly, the project specific and cumulative effects on the school system will be adverse and significant given any reasonable set of thresholds.

Page III.N.1-6, please refer to previous comments regarding the lack of the master landscape plan being available for public review at this time and the need to evaluate the siting of the reservoir at this time.

Page III.N.1-8, it is disconcerting to have a statement regarding an essential utility based on a statement that the "water supplies appear to be adequate to meet the District's water demand". Either it does or it does not. An analysis of water availability during drought conditions needs to be included in the EIR to indicate whether there are shortfalls and how those shortfalls will be addressed. The analysis in the EIR is not adequate to make any such conclusions.

Page III.N.1-10, the cumulative impact analysis is too restrictive, since the real issue is whether there is adequate water to meet the demands from either the 26 projects identified in the cumulative impact analysis, or whether the District's Urban Water Master Plan identifies

sufficient water supplies. Please refer to 15130 of the State CEQA Guidelines. The cumulative impact analysis in the EIR and original Initial Study are too restrictive and fail to address the actual full potential cumulative demand for water from known projects.

Page III.P.1-4, if SCE has indicated that cumulative impacts to electricity demand would not occur in the project area, there needs to be a reference to this statement. There is no citation to a letter or other verification and no other analytical data are provided. As presented, this conclusion regarding cumulative impact on the grid is not adequate.

Page III.P.2-3, the referenced letter from SCG (cited for cumulative impacts) needs to be put into the Appendices for independent verification.

Page V-6, the rejection of the Santa Monica Mountains Conservancy Alternative is not support by any facts or analysis. Which of the project objectives does this project not meet and what are the specific facts relating to such objectives that support such a finding. The present discussion is inadequate and needs to be augmented or this alternative deserves to be considered..

Page V-9, second paragraph, there is no basis for concluding that the large lot alternative would eliminate public open space. This is a contrivance to make this alternative appear to be less desirable than the proposed project. First, the size of the lots can vary and could result in an amount of open space equal to the proposed project. Second, the placement of large lots can be configured to create acceptable building pads with suitable amounts of property to meet the overall need to avoid sensitive biological resources. This is a classic case of defining an alternative so that it is unattractive rather than being feasible. It also ignores the fact that by creating limited areas of grading and disturbance, all of the mass grading impacts can be eliminated. As a result, substantial cost savings can be achieved and the reduction in the number of units may not affect the return on investment needed to make the project economically viable. As a result, all of the impacts for this alternative are terribly misleading and grossly overstated and the relationship to project objectives (page V-18) is fundamentally inaccurate.

Page V-43, with regard to the discussion at the bottom of the page addressing North Area Plan objectives and subsequent public agency objectives, all of the statements are conclusory and do not provide any substantiation. This alternative certainly meets these objectives better than the proposed project.

CONCLUSION

For such a small number of units, this project has generated an EIR of over 600 pages. Why? It is the unique environmental resources and setting of this project that makes it so difficult to develop without having significant effects. In many ways it is a shame that an alternative of purchasing the property for permanent open space is not given consideration, as the resources on the property obviously justify such preservation. However, the issue at hand is whether the Draft EIR as presently constituted is adequate for use by decision makers to make a decision whether

to approve or deny this project. The comments above demonstrate that the Draft EIR contains flaws, some of them major flaws. Perhaps the most important examples are the findings regarding impacts to water quality in Medea Creek and the failure to properly evaluate grading impacts east of Cornell where up to 70' high cuts will result in a 70 foot high cut slope in an area where minimal grading is the requirement. In its current form, we believe that the Draft EIR contains unsupport conclusions, incorrect conclusions, a failure to evaluate essential components of the project (ranging from location and size of energy dissipaters to the set aside of property for a major water tank) and outdated data (lack of current biological surveys for potential listed species on the property). We also believe that many of these issues are so critical to the decision making process that simply responding to comments is not an adequate remedy to the CEQA review process for this project. Therefore, CPO requests that when additional data are integrated into the document, it be recirculated for a 30-day period to allow further comment on data that require further peer review.

Thank you for the opportunity to review the Draft EIR and I would have submitted my comments earlier, except I did not receive the document until midway through the comment period.

Sincerely,

Tom Dodson
cc: Cornell Preservation Organization

CITY OF
AGOURA HILLS
"Gateway to the Santa Monica Mountains National Recreation Area"

RECEIVED
MAY 12 2005

May 11, 2005

Christina Tran
County of Los Angeles
Department of Regional Planning
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

SUBJECT: COUNTY PROJECT NO. 97-178, CUP NO. 97-178, OTP NO. 97-178, TTM 52419, SCH NO. 1998111091; TRIANGLE RANCH PROJECT DEIR

Dear Ms. Tran:

Thank you for the opportunity to review and provide comments on the Draft Environmental Impact Report (DEIR) for the Triangle Ranch Project. The project involves the subdivision of a roughly 320-acre project site into 81 single-family residential lots, as well as four landscape and five open space lots. The site is located south of Agoura Road along Kanan and Cornell Roads, and is within unincorporated Los Angeles County, near the southern boundary of the City of Agoura Hills. Since the project abuts the City, it would act as the City's southern gateway, and it is likely that many of the future residents of this project would utilize the various services and roadways in the City. The site is located in a sensitive environmental area with oak trees, sensitive species, hillsides and Medea Creek.

The City of Agoura Hills prepared a letter regarding the Notice of Preparation for the DEIR, dated July 27, 2004. We are pleased that many of the comments raised in that letter have been addressed in the DEIR. However, there are still a number of issues that must be addressed. The following are our comments on the content and adequacy of the DEIR.

Section I. PROJECT DESCRIPTION

1. Page I-3, Item B: The DEIR should note if any encroachment permits and/or grading permits from the City of Agoura Hills would be needed. Any work that might be necessary within City limits involving grading of building pads on the edge of the project boundary or fuel modification efforts should be considered. Grading activities over 50 cubic yards require a City grading permit.

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2. Page I-8, Item D, 1st paragraph: The text notes that the open space on the site would be maintained by the homeowners' association and/or dedicated to a public agency acceptable to the County of Los Angeles. However, the discussion of consistency with the North Area Plan's Policy IV-8 on page III.K-15 only references a "public agency." To ensure that this land is retained as open space in perpetuity and adequately protected, a conservation easement should be dedicated to a public agency or other non-profit land entity that is experienced in managing open space, not the homeowner's association. Also, an exhibit should be included in the DEIR showing the parcels or areas of the site to be dedicated as open space. Figure I-5 Tentative Tract Map identifies proposed open space lots, but it is not clear if all of these lots would be legally dedicated as open space.

3. Page I-8, Item D, 2nd paragraph: The text notes that street lighting would be kept to the minimum required for safety purposes in the area east of Cornell Road, with the area west of Cornell Road consisting of streetlights, sidewalks, curb and gutter. However, given the context of the project within a natural setting, any street lighting, sidewalks, curb and gutter would seem inappropriate and inconsistent with the natural character of the area. On page I-12, the DEIR states that the design concept is to create a semi-rural residential community. The street lighting and typically suburban tract street improvements would be out of character in this semi-rural area.

4. Page I-13: This text does not adequately describe the scope of grading. The height of cut slopes should be identified. The grading plan in the DEIR shows over 60-foot high cut slopes. This is inconsistent with the North Area Plan (NAP) Policy IV-12, as noted on page III.K-16, and therefore measures or alternatives should be identified to reduce the height of these slopes.

5. From the exhibits in the DEIR, it appears that Silver Creek Road is proposed to be extended to Cornell Road. However, the DEIR does not seem to address this improvement. Is this proposed as part of the project? In any case, the DEIR should identify this improvement. If it is to be part of the project, its potential impacts (especially wetland/riparian and drainage and upstream effects) should be assessed in the DEIR.

Section II. GENERAL DESCRIPTION OF ENVIRONMENTAL SETTING

6. Table I-1 on page II-18: This list of projects in the City of Agoura Hills is several years old and is outdated, as it contains projects that are already built, been withdrawn, or revised. Attached is an updated list that should be considered as part of the DEIR. Please contact City staff if there are questions regarding this revised information. It is important to have an adequate and up-to-date project list so that the cumulative background impacts can be included as part of the analysis of the proposed project.

Section III.A. GEOTECHNICAL HAZARDS - GRADING

7. This section does not seem to address any blasting or other form of pre-grading rock treatment that may occur due to certain underlying landforms within a portion of the project site. The DEIR should explain what methods are proposed to be utilized, along with addressing any potential impacts from the activities. The City's policy regarding blasting is that it not be permitted. Since the project is adjacent to City limits, the project should not involve blasting.

Section III.F. BIOLOGICAL RESOURCES

8. While the proposed project has been scaled back from previous versions through primarily a reduction in residential units, the project would still result in significant biological impacts to sensitive plants, animals and various habitat communities. The DEIR notes that SEATAC reviewed this project and prior iterations on several occasions. The current project, as noted throughout this section, has only partially, but not fully, addressed the SEATAC's concerns. For example, the text in the first paragraph on page III.F-39 states, "..the development has been partially redesigned in response to SEATAC comments..." Moreover, starting on page III.F-41, the DEIR outlines the many ways in which the project is not in conformance with SEA compatibility criteria. By eliminating or reconfiguring certain residential lots on the site, it appears that the project's impacts can be significantly and feasibly reduced. On page III.F-39, 1st paragraph, the DEIR states that, "Areas of the project in close proximity to the *Lyon's pentachaeta* have been pulled back to the maximum extent practicable." The DEIR does not explain why it is not practicable to eliminate or shift additional lots to avoid this endangered plant, as well as avoiding jurisdictional drainages and other sensitive biological resources described in this section, and therefore reduce or eliminate significant impacts. Support of the conclusion on page III.F-41, 1st paragraph, stating that impacts to jurisdictional waters are not considered significant, needs to be provided. This conclusion conflicts with the thresholds of significance outlined on page III.F-33. The project involves the grading and filling of 12 jurisdictional drainages and instead directing flow to a system of underground culverts. This is a significant impact, and will cause direct negative effects to the existing biological resources. The text should describe the habitat in these drainages, and reconsider the magnitude of these impacts. In summary, the impact discussion is insufficient, the mitigation measures do not go far enough in reducing impacts, and there is insufficient discussion as to why further mitigation measures, such as avoiding sensitive areas and plants, are not feasible or practicable. Given the numerous inconsistencies with the SEA compatibility criteria and the fairly extensive significant and unavoidable biological impacts associated with the project, it appears that the subject site is not a favorable location for this type and density of development.

9. Given the numerous biological impacts addressed in this DEIR that would not be mitigated to a less than significant level, this section should explain that approval of the project as proposed would require a statement of overriding considerations by the CEQA Lead Agency.

10. Page III.F, Mitigation Measure F-3: This measure briefly refers to the fuel modification plan and its components. However, this section of the DEIR also needs to include a fuller discussion of the fuel modification zones that would be required for the project. This would include a description of what the fuel modification program would entail, including types of species and plant communities that would remain and those that would be removed; a map showing the zones along with the locations of sensitive species and habitat and the proposed lots and improvements; potential biological impacts from vegetation clearing and revegetation; and any necessary additional mitigation measures. The limits of the fuel modification zones should be considered in this section, as well as other appropriate DEIR sections, as the outer boundary of the affected environment. Also, if the zones cross over the northern portion of the site, into the jurisdiction of the City of Agoura Hills, then coordination with the City will be required. The City would be opposed to any fuel modification that crosses onto City limits, as these areas were donated to the Santa Monica Mountains Conservancy for purposes of permanent open space preservation and habitat protection. For similar reasons, no grading for project construction (see Lots 3, 4, 5, 13 and 14) should occur on land in the City limits.

11. Page III.F-39, 3rd paragraph: This paragraph references the oak tree report and mitigation requirements as a result of impacts to oak trees. The DEIR should clarify if these mitigation measures have been incorporated as part of the project description. If so, these measures should be described in more detail in the text where the various project components are described. Otherwise, the impacts should be further described and the mitigation should be called out more specifically in the list of mitigation measures.

12. Page III.F-45, Mitigation Measure F-1(2): This measure should also include a requirement for a monitoring and maintenance program to ensure that the revegetation is successful. Otherwise, this measure would be useless As in Mitigation Measure F-2(2), this measure should include a requirement that the monitoring and maintenance program be specified in the CC&Rs as being the responsibility of the Homeowners' Association or other future owner of the land. This mitigation measure should also list that this requirement be written into the deed.

13. Page III.F-43, 1st paragraph: The last sentence notes that the project is in substantial conformance with SEA Compatibility Criterion 3. However, there is no information contained in this paragraph to substantiate this conclusion. Moreover, the DEIR on page III.F-40, 2nd paragraph, notes that the project could interrupt east-west movement via Medea Creek and Drainage B, and claims that

this would be considered a significant impact. The DEIR should address these inconsistencies in level of impact.

14. Page III.F-45, Mitigation Measure F-2: Since areas containing *Lyon's pentachaeta* (an endangered species, with this particular series of locations listed in the DEIR as "one of the largest populations known to exist in the Santa Monica Mountains) would be removed for construction of the homes, replanting of this species, not simply preservation of the existing populations, should be required. The basic components of such a plan should be provided in the DEIR. If replanting is not feasible or unlikely to be effective, then the site plan should be revised to avoid these areas altogether.

15. Page III.F-48, Mitigation Measure F-9: This measure mentions a minimum habitat mitigation ratio of 1:1 onsite, and continues to state, "...and no less than 2:1 for mitigation." Please clarify if this last part of the sentence is meant to refer to offsite mitigation. In any case, these ratios are too low. A minimum ratio of 3:1 should be the goal to account for loss of habitat until full growth is established and to account for failure of a certain amount of plantings. Additionally, while a final habitat mitigation plan is not necessary to be provided at this point, the DEIR should at least propose conceptual ideas, including type of replacement habitat and potential receiver sites so that an assessment regarding adequacy and feasibility of mitigation measures can be made.

16. Page III.F-49: This paragraph states that *indirect* cumulative biological impacts would be less than significant, but does not state whether *direct* cumulative impacts to biological resources would be significant. It appears that this would be a significant impact. This discussion needs to be expanded accordingly.

17. Page III.F-46, Mitigation Measure F-5: Please refer to Comment #2 regarding open space. These comments should also be reflected in the mitigation measure.

18. Page III.F-47, Mitigation Measure F-8(2): The street lighting is not necessary or appropriate, given the site's location amidst sensitive ecological areas and the semi-rural character of the location. The mitigation measure should be revised to avoid street lighting that would adversely affect biological resources.

Section III.I VISUAL QUALITIES

19. Starting on page III.1-32, the DEIR describes the project's aesthetic impacts, with mitigation measures beginning on page III.1-34. The DEIR concludes that impacts to scenic vistas, scenic resources, and the existing visual character or quality of the project site and its surroundings, would result in unavoidable significant impacts. However, the mitigation measures listed are inadequate, and do not even address some of the particular impact areas. Additional mitigation measures should be considered in this DEIR. While they may not eliminate the stated unavoidable significant impacts, they would serve to further reduce

impacts. The suggested mitigation measures, and/or changes to the project are described below.

20. As designed, the character of the project is more suburban than semi-rural. A community with street lights, sidewalks, curb and gutter is not the appropriate type of development in this area, which is semi-rural and surrounded by valuable natural areas and mountains, much of which has been designated as SEA. It is not clear if the development would be gated; gated communities should be discouraged in this area. While the compact layout of the development has notable benefits, namely concentrating urban development in a distinct area, thereby leaving more areas for open space, it also has significant drawbacks. In this particular case, the development is too urban in appearance. To be more compatible with the surrounding natural environment, consideration should be given to reducing the number of residential lots and redesigning the site, including re-configuration of the lots and street system to be more naturalistic. Examples include the following: no curb/sidewalk; no street lights or at least no light poles, the use of flag lots instead of cul-de-sac layouts; and more split level pads.

21. Page III.1-33, 2nd paragraph, the text states, "...grading would transform the complex terrain of the hillsides into more regular ordered patterns of horizontal planes. The rugged natural forms of the project site and the surrounding Santa Monica Mountains constitute major scenic resources." The project involves substantial cut (498,421 c.y.) and fill (427,483 c.y.) quantities, along with steep cut slopes. The amount of grading could feasibly be minimized by reducing the project footprint, especially encroaching into the hillsides. The proposed lots on the steeper slopes should be avoided, and instead these slopes should be preserved in their current state. On gentler slopes, the lots should be developed such that residences can be "stepped up" or terraced, being contoured with the hillside, not graded out to create flat building pads. This would result in development that is less visually intrusive to the hillside backdrop, and would greatly minimize aesthetic impacts to the scenic mountain resources.

22. Page III.1-33, 4th paragraph: The text states that, "...the residential enclaves have been designed to create a suburban and semi-rural residential community that avoids the appearance of a 'tract' development." However, the development as proposed still conveys a sense of a suburban subdivision, as evidenced in the series of photo-simulation exhibits (III.1-7 through III.1-11). Further measures should be incorporated into the project to reduce this effect. In particular, building setbacks from Kanan and Cornell Roads should be increased, and the setbacks vegetated with denser landscaping (including trees and shrubs) that provides an adequate visual buffer from the homes to Kanan and Cornell Roads, and that reflects a more natural, as opposed to a manicured, appearance. As shown in the photo-simulations, the proposed vegetation is sporadically placed and insufficient. The landscaping should significantly obscure the buildings from vehicles and passersby on the main roadways through the area. The DEIR should describe the range of vegetative species to be used in the buffer areas and plot these areas on

an exhibit. Also, particular design characteristics, color schemes and building materials should be stipulated in the DEIR as mitigation measures. Page III.I-14, first full paragraph, states that, "...the depiction of the proposed structures is only intended to give the sense of their appearance. No architectural plans have been developed for the proposed homes; therefore, depictions of the homes are strictly generic and are not intended to suggest any specific architectural styles, color schemes or exterior building materials." While it is understandable and acceptable that the design is schematic at this point in time, the design characteristics are actually critical to considering whether the project would result in significant aesthetic impacts. Therefore, the project should either incorporate certain basic design standards/parameters to reduce potential impacts, or the standards should be included as mitigation measures. The design standards could include requiring earth-tone palettes; utilizing non-reflective and more naturalistic building materials; architecture that reflects but does not retract from the natural semi-rural surroundings through size, height, scale and style; and landscaping design that is naturalistic in placement and in types of species selected to blend in with the existing landscape. As presented, the mitigation measures do not go far enough in reducing the impacts. There are further feasible mitigation measures, such as those listed above, that should be included in the DEIR.

23. MM I-4 on page III.1-35 notes that concrete drains and all other drainage devices shall be tinted with an earth tone. This would help in minimizing aesthetic impacts. However, rather than just conceal the concrete and other man-made structures through tints, consideration should be given to minimizing the amount and size of man-made drainage structures to what is absolutely necessary. For example, where possible, natural or natural-appearing materials, such as riprap, should be utilized. As presented, the mitigation measure is insufficient, and additional feasible measures should be listed in the DEIR.

24. Page III.I-34, Mitigation Measure I-1(1): The third sentence should be revised to state, "Only non-invasive, native plant...." Not "non-native."

Section III. J LIGHT AND GLARE

25. Aside from the fact that County standards may require street lighting, the need for light poles is not made clear in the DEIR. How many street lights would be required to meet County standards and how tall would the light standards be? Could not other types of lighting, besides poles, provide adequate safety? Additionally, page III.J-3, footnote 2, states that street lighting systems may be waived if the "advisory agency finds that street lights will not be in keeping with the neighborhood pattern." Given the substantial impacts of street lighting on the general area, the DEIR needs to provide further information on the need for such lighting and consider alternative methods of providing illumination. While there is already some street pole lighting in the general area, the proposed project would substantially add to this lighting, creating further inconsistencies with the semi-rural character.

26. Page III.J-7 notes that passengers in vehicles on Kanan Road would experience substantial new light or glare impacts at a level that is less than significant. Also, the last paragraph on this page states that the development "would not create new sources of substantial light or glare which would adversely affect nighttime views as seen from Cornell Road." This conclusion is not adequately substantiated, so further information needs to be provided to support these statements. The project would significantly add to the existing Kanan Road lighting and create new lighting along Cornell Road. A photometric study or similar lighting evaluation should be prepared that demonstrates the specific areas that would be illuminated and at what levels.

27. Page III.J-9, 3rd paragraph: The conclusion that project lighting would not make any material contribution to the already-present sky glow needs to be substantiated.

28. Page III.J-10, 3rd paragraph: The conclusion of no significant impact to light-sensitive wildlife species also needs to be substantiated. Just because the majority of the site area will remain in open space does not mean that lighting in the remainder of the site would not result in significant impacts.

29. The mitigation measures listed on page III.J-13 in bullet format are beneficial but do not go far enough in reducing impacts. The DEIR should consider other feasible measures, such as eliminating street lighting.

Section III.K LAND USE COMPATIBILITY

30. The North Area Plan (NAP) consistency analysis in this section, summarized as Table III.K-1, should be completely re-assessed. In many cases, the DEIR notes that the project is in "conformance" or "substantial conformance" when in actuality, the discussion of the project in other sections of the DEIR is inconsistent with these conclusions, and the evidence of consistency provided in the table is incorrect or inadequate. The following are just a few examples, but we recommend that the entire Table III.K-1 be reconsidered.

    A. Page III.K-13, Policy IV-3c: The conclusion should be "inconsistent," as the DEIR has not shown that impacts to sensitive habitat (including wetlands) are unavoidable.

    B. Page III.K-14, Policy IV-3d: The biological section of the DEIR does not indicate that direct impacts to *Lyon's pentachaeta* have been avoided. This needs to be corrected.

    C. Page III.K-15, Policies IV-9 and IV-10: Given the substantial amount of hillside grading, especially on steep slopes (over 60 feet), the conclusions here should be "inconsistent."

D. Page III.1-33, 2nd paragraph, the text states, "...grading would transform the complex terrain of the hillsides into more regular ordered patterns of horizontal planes. Therefore, the conclusion of "conformance" of the project with NAP Policy IV-10 found on page III.K-15 appears incorrect, as does the conclusion of "substantial conformance" for Policy IV-32 on page III.K-19.

E. Page III.K-29, NAP Policy 13: The "substantial conformance" conclusion is not supported. The project could incorporate many more features to contribute to the rural character and lifestyle, such as reducing lighting, creating a less urban street development, and reducing the amount of hillside grading.

F. Page III.K-39, the conclusion that the project is consistent with SEA Criterion 3 is not supported by the DEIR (see Comment #13).

31. Page III.K-43, 3rd paragraph: The DEIR states that project impacts with regard to conflicts with applicable policies and plans would be significant. We agree with this conclusion. However, page III.K-44 notes that no mitigation measures are required for this impact. Moreover, page III.K-45, 2nd paragraph, states, "As previously discussed, the proposed project would not physically divide an established community or conflict with any applicable land use plan, policy, regulation..." Therefore, the DEIR provides conflicting information regarding whether policy consistency impacts would be significant. The DEIR should address this inconsistency, and address how this significant impact would be mitigated. Feasible mitigation measures would be to adjust the project to be consistent with the appropriate policies and regulations.

32. Page III.K-16, Policy IV-13: The conclusion should be "inconsistent," given the fact that there would be substantial grading of the site, with "regular ordered patterns of horizontal planes." As proposed, the project also has inadequate landscaping buffers and setbacks from the major roadways (see Comment #22).

33. Page III.K-39, SEA Compatibility Criterion 3: Please refer to Comment #13.

34. Given the numerous policy inconsistencies (NAP and SEA), the project as currently proposed seems inappropriate for the site. The project should be re-considered, with a less damaging alternative in terms of biological and hillside resources selected, such as Alternative 4, as discussed below.

Section III.L TRAFFIC AND ACCESS

35. This section should analyze potential impacts to the roadway system from construction-related activities, such as truck trips.

36. This section should also assess haul routes, and analyze potential impacts on the roadway system, including the Kanan Road/Highway 101 interchange. Approval of haul routes is required by the City.

37. The last sentence on page III.1-27 states that the proposed project would participate in a Traffic Impact Fee program on a per-PM-trip basis through the City of Agoura Hills Benefit Assessment Fee. Please note that the City's Traffic Impact Fee (TIF) would total $197,640, based upon the construction of 81 homes at a rate of $2,440 per home. This contribution should be referenced in the discussion of mitigation measures.

38. The DEIR should clarify that the project would be required to continue the proposed full width street improvements for the ultimate buildout of Kanan Road northerly to approximately 100 feet north of Cornell Way to provide a proper transition, including improvements to the Cornell Way intersection. The design and construction would need to be reviewed and approved by the City within the City limits. The costs for these improvements within the City are creditable against the TIF.

Section III.M.5 PUBLIC SERVICES – PARKS AND RECREATION

39. Pages III.M.5-4 and -5 note that the project would be required to pay a Quimby fee to Los Angeles County to offset increased demand on parks and recreational facilities. However, the text goes on to say that project residents would likely utilize parks and recreational facilities in the City of Agoura Hills, and therefore the proposed project's impacts on parks and recreational facilities in the City would be significant. Also, on page III.M.5-6 of the cumulative impact discussion, the text notes that cumulative impacts to recreational facilities in the City of Agoura Hills would be significant." Under the discussion of "MITIGATION MEASURES," the DEIR concludes that payment of the Quimby fee to the County would reduce impacts to a less than significant level. In actuality, payment of such fees to the County would not reduce the impact to less than significant, since these fees would not be used to augment existing or create new park and recreation facilities in the City, where the DEIR notes the impacts would be received. This paragraph concludes that "With the provision of these new County facilities, the proposed project's impacts on City of Agoura Hills parks and recreation facilities would be temporary and less than significant." What is problematic with this conclusion is that the DEIR does not describe these County facilities. Without specific park and recreational facilities in the planning stages, this mitigation measure may not be implemented. The "temporary" impact to Agoura Hills may in reality be more permanent. An adequate mitigation measure needs to be identified in the DEIR. Therefore, the City requests that an equitable portion of the Quimby fee for the project be provided to the City. Another way in which the significant impacts to the City can feasibly be mitigated is for the project to dedicate additional funds, separate from the Quimby fee, to

the City as compensation for the greater demand for parks and recreation that would need to be met by Agoura Hills.

Section V. ALTERNATIVES

40. As noted in the document, particularly in Table V-3, Alternative 4 (SEA/Reduced Lot Plan) is the environmentally superior alternative. This alternative addresses many of the concerns listed throughout this letter, and so is the preferred alternative of the City of Agoura Hills. On page V-43, the text notes that Alternative 4 would not satisfy all of the project objectives since it would not achieve the project applicant's basic goal of developing 81 homes. This objective is explained further on page V-3. However, could not the applicant's goal of creating a marketable and financially feasible project (hence, the 81 units assumed by the developer) still be achieved with less homes? We suggest that further consideration be given to this alternative and its ability to meet the objective of economic feasibility.

Thank you again for the opportunity to comment on this DEIR for the Triangle Ranch Project. The City of Agoura Hills looks forward to reviewing the responses to our comments. If you have any questions, please contact Allison Cook, Senior Planner, of my staff at (818) 597-7310.

Sincerely,

Mike Kamino
Planning and Community Development Director

Attachment: Updated Project List for City of Agoura Hills

Cc: Greg Ramirez, City Manager
Jim Thorsen, Assistant City Manager

Table 1

Cumulative Development Summary with Agoura Village Proposal

	Project Proponent/Name	Land Use	Size	Status
	Ball Propertied (Centerpointe)	Office	61,040 SF	Approved/Under Construction
	J.H. Snyder Co	Office Restaurant Apartments	40,000 SF 19,000 SF 336 DU	Approved/Under Construction
	Adobe Cantina	Restaurant	1,142 SF Add.	Under Review
	Palo Camado Ranch	Single Family	8 DU	Approved/Construction Pending
	Burgundy Creek Bistro			See Agoura Village
	Cornerstone			
	See Agoura Village			
	Chabad of the Conejo	Classrooms/Office for Church	6,442 SF	Approved/Construction Pending
	Silagi-Canwood Corporate Center	General Office	22,896 SF	Approved/Under Construction
	Temple Beth Haverim	Synagogue	31,000 SF	Approved/Construction Pending
	Scheu Development	General Office	81,000 SF	Approved/Construction Pending
	LA County Fire Department Sta.#89	Fire Station/Training Facility	12,500 SF	Approved/Under Construction
	Schneider	Condominium	4 DU	Approved/Construction Pending
	Silagi Development	General Office	49,350 SF	Approved/Under Construction
	Ted Moore			See Agoura Village
	Agoura Business Center	Warehouse/Manufacturing/Office	19,810 SF	Under Review
	Development Partners	General Office	31,160 SF	Approved/Under Construction
	Adler Realty	Furniture Stores	118,162 SF	Approved/Under Construction
	Levy, Moshe	General Office	20,830 SF	Approved/Complete
	Wickman-Agoura Furniture Center	Furniture Store	38,760 SF	Approved/Under Construction
	Del Rahim	Auto Detailing Service	10,333 SF	Approved/Under Construction
	Minder	Condominium	19 DU	Approved/Under Construction
	Reyes Adobe Partners, L.P.	Furniture Store	14,500 SF	Approved/Complete
	Leader Carpets	Retail	14,080 SF	Approved/Complete
	So. Cal. Food Services for Wendy's	Drive-Thru Fast Food	3,200 SF	Approved/Construction Pending
	Realty Bancorp Equities	Commercial	76,750 SF	Approved/Construction Pending
	Stockton for Levy	Furniture Store General Office	10,000 SF 6,700 SF	Approved/Under Construction
				See Agoura Village
	Symphony Project			
	Alesco Development	Office	63208 SF	Approved/Construction Pending
	BBA Properties LLC for Michael Browers	Office	9,000 SF	Approved/Construction Pending
	Zaghi	Warehouse/Manufacturing	11,636 SF	Approved/Construction Pending
	HBF Holdings	Hotel/Homewood Suites	125 Rooms	Approved/Construction Pending
	Heathcote for Buckley	Commercial/Medical	14,075 SF	Under Review
	Stockton	Apartments	4 DU	Approved/Construction Pending
	Chesebro Properties, LLC	Office	8,000 SF	Approved/Complete
	Riopharm	Single Family	28 DU	Under Review
	Agoura Village A - South	**Retail/Office** **Townhomes** **Apartments**	**119,000 SF** **62 DU** **56 DU**	**Under Review**
	Agoura Village A - North	**Retail/Office** **Apartments**	**29,308 SF** **19 DU**	**Under Review**
	Agoura Village B	**Retail/Office/Restaurant** **Townhomes** **Apartments**	**122,000 SF** **81 DU** **19 DU**	**Under Review**
	Agoura Village C	**Retail/Office/Restaurant**	**3,500 SF**	**Under Review**
	Agoura Village D - West	**Retail/Office/Restaurant**	**36,600 SF**	**Under Review**
	Agoura Village D - East	**Retail/Office/Restaurant**	**113,300 SF**	**Under Review**
	Agoura Village E	**Retail/Office/Restaurant** **Townhomes** **Apartments**	**77,000 SF** **25 DU** **19 DU**	**Under Review**
	Agoura Village F	**Office**	**75,250 SF**	**Under Review**

[Click here and type address]

facsimile transmittal

213/626-0434

To: Ms. Christina Tran **Fax:** [Click here and type fax number]

From: Steve Hess **Date:** 5/11/2005

Re: Triangle Ranch DEIR **Pages:** 3 including cover

CC:

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Please see attached comments on Triangle DEIR.

Regards,

Steve Hess

818/865-1748

Las Virgenes Homeowners Federation, Inc.

Post Office Box 353, Agoura Hills, California 91301

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Malibou Lake Mountain Club
Mira Monte
Malibu Lakeside
Monte Nido Valley
Mountain View Estates
Greater Mulwood
Old Agoura
Old Topanga
Saddle Peak
Saratoga Hills
Seminole Springs
Wagon Road Ranchos

Ms. Christina Tran
Department of Regional Planning
320 West Temple Street
Los Angeles, Ca 90012

Via fax to: (213) 626-0434

Re: Comments on Triangle Ranch DEIR County Project No. 97-178

Dear Ms. Tran & Planning Commissioners:

The delegates to the Las Virgenes Homeowner's Federation represent over 2000 homeowners, taxpayers and voters in the Las Virgenes area and are united in our opposition to the proposed development of the Triangle Ranch as described in its DEIR because of its incompatibility with the Santa Monica Mountains North Area Plan (NAP). The DEIR describes a large housing-tract development within a rural residential area that gives development priority over resource protection, contrary to the goals & principles of the NAP.

I know that you will be hearing detailed responses form many sources so I have chosen to give you a high level summary of the most important issues to help guide your decisions.

The Triangle Ranch lies within the jurisdiction of the North Area Plan (NAP). It is therefore incumbent upon the applicant to prepare a DEIR which is compliant with the conditions, restrictions, guidelines, goals and spirit of the North Area Plan. Clearly, and without much investigation, one can determine that this DEIR does not conform to the NAP in these and many other areas:

- Grading;
  - The grading details contained within the DEIR are inadequate. For example, the discussion of cut & fill identifies "70 foot fill areas". However, the locations, volume, and geology for these cut areas is not defined. By using a very liberal interpretation (i.e. one favoring the applicant) grading calculations are a minimum of 50 times those allowed by the Grading & Ridgeline Ordinance amendment of the NAP. Similar statements and conditions can be found throughout the document.
  - Details of ridgeline removal are also not included. The project does not adapt to natural hillside terrain. (NAP Policy IV-13)
  - Credit seems to have been taken for illegally grading the hillside along Kanan Road. That is, calculations were done using the existing "flat" topography when the "original" natural slope values should have been used; resulting in a reward to the applicant for illegal grading!
  - Recommendation: I ask that the applicant provide a detailed grading plan which includes all slope and grading calculations AND which demonstrates compliance (through verifiable calculations) with the NAP Grading & Ridgeline Ordinance.

EXECUTIVE COMMITTEE

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Deer Springs
Fountainwood
Liberty Canyon
Malibu Canyon
Malibou Lake Mountain Club
Mira Monte
Malibu Lakeside
Monte Nido Valley
Mountain View Estates
Greater Mulwood
Old Agoura
Old Topanga
Saddle Peak
Saratoga Hills
Seminole Springs
Wagon Road Ranchos

- Significant Ecological Area (SEA);
  - The project area East of Cornell Way lies within SEA #6. As such, the applicant is violating NAP Guiding Principle #IV-B which states that *"resource protection will be given priority over development."*
  - Recommendation: I ask that the applicant revise the DEIR and provide a plan, with current Biota data, which gives priority to resource protection over development.
- Urban Development in a rural area;
  - The applicants DEIR states very clearly that urban features like street lights, curbs, sidewalks, etc. will *definitely* be constructed in areas adjacent to Ladyface Mountain, and throughout the remainder of the project as needed. This practice is in direct conflict with the North Area Plan which states that urban features, like those listed, should be avoided within the boundaries of the area governed by the NAP.
  - Recommendation: I ask that the applicant follow the principles of the NAP and submit a revised DEIR void of "urban" features.

In closing, The Federation joined with Los Angeles County and local governments, including the City of Calabasas & Agoura Hills, local land owners and others to develop the North Area Plan. Many of the Federation delegates and land owners invested five, ten or more, years participating in the creation of the North Area Plan. This innovative plan holds as its guiding principal "to let the land dictate the type and intensity of use." We wholeheartedly agree with this principal and believe this plan provides the right balance between resource protection and development that will insure the health and well being of the Santa Monica Mountains.

We urge the County to apply these standards to their analysis of this project DEIR and reject the applicants DEIR on the basis that it does not comply with the Counties North Area Plan and amendments.

The Las Virgenes Homeowner's Federation thanks the County of Los Angeles for the opportunity to participate in this process.

Sincerely,

Steve Hess
Las Virgenes Homeowners Federation, President
(818) 865-1748 hm

Jess Thomas
Old Agoura, Ca

Ms. Christina Tran
Department of Regional Planning
320 West Temple Street
Los Angeles, Ca 90012

Via fax to: (213) 626-0434

Re: Triangle Ranch DEIR County Project No. 97-178

Dear Ms. Tran:

I am writing to you to express my concern over the Triangle Ranch Draft EIR. I personally spent many years participating in the development and adoption of the County North Area Plan and I am deeply concerned that the proposed project does not meet many of the guiding principles set forth in the plan.

I want to remind you that the NAP was created in cooperation with LA County, local governments, residents AND local land owners. Many of the concepts and guidelines of the NAP were developed in concert with the very land owners who now seek variance from those restrictions.

The Triangle Ranch DEIR is deficient in many ways and I would like to take the opportunity to itemize some of them as follows:

1. Clustering; the project violates the development guidelines set forth in policy VI-18. Resulting density is not compatible with surrounding environment. Houses are urban in appearance.
2. The project does not preserve dark skies. (Policy VI-13.)
3. The project does not retain natural terrain. (Policy VI-13.)
4. The project does not reduce grading or the need for vegetation clearance. (Policy IV-1)
5. The project does not minimize disturbance of existing natural drainage. (Policy IV-20)
6. The project does not give resource protection over development. (Policy IV-B)
7. The project does not preserve skyline development. (Policy IV-14)
8. The project does not maintain and enhance the view shed along route with scenic qualities. In fact, this development is precisely located at the Kanan gateway to the Santa Monica Mountains. (Policy IV-29)
9. The project does not use landform grading techniques on engineered slopes to recreate a natural hillside (Policy V-2)
10. The project definitely does not emphasize the area's natural settings and scenic features over expansion of higher density development. (Policy VI-1)
11. The project does not protect natural features and minimize grading. (Policy IV-9)
12. The project does not adapt to the natural hillside topography (Policy IV-14)

In conclusion, I urge you to apply the principles and goals of the North Area Plan and reject the applicants DEIR.

Sincerely,

Jess Thomas
Old Agoura

United States Department of the Interior

NATIONAL PARK SERVICE
Santa Monica Mountains National Recreation Area
401 West Hillcrest Drive
Thousand Oaks, California 91360-4207

RECEIVED
MAY 16 2005

In reply refer to:
L76/Triangle Ranch

May 11, 2005

Ms. Christina Tran, Impact Analysis Section
Los Angeles County Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012

Dear Ms. Tran:

The National Park Service has reviewed the draft Environmental Impact Report (DEIR) for the proposed Triangle Ranch, Project No. 97-178/Tentative Tract Map 52419. The project proposes to subdivide a 320-acre project site into 81 single family residential lots, plus landscape and open space lots. The project would occupy 54 acres, with the other 266 acres being retained as open space.

The National Park Service appreciates the opportunity to participate in the public review process for Triangle Ranch. We provide comments on the effects of private and public land development in the Santa Monica Mountains at the invitation of state and local units of government with authority to prevent or minimize adverse uses. We respect the rights of land owners to develop their properties consistent with federal, state, and local laws. In providing comments, we assume a neutral position and do not support or oppose land development. To this end, we offer the following comments on the DEIR.

The proposed project is located outside the federal boundary for Santa Monica Mountains National Recreation Area. The site, however, is referenced in the joint General Management Plan (GMP) as an area to study for national recreation area boundary expansion. The GMP designates lands beyond our current legislative boundary as "Land Recommended for Boundary Study" because we recognize areas contiguous with the existing park that are of scenic, natural, cultural and recreational value. Studies of these areas may lead to inclusion in the SMMNRA, which would take an act of Congress. In the case of Triangle Ranch, the site represents a major scenic gateway into the national recreation area. The site also hosts a Los Angeles County-designated Significant Ecological Area and several state or federally listed threatened or endangered plant species. When projects are located within a recommended boundary study, we take an advisory role when evaluating land use types and intensities. We assess potential impacts of projects in boundary study areas using the same standards as we would for projects that occur within the SMMNRA.

Overall Comments

We concur with the DEIR's findings of significant impacts on visual quality, biological resources, and land use. We have provided advisory comments on the Live Oak Ranch Initial

Study in 1998 and the Triangle Ranch Notice of Preparation in 2004. With each commenting opportunity, we have suggested the project be redesigned and the number of units reduced to decrease grading that leads to visual impacts and to preserve sensitive plant populations, wildlife habitat, and habitat connectivity. The DEIR's preferred alternative does not reduce the adverse impacts that we expressed concern over in our previous correspondence. Alternative 4 offers the most protection of existing natural, cultural, and scenic resources.

In my role as park Superintendent, I serve as a member of the Santa Monica Mountains Conservancy Board. The Conservancy has submitted a Board-approved comment letter on the Triangle Ranch DEIR. The National Park Service will not seek to duplicate the comments in the Conservancy's letter, although we hereby incorporate the Conservancy's comments by reference. We would like, however, to offer additional comments.

Biological Resources

We find the DEIR's proposed mitigation measure F-1 for loss of Santa Monica Mountains dudleya (*Dudleya cymosa ssp. marcescens*) populations would be inadequate. As stated in the DEIR, efforts to relocate juvenile plants of Santa Monica Mountains dudleya to another suitable site are experimental at best and are not likely to succeed for several reasons. First, small plants may have a reduced chance of survivorship due to fewer amounts of stored resources in leaves and roots compared to larger more mature individuals. Second, identifying appropriate relocation sites is never easy, and there is currently minimal knowledge concerning the exact small and large-scale conditions necessary for survival and reproduction of the dudleya. Third, for this particular species, relocation becomes an even riskier proposition than for many other plants due to its rudimentary root system and tendency to grow on steep slopes. Plants that are moved will have a tendency to be unstable and to be washed downslope into inappropriate habitats during winter storm events; this has been our experience at one of our National Park Service sites. Owing to all of these factors, we expect survivorship of transplanted individuals to be extremely low, thus limiting the effectiveness of this mitigation measure.

Most of the features discussed above apply to the proposed mitigation measure to collect seed, propagate plants, and outplant the dudleya. Determining suitable Santa Monica Mountaions dudleya habitat for outplanting has a low probability of success. Collecting just five seeds per plant for propagation will result in an extremely low probability of success. Seed germination rates can be low in this species. In addition, not all seeds that germinate will survive to outplanting, and an even fewer number will survive through the outplanting process. Five seeds per plant makes it extremely unlikely that all individuals will be represented in the outplanted population. Loss of individual's genetic material from the population will result in reduction of the genetic diversity of the population with the result of increasing probability of in-breeding depression and other negative genetic consequences.

Similarly, the DEIR's recommended mitigation measure F-2 for protecting any remaining Lyon's pentachaeta (*Pentachaeta lyonii*) habitat over the long term would likely be unsuccessful, and thus, would be inadequate. In the park's experience, it is laudable to attempt to maintain remaining Lyon's pentachaeta populations adjacent to development, but,

unfortunately it is extremely problematic. Introduction of grading and disturbance into sites adjacent to the Pentachaeta population will increase populations of non-native species including non-native annual grasses and non-native annual forbs. These species (particularly *Bromus hordeacous*, *Bromus madritensis*, *Avena fatua*, *Centaurea melitensis*, *Erodium cicutarium* and *Erodium botrys*) spread rapidly and compete directly with pentachaeta. National Park Service research has shown that competition with non-native annual grasses and forbs significantly reduces reproduction in Lyon's pentachaeta. Many pentachaeta sites have been lost due to the invasion and dominance of non-native annual grasses following disturbance. Tools and techniques to keep these undesirable species out without impacting pentachaeta are currently extremely limited and expensive. The only technique that we have found effective for removing the invasive species without damaging pentachaeta plants is hand cutting of non-native species by trained professionals. This method takes hours to clear an extremely small area: 40 hours labor to clear 40 square meters.

The DEIR needs to identify a responsible party to monitor the success or failure of Lyon's pentachaeta site maintenance. We are concerned that it may be an undue burden on the homeowners association to manage a population of a federally endangered plant. They may lack the knowledge, skill, or experience in endangered species management, or the cost to employ a qualified specialist may be prohibitive. Given our experience with managing pentachaeta populations on National Park Service property, we know it would be difficult to anticipate future costs of site maintenance.

The mitigation measures outlined in F-3 for fuel modification zone impacts need to include management of the inevitable invasion of non-native plant species. Impacts of fuel modification zones often extend far beyond the zone. Repeated disturbance (mowing, disking, trimming, etc.) in fuel modification zones areas creates propitious conditions for haven for non-native invasive species. Numerous harmful exotic species can be found in the areas surrounding this project including *Spartium junceum* (Spanish broom), *Centaurea mellitensis* (tocolote), *Ricinus communis* (castor bean) and others. These species will establish in the fuel modification zones unless they are specifically controlled. To ensure that these areas do not become sources of invasive species that then impact surrounding areas, fuel modification zones must be surveyed several times a year and treated to prevent reproduction of any Cal-IPC listed species or other non-native invasive species of local management concern.

The DEIR's recommended Master Landscape Plan in mitigation measure F-4 may be feasible, although the recommended five-year time frame would not be long enough to assess whether ornamental plants are expanding into surrounding areas. Many ornamental species take three to five years to become reproductive. The monitoring period should be extended to ten years, or the planting list should be restricted to only native species or ornamentals that have been demonstrated not to be invasive in southern California over a period of twenty to thirty years.

We appreciate the DEIR's inclusion of mitigation measure F-7, addressing the use of poison rodenticides, although compliance with the measure's requirements may be difficult to monitor. The National Park Service's wildlife studies in the national recreation area have

shown that large mammals, including bobcats, coyotes, and mountain lions, are susceptible to secondary poisoning by ingesting anticoagulant rodenticides.

Hydrology/Water Quality

The proposed project is adjacent to Medea Creek, the waterway that runs south and crosses National Park Service's Paramount Ranch site. We acknowledge the value of the DEIR's proposed mitigation measures to reduce nitrogen and phosphorous levels in site runoff, although we remain concerned about their effectiveness. Water quality studies of streams in developed areas still indicate elevated nitrogen and phosphorous levels in spite of recent educational encouragement to reduce residential input of those nutrient pollutants into waterways.

Cultural Resources

The DEIR's mitigation measures should identify a repository or holding location for potential discovered artifacts.

Visual Qualities

The DEIR's mitigation measures for visual impacts only address landscaping. The DEIR should consider mitigation measures addressing project architectural design, including single story residences to reduce the development's silhouette against Ladyface, split level design, and other creative techniques to blend the homes into the landscape. Furthermore, we recommend pursuing a reduced-scale project as suggested by Alternative 4 as a improved means to reduce visual impacts.

Recreation

On Page III.M.5-3, we request the DEIR be revised to change the title of "Santa Monica Mountains National Recreation Area" to National Park Service to correctly reference the owners of those park sites. The SMMNRA includes not only federally owned park sites, but also the referenced California State Parks and other local parks.

The DEIR's depiction of the proposed Zuma Ridge Trail on Figure I-6 needs to clearly illustrate the beginning and end point of the proposed alignment. The trail has been long-envisioned as a connection between parkland in the Simi Hills and parkland south of Ventura Freeway. It is illustrated on the Los Angeles County Master Trail Plan and is referenced as a "Missing Link" in the 1997 public scoping report, "Santa Monica Mountains Area Recreational Trails," commonly referred to as the SMMART report.

The DEIR's proposed trail appears to parallel Cornell Road and may be an inappropriate trail alignment, although we recognize the desirability to the surrounding equestrian-oriented community of a recreational trail that would follow the road. Our trail alignment surveys have found it to be nearly impossible to construct a trail that would follow Cornell Road all the way from Cornell Way to the first recreational entrance into Paramount Ranch just south

of Wagon Road. Private land ownership adjacent to the road, the roadside terrain, and possible safety issues from juxtaposing recreational use next to high-speed vehicular use would make trail implementation along Cornell Road nearly impossible. We have found a more achievable route that would traverse the eastern portion of the subject property. Again, Alternative 4 would enhance the feasibility of implementing the trail. We would be glad to provide our working information on the proposed trail alignment.

Thank you for the opportunity to comment. If you have questions, please call Ray Sauvajot at (805)370-2339.

Sincerely,

for Woody Smeck
Superintendent

cc: Joe Edmiston, Executive Director, Santa Monica Mountains Conservancy
Ron Schafer, Superintendent, Angeles District, State Department of Parks and Recreation
Dan Preece, District Manager, Resource Conservation District of the Santa Monica Mountains

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REGIONAL PLANNING COMMISSION
MAY 18, 2005
AGENDA ITEM NO. 8 a, b, c

ADDITIONAL

CORRESPONDENCE

FOR

DRAFT EIR

COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

(323) 890-4330

RECEIVED
MAY 17 2005

P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

May 10, 2005

Ms. Christina Tran
Impact Analysis Section
Los Angeles County Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Dear Ms. Tran:

DRAFT ENVIRONMENTAL IMPACT REPORT, TRIANGLE RANCH PROJECT, COUNTY PROJECT #97-178, STATE CLEARINGHOUSE NO. 1998111091 (AGOURA HILLS), FFER 200500031

The Draft Environmental Impact Report has been reviewed by the Planning Division, Land Development Unit, and Forestry Division of the County of Los Angeles Fire Department. The following are their comments:

PLANNING DIVISION:

We have two comments on this latest Draft Environmental Report for the Triangle Ranch project.

1. The section entitled "Long-Term Operational Impacts," on page III.M.1-5, states: "This new resident population would increase the potential for wildfire starts... and, concomitantly, the need for fire protection and emergency services in the area." This wording appears to suggest that the increase in demand for fire protection service as a result of this project would only be due to the wildfire hazard inherent in this area. It should be added that any development on vacant land would create increased demand for urban fire protection and emergency medical services, e.g., structure fires, vehicle fires, and paramedic incidents.

2. Mitigation Measure M.1-7, on page III.M.1-11, appears to suggest that the Developer Fee is a fixed amount. We have commented on this error in the previous Draft EIR for this project. Please see our enclosed letter of 2/18/2005.

LAND DEVELOPMENT UNIT:

1. The Fire Prevention Division Land Development Unit has no additional comments regarding this project. The conditions that were addressed in EIR 2030/2004, dated July 23, 2004, have not been changed at this time.

2. Should any questions arise regarding subdivision, water systems, or access, please contact the County of Los Angeles Fire Department Land Development Unit's EIR Specialist at (323) 890-4243.

FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:

1. The areas germane to the statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division have been addressed.

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

Very truly yours,

DAVID R. LEININGER, CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

DRL:cm

enclosure

Enclosed

(323) 890-4330

February 18, 2005

Mr. Daryl Koutnik
Impact Analysis Section
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012

Dear Mr. Koutnik:

SCREENCHECK DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE TRIANGLE RANCH PROJECT, COUNTY PROJECT AND OTP #97-178/TRACT MAP #52419, STATE CLEARINGHOUSE #1998111091, "CITY OF AGOURA" (EIR #2175/2004)

The Screencheck Draft Environmental Impact Report for the proposed aforementioned project has been reviewed by the Planning Division, Land Development Unit, and Forestry Division of the County of Los Angeles Fire Department. The following are their comments:

PLANNING DIVISION:
We would like to clarify one of the mitigation measures for project impact on fire protection service (pp. S-32, III.M.1-11). The developer fee is a set amount per square foot of building space, periodically adjusted. The amount cited in the report was current as of the time of writing. Since the fee is due and payable at the time of building permit issuance, the actual amount will differ, depending on the rate in effect at the time that each lot is ready for construction.

LAND DEVELOPMENT UNIT:
The Fire Prevention Division, Land Development Unit has no additional comments regarding this project. The conditions that were detailed in the letter dated July 23, 2004 (EIR #2030/2004) have not been changed at this time.

Should any questions arise regarding subdivision, water systems, or access please contact Inspector Marvin Dorsey at (323) 890-4243.

FORESTRY DIVISION:
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.

The areas germane to the statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division have been addressed. However, our Environmental Review Unit is currently in the process of reviewing a previously requested revision of the current Oak Tree Permit pertaining to this project (see enclosed). Our final review and recommendations will be forthcoming for your review.

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

Very truly yours,

David R. Leininger

DAVID R. LEININGER, CHIEF, FORESTRY DIVISION
PREVENTION BUREAU

DRL:lc

Enclosure

bc: Yocum-E/R
Div. VII
EIR #2175/Pac.
Land Development
Planning
#219
(EIR #2129.B75)

AGOURA HILLS

"Gateway to the Santa Monica Mountains National Recreation Area"

Subject: VTM 52419-3
Date: 5-18-05
RRM / STaf

May 11, 2005

To Whom It May Concern

I am writing this letter in support of the proposed Triangle Ranch project which is just outside of the city limits of Agoura Hills.

I have watched this project unfold for several years and was part of the subcommittee from the City of Agoura Hills that reviewed the project. At that time, it was suggested the project be scaled back substantially from the original concept.

That has been accomplished hat will certainly bring
credit to our area with beauti acres of open space.

The developers have worked nd I wholeheartedly
endorse their efforts. They h tried to be sympathetic
and concerned for the neight

Triangle Ranch
PH
Materials

The owners have been part o their love of the
people and land has allowed impact as possible on
the neighbors, as well as wild

I hope that you will also join

Denis Weber
Mayor Pro Tem

30001 Ladyface Court, Agoura Hills, CA 91301 • Telephone (818) 597-7300 • Fax (818) 597-7352
e-mail: ci.agoura-hills.ca.us

CORNELL PRESERVATION ORGANIZATION
PO BOX 1875 Cornell CA 91301 818 734 0775

Alternative No. 6 is designed to be a true environmental alternative to the proposed project. It is designed to be SEA compatible, avoid biological and visual resources, maintain wildlife corridors, avoid sensitive species, provide adequate buffers for the protection of Riparian habitat, and to be consistent with the Santa Monica Mountains North Area Plan.

Alternative No. 6 consists of 9 SFR to be developed in the area west of Kanan road, which is currently disrupted and graded. The lots vary from 1 to 1 1/3 acres and are clustered. The plan calls for no development East of Cornell Road or between Kanan and Cornell roads and dedication in fee title of this open space to an appropriate public entity capable of managing open space for resource protection.

After careful examination CPO does not feel that development can occur within the SEA without violation of the SEA Compatability Criteria or the North Area Plan. Any development between Kanan and Cornell would be extremely visible. Coupled with the lack of an appropriate buffer to the riparian habitat and Medea Creek, development in this area of the project site must also be avoided.

The project footprint is decreased by approximately 70% to 13.02 acres (10.02 acres for developed lots, 2 ac. roads, 1 ac. entry and landscape).

- Grading: confined to the already disturbed area of the project site. Overall reduction of +80%.

- Biological Resource: Protects biological resources:
  - Avoids sensitive species including lyon's pentachaeta and Santa Monica Dudleya.
  - Wildlife Corridor is maintained
  - Creek and Riparian habitat are adequately buffered

- No streetlights, curbs or gutters
- Eliminates 70 foot cut slope in the SEA
- Eliminates retaining walls some reaching 30 feet in height.

ENVIRONMENTALLY SUPERIOR AND NORTH AREA PLAN CONSISTENT ALTERNATIVE aka ALTERNATIVE No. 6

Alternative No. 6 is designed to be a true environmental alternative to the proposed project. It is designed to be SEA compatible, avoid biological and visual resources, maintain wildlife corridors, avoid sensitive species, provide adequate buffers for the protection of Riparian habitat, and to be consistent with the Santa Monica Mountains North Area Plan.

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After careful examination CPO does not feel that development can occur within the SEA without violation of the SEA Compatibility Criteria or the North Area Plan. Any development between Kanan and Cornell would be extremely visible. Coupled with the lack of an appropriate buffer to the riparian habitat and Medea Creek development in this area of the project site must also be avoided.

The project footprint is decreased by approximately 70% to 13.02 acres (10.02 acres for developed lots, 2 ac. roads, 1 ac. entry and landscape).

GRADING

No grading will occur East of Cornell Road or between Kanan and Cornell Roads. Any grading to take place on site would be remedial in nature since the integrity of the currently graded and disturbed area is suspect. The applicant maintains that it is impossible to locate records of this area in its natural state. This should not work in the applicants favor especially since the ownership has not changed since the grading on the site took place. The proposed project calls for the alteration of 46.8 acres of the project site; of these 10.2 acres has been previously disturbed. Alternative No. 6 calls for the disturbance of approximately 13 acres. The majority, 10 acres, of the disturbed area under Alternative No. 6 is the previously disturbed area west of Kanan road.

The proposed project would require the excavation and embankment of approximately 500,000 cy. Much of the previously graded areas west of Kanan require removal of fill and recompaction while the area between Kanan and Cornell as well as east of Cornell road would require the grading of previously undisturbed areas of the project site. Alternative No. 6 eliminates this need, reducing the cut and fill east of Cornell and between Cornell and Kanan roads to zero. The proposed project would expand the graded area west of Kanan road to approximately twice its current footprint. Alternative 6 is concentrated on the currently disturbed area, reducing the cut and fill required in this area to under 200,000 cy. The total reduction in cut and fill would be in the area of 80+% and remedial in nature.

AIR QUALITY

Short term air quality degradation is determined by the amount of soil disturbance. In this case the grading between Kanan and Cornell roads and east of Cornell road has been eliminated. The only grading would be in the previously disturbed area West of Kanan road. Total reduction in grading would be in the neighborhood of 80+% and a similar reduction in air quality degradation would be expected.

STORMWATER DRAINAGE

Fewer residents, 9 SFR versus the proposed 81 SFR, will result in fewer impervious surfaces. The lot size would not render itself amenable to multiple outside uses seen commonly on larger residential lots within the Rec Area. Existing residences in proximity to the project site on 1 acre lots are usually limited in their use of impervious surfaces. The likelihood of horse keeping facilities (corrals, arenas, barns) and other recreational uses (tennis courts, etc) is difficult on lots of this size and not common. Area residences may have one outdoor use but rarely would you find multiple uses on lots of this size.

Alternative No. 6 also eliminates several proposed roads on the project site. One access road would serve the 9 SFR west of Kanan.

WATER QUALITY

As with the proposed project BMP's for short-term construction related water quality impacts on site would be implemented. 90% reduction in the number of residences would result in 90% fewer cars which proportionally reduce the amount of hydrocarbon pollutants leaked onto paved surfaces. Pesticide and Fertilizer use will also be reduced in proportion to the reduction of the overall project footprint of 70%.

BIOLOGICAL RESOURCES:

Alternative No. 6 is designed to protect biological resources. The footprint for this alternative lies almost exclusively within an area of the project site that has been previously disturbed, is currently fenced and serving as a firewood cutting operation and rental space for several fulltime RV tenants. The site is at the most Northern corner of the project site, closest to the more urban area of Agoura Hills and the 101 freeway interchange. Alternative No. 6 has a project footprint of 13.02 acres vs. the proposed project footprint of 46.8 acres; a 70 % reduction. A natural inference could be to limit the amount of habitat elimination to a 70% reduction but the quality of the habitat must also be considered. The majority of the remaining 30 plus acres of the proposed project is undisturbed, and isolated relative to the Alternative No. 6 footprint.

There are two culverts running underneath Kanan road immediately to the south of the Alternative No. 6 footprint. The culverts serve as subterranean wildlife corridors,

allowing area wildlife to move safely and discreetly from the large open spaces of Ladyface Mountain to the west, to Medea Creek a perennial creek, across the much less traveled, and sparsely populated Cornell road into the SEA and beyond to the Liberty Canyon Wildlife Corridor to the east. Evidence of wildlife movement is common at these culverts; animals using the culverts include but are not limited to, coyotes, bobcats, raccoons, foxes etc. Without access to these culverts these animals would be relegated to precarious attempts to cross Kanan Road a brightly lit 50 mph which serves as one of the main access points to the Rec Area and the City of Malibu. The proposed project calls for the removal of these culverts. Their current location would become building lots.

LYON'S PENTACHAETA and SANTA MONICA DUDLEYA

Alternative No. 6 calls for the permanent dedication in fee title of all open space within the project site. Lyons Pentachaeta populations would not be impacted by Alternative No. 6, which calls for appropriate buffers of 50 feet or more. To be clear this is in addition to the brush clearance requirement of 200 feet. No development or landscaping should occur within 250 feet of lyons pentachaeta. The Santa Monica Mountains dudleya population would also be undisturbed in the open space areas. The experimental method of relocation of the dudleya population is described in the DEIR as "risky" and therefore not a viable option. Funding for maintenance of the open space should include the adequate funding of a site specific recovery plan for both the lyons pentachaeta and the Santa Monica dudleya.

Since at least 1999, the property owner has possessed an extensive biota report of the project site. Several areas of lyons pentachaeta habitat have been repeatedly disced by weed abatement vendors in recent years, leading to the taking of this federally endangered species. No taking permits have ever been requested of the Department of Fish and Game. The disced lyon's pentachaeta areas are within the proposed projects footprint.

The proposed location for the Zuma Ridge Trail also runs thru lyons pentachaeta and should be moved to an alternative location within the project site.

This federally endangered species has already been compromised on site and additional loss should not take place. Alternative No. 6 avoids future impact to lyons pentachaeta on site as well as Santa Monica Dudleya, maintains wildlife corridors, protects riparian habitat and provides adequate buffers to protect these areas.

CULTURAL RESOURCES

Alternative No. 6 reduces the project footprint to an area that is already disturbed and therefore the impacts to Cultural Resources will be further reduced and there will be no impact.

NOISE

The short term noise pollution associated with the grading on the project site should be reduced by the same proportion of the reduction of the overall project footprint of 70%, to a less than significant level.

VISUAL QUALITIES

The proposed project will result in significant impacts to visual resources. Alternative No. 6 reduces all visual resource impacts east of Cornell road and between Cornell and Kanan roads. The reduced footprint west of Kanan preserves two prominent ridges, one to the north of the 9 SFR and one to the south. These ridges run perpendicular to Kanan road and provide natural sound and light buffers. The 9 SFR would be visible from Kanan road where it abuts the actual project footprint.

All visual impacts of the proposed project site east of Cornell are eliminated as are the impacts of the highly visible residences proposed between Kanan and Cornell road. The large retaining walls in the proposed project are no longer necessary. Streetlights, curbs and sidewalks are no longer necessary, eliminating the appearance of a suburban development. The impact of visual qualities in Alternative No. 6 should be reduced to a less than significant level after mitigation; the dedication of approximately 300 acres of open space.

LIGHT AND GLARE

Alternative No. 6 will result in fewer sources of residential night lighting. In addition the preservation of the ridges to the immediate north and south of the Alternative No. 6 footprint will act as light buffers. The 9 residences will still be clustered but the density will be reduced from the proposed projects 24-30 residences in the same location. Light and glare will be further reduced and to a less than significant level.

LAND USE COMMUNITY

CPO agrees with the DEIR conclusion that the project is inconsistent with the SMMNAP. CPO does not agree with the DEIR position that the proposed project is compatible with the density and existing pattern of residential development, and open space adjacent to the project site. Assuming for the sake of argument that the slope density calculations are correct, the number of units may be consistent with the SMMNAP. However the nature of the development, per the DEIR violates over 24 points of the SMMNAP. Many of these issues have been ignored in an attempt to develop the maximum number of allowable units. Development of the maximum number of allowable units should not negate the importance of the SMMNAP and its stated goals. Inclusion of a maximum number of lots for this particular property within the SMMNAP does not grant the applicant a defacto exclusion from the rest of the SMMNAP stated goals and objectives.

Please refer to the attached North Area Plan analysis.

TRAFFIC AND ACCESS

The DEIR assumes the proposed project will contribute 854 trips per day to area roadways. The reduction in residences by 90% will reduce this to 95 trips per day (a 90% reduction). The alternative like the proposed project would not lead to a significant impact at any of the study intersections or two-lane roadway segments.

The proposed project would contribute to cumulative impacts at intersections of Kanan and Canwood Street and Kanan and Agoura road. The impacts of the Alternative would be 90% less than those of the proposed project and could be mitigated by a fair share of the costs of improvement.

FIRE PROTECTION

The residences in Alternative No. 6 would be subject to the same fire hazards as the proposed project. Theoretically, the decreased demand for fire protection and emergency services should be reduced by the number of residences and the reduction of the project footprint. CPO would argue that since the proposed development east of Cornell road would be eliminated under the Alternative No. 6, the reduction is even greater. CPO also questions the conclusion in the DEIR that the projects significant impacts on fire protection can be reduced to a less than significant level after the payment of a developer Fee on construction. While the impacts on fire protection infrastructure may be mitigated the impacts on safety to fire protection personnel cannot be mitigated when multimillion dollar residences are placed so deeply in a historic and deadly fire corridor.

SHERIFF'S SERVICES

Demand would be reduced by 90% and remain at a less than significant level.

EDUCATION

Demand would reduce the number of anticipated students by 90% and be mitigated by development fees. It should be stated that all the schools in the LVUSD that will be impacted are currently over populated.

LIBRARIES

Demand would be reduced by 90% and remain less than significant after the payment of any levied Library Facilities Mitigation Fees.

PARKS AND RECREATION

Residents in either the proposed project or the Alternative would rely on the City of Agoura Hills for access to parks and recreational facilities. Demand would be reduced by 90% under Alternative No. 6. Impacts would only be mitigated if the County shares Qumiby Fees with the City of Agoura Hills.

UTILITLIES—WATER, SEWAGE, SOLID WASTE REMOVAL, ELECTRICITY AND NATURAL GAS

The Alternative, like the proposed project would not require or result in the construction of new water, wastewater, or other utility facilities or the expansion of existing facilities. In every case the Alternative reduces impacts and they remain less than significant.

RELATIONSHIP TO PROJECT OBJECTIVES

- To create a semi-rural "clustered" residential community (that avoids the appearance of a "tract" development.
- To minimize grading disturbance and human and domestic animal intrusions into the majority of the project site.
- Preserve to the greatest extent possible the natural character of the site and the surrounding environment.
- Concentrate development on the least environmentally sensitive portions of the property while preserving in perpetuity the more sensitive resources.
- Preserve area's semi-rural ambiance by maintaining development setbacks from public roadways, minimizing or avoiding street lighting and avoiding construction of sidewalks, curbs and gutters.
- To preserve as many coast live oaks and other sensitive plant species, such as the lyons pentachaeta as possible.
- To landscape the development area primarily with native vegetation and local building materials. Alternative No.6 calls for the submittal of a landscape plan in the DEIR.

- To site and design the proposed development to protect the significant scenic vistas and features in particular the plan seeks to preserve Ladyface Mountain and major ridgelines by:
    - Siting lots and roadways to avoid breaking ridgeline views; and
    - Concentrating development in previously disturbed areas.

- To minimize grading by concentrating development on the gentler slopes.
- To provide high-quality housing for local and area residents to meet existing and future needs of those desiring to live in the Santa Monica Mountains and to help alleviate the severe housing shortage in the greater Los Angeles region.
- To locate residential development in proximity to existing infrastructure and services, and

- To develop the site in conformance with the goals and policies of the Los Angeles County General Plan, the Santa Monica Mountains North Area Plan and to the extent possible, the General Plan of the City of Agoura Hills.

CONCLUSION

Alternative No. 6 meets all of the Project Objectives while reducing the significant impacts to a less than significant level. The alternative is semi-rural and clustered residential development, grading is reduced to a previously disturbed area; the natural character of the site is protected. The project footprint is confined to a previously disturbed and least environmentally sensitive portion of the site. The reduction in the number of residences allows for the elimination of most of the tell tale signs of suburban development (sidewalks, street lighting, curbs etc). Lyons pentachaeta, Santa Monica Mountains Dudleya and coast live oaks are preserved and protected in the open space dedication.

CORNELL PRESERVATION ORGANIZATION
PO Box 1875 Cornell CA 91301 818 734 0775

April 25, 2005

CPO -- NORTH AREA PLAN CONSISTENT

ALTERNATIVE #6

The proposed Triangle DEIR identifies numerous instances where it does not meet the policies and requirements of the North Area Plan. In most cases Alternative #6 eliminates these discrepancies.

In many other ways the DEIR maintains that the project is in "substantial conformance" to the North Area Plan.

In CPO's view, many of these "substantial conformity" evaluations are highly debatable. However here we address only those violations acknowledged by the DEIR.

North Area Plan Goals/policies.

IV-1 (CPO alternative will...) significantly reduce intrusion upon large unbroken blocks of natural open space. 13.02 acres of disturbed area vs. 46.8 acres in the Triangle plan.

IV-36, VI-2 Will not result in impacts upon existing endangered and sensitive plant species.

IV-6 Will not displace existing on site populations of dudleya and Lyon's pentachaeta.

IV-11 Does not require grading in an area with over 50% slope.

IV-12 Will not require cut and fill slopes exceeding 10 vertical feet.

IV-26 Does not require disposal of animal wastes in a manner that might affect Medea Creek water quality.

IV-28, IV-31 Will greatly reduce interference with views of Ladyface Mountain west of Kanan Road. Will not interfere with views east of Kanan Road.

IV-33 Will not require intrusion for fuel modification on properties to the Northwest of Kanan Road.

IV-45 Will not require vegetation clearance or grading in the vicinity of Medea Creek.

IV-48b Will greatly reduce but not eliminate impacts upon visual and biological resources.

IV-48c Does not require trail easement along Medea Creek—allows for trail location elsewhere on subject property.

V-10 Greatly reduces but does not elimate fuel modification activities in natural areas.

V-12 Greatly reduces but does not eliminate threat to development from wildland fires. Does not require roads and lots within fire hazard area.

VI-5 Greatly reduces but does not elimlate impact upon views.

VI-15, VI-17 Will greatly reduce but not eliminate interference with views of Ladyface Mountain.

VI-21 Does not interfere with streams and watershed east of Kanan Road.

[redacted]
Subject: VTTM 52419-3
Date: 5/18/05
RPUZ / STAE
[redacted]

May 17, 2005

Ms. Christina Tran
County of Los Angeles
Department of Regional Planning
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012
cc. Tom Dodson, Cornell Preservation Organization

Subj: Comments on County Project No 97-178, State Clearinghouse No. 1998111091, TT 52419 "Triangle Ranch".

The DEIR must include a discussion of the significance of the site in the long term recovery of the lyon's pentachaeta and Santa Monica dudleya.

As of 1999, Lyon's pentachaeta occurred in 30 sites, comprising 5 populations, all with fewer than 5,000 individuals. More than twenty of these occurrences are on private property. Of the 7 sites in public hands, less than 10,000 individual plants were reported. The total number of individuals was estimated at 25,000 plants. In 1999, eleven of these sites were threatened by development. Several populations have since been extirpated due to development or other random events. The 2003 Survey of the Triangle Ranch site reported 530,000 individuals. This site is critical to the effective recovery and declassification of this species. This must be discussed in the DEIR.

Fewer than 10 locations of Santa Monica dudleya have been identified, all with no more than several hundred individuals. Of the 9 sites, 6 are in private hands. As of 1999, there were less than 1600 individuals total. Four of these sites were in Los Angeles County, the Triangle Ranch site would be the largest with 600 individuals. Between 1992 and 2004 the number of individual plants doubled on the Triangle Ranch site. This is a remarkable feat for a species that, due to limited habitat, will never exceed more than several thousand individuals.

DISCING AND TAKING OF THE FEDERALLY ENDANGERED SPECIES"LYONS PENTACHAETA" ON THE TRIANGLE RANCH SITE

Since at least 1999, the property owner has possessed an extensive biota report of the project site. Several areas of lyons pentachaeta habitat have been repeatedly disced by weed abatement vendors in recent years, leading to the taking of this federally endangered species. County weed abatement personnel were never made aware of the existence of this plant on site until 2004 when CPO members, witnessed the discing and began to make inquiries. The discing has occurred on multiple occasions and in several different areas of the project site. In all of these areas hand clearing was possible and would have met the county's goal of fire safety.

Fire clearance notices were sent to the property owner's property manager/agent who was also the original recipient of the biota report. The report included detailed maps depicting the location of the Lyons pent on the project site as well as a detailed discussion of activities that should be avoided to protect it. Discing was included in the list of harmful activities to avoid. A excerpt from one such communication, which was located in the Appendix to the DEIR, is attached to this letter. The same individual/s who received the biota and also received the invoices for the discing and paid them. The county never received a complaint or request from the property owner or their agents requesting that discing activities cease and only hand clearing be attempted in the future. In 2004, after the urging of CPO members to cease all discing on site, the county did meet with the property owners attorneys who then agreed to cease discing on the project site. These communications need to be made public. No taking permits have ever been requested of the Department of Fish and Game. The disced lyon's pentachaeta areas are within the proposed projects footprint.

According to the 2003 survey, Lyons pentachaeta can be found in concentrations of as high as 110 individuals per square meter. As many as 76,000 individuals could have been destroyed by the discing activity. The previous discing activities and the resulting taking of the lyons pentachaeta should be included in the project application.

Additionally, the 2003 Lyon's pentachaeta survey refers to area H1 as disced, in addition to the P1 discing activity. This is never discussed in the DEIR.

THE DEIR UNDERESTIMATES THE AMOUNT OF LYONS PENTACHAETA IMPACTED

Fire Clearance: The applicant needs to address the possibility that homeowners will be required to clear 300 feet of brush versus 200 feet, to attain homeowners fire insurance. Such a situation is described in the 1999 USFWS Recovery plan (see page 20 paragraph 3 of the attached Recovery plan).

Landscape Plan: The lack of inclusion of a landscape plan makes it impossible to predict the projects ultimate impact on the lyon's pentachaeta. The DEIR seems to limit discussion of the landscape plan to a brief discussion of the applicant's intent to use a native plant palette. Lyon's pentachaeta is a poor competitor whether the competition is non-native invasive weeds or grasses, native grasses or shrubs. A complete and detailed landscape plant needs to be included in the DEIR.

Visual Simulation: Figure III.I 1-1 Visual Simulation No. 5 includes the addition of some young oaks and some sort of native grass along the east side of Cornell Road to the extreme south of the site. These would be introduced into the extreme west of lyon's pentachaeta occurrence P1. This is odd given there is no landscape lot indicated on the plan at this location. Nowhere in the DEIR is the resultant loss of habitat, and more importantly introduction of irrigation and competing plants, discussed.

Road Dedication: The 10 foot road dedication and widening will also encroach into lyon's pentachaeta occurrence P1. As a result required brush clearance will encroach farther into P1. This needs to be addressed in the DEIR.

Infiltration (First Flush) Basin and Basin Overflow: Also appear to impact lyon's pentachaeta between Kanan and Cornell road. At the very least, construction activity may impact the species here. It needs to be addressed in the DEIR.

Zuma Ridge Trail: The ZRT as designed, runs thru another lyons pentachaeta population and should be moved. This also needs to be addressed in the DEIR.

THE DEIR must address all the possible impacts of development on these sensitive species.

The following is a description of the some of the factors involved in the decline of lyon's pentachaeta:

> "Primary threats include the direct loss of habitat and influence of development in proximity to existing populations (fuel modification). The introduction of competitive weeds that displace Pentachaeta lyonii, changes in local hydrology which can encourage invasive weeds, intensive gopher activity altering the soil integrity, and alteration of habitat structure from nearby development.." (see attached Recovery Plan pg. 20)

The DEIR does not address the potential for introduction of competitive weeds, the potential for increased gopher activity or alteration of habitat structure from nearby development. Gopher activity in Stunt Ranch led to the extirpation of the species there. In another example, lyon's pentachaeta depends on it's pollinators for successful reproduction. How will the introduction of suburban style development and landscaping effect these insects? A discussion of the projects potential impact on the ecological requirements of pollinators and their habitat must be addressed in the DEIR.

Recovery also requires the setting aside of additional potential habitat. Lyon's pentachaeta will occupy different portions of appropriate habitat over the course of several years. Therefore, all appropriate habitat on the site should be identified and either set aside in the open space lots with adequate buffering or included in the discussion of the level of impact the proposed project has on the species.

A Homeowners Association is not a viable manager of an endangered species recovery/management plan. Beyond the general conflicts of interest that may arise, the ability of a homeowners association to successfully manage such a complex task as endangered species recovery, is highly unlikely. If the project applicant is aware of an instance where this type of approach has worked it should be included in the DEIR. In preparation of this letter, a careful review of the

USFWS literature was conducted and there does not appear to be any recommendation or endorsement of such a management structure.

DUDLEYA POACHING ON THE TRIANGLE RANCH SITE

It is a sad fact that poaching is yet another of the threats to full recovery of the federally threatened Santa Monica Dudleya. That it happened cannot be disputed, the applicant's interpretation of the relevance of this activity is open to debate. The applicant seems to take the position that since the plants were removed without their permission they are entitled to go on with their plans for the relocation of the plant to another suitable location within the open space lots. The applicant's consultant believes that the plants will make a full recovery in the current location and site of the poaching. The original site is still viable.

The relocation of the remaining juvenile plants is described as "risky" in the DEIR. This needs to be elaborated on within the DEIR. Also, the compatible sites should be identified within the DEIR and not deferred to a later date. What if no potential sites exist? This is a real possibility and needs to be addressed.

OUTDATED Open Space Reserves Data

The DEIR includes a map from 1997 which is entitled "Open Space Reserves" Figure II-6. This map is outdated. Since 1998, the City of Agoura Hills has implemented an ambitious open space acquisition plan in the area of Ladyface Mountain. The critical Liberty Canyon wildlife corridor has also been secured to the east of the project site. The impacts of the proposed project on these open space resources and the sensitive species that lie within their boundaries must also be addressed in the DEIR.

Oak Trees on Site

The DEIR discusses the number of trees impacted but does not discuss the long term implications of development for the species. There is a very big difference between preserving the remaining oaks on the site and guaranteeing the longevity of the species on the project site. This is the sort of higher level of analysis that should be included in the DEIR particularly as it pertains to resource protection within the SEA.

CONCLUSION

In many ways the DEIR ignores the counties goal when establishing an SEA; resource protection. According to the LA Cty General Plan, resource protection interests take precedence within the boundaries of an SEA:

"The development must be designed to be highly compatible with the biotic resources present, including the setting aside of appropriate and sufficient undisturbed areas." (III-45)

Triangle Ranch does not achieve this goal. The County of Los Angeles has a responsibility to these species. It goes to the heart of the issue of why the county ever endeavored to establish SEA's in the first place. The successful conservation of the lyon's pentachaeta population on the Triangle Ranch site is deemed "critical" to species survival by the California Department of Fish and Game. How can any activity be allowed on the site that may jeopardize that?

Thank you for allowing me to comment on this project—

Liz French

Liz French
900 Latigo Canyon Road
Malibu, CA 90265

Please see the version w/ attachments, available from Staff

Lyon's Pentachaeta Discing

Weed Abatement Job Reports

Feb 8, 1999 Appendix C-4 of DEIR
Memo from Envicom to Beautiful City Holding Co.

INTRODUCTION

The Constraints Analysis for the present project, formerly known as "Beautiful Homes" was prepared in February, 1997. A Biota Report was reviewed by SEATAC in April, 1998. Pursuant to their comments at that time, the original tract was redesigned, and the Biota Report was resubmitted to the committee, along with responses to comments from the first SEATAC meeting. Resubmittal No. 1 was reviewed on December 7, 1998. This Biota Report Resubmittal No. 2 addresses comments from that meeting, as well as presents important design changes which have been made to further reduce or eliminate biological impacts that have been identified. The previous plan addressed in Resubmittal No. 1 (figure 4 therein) called for residential 132 lots, whereas, the present plan proposes 123 lots. The details of the current plan are shown on Exhibit 1 (sent under separate cover).

Comment 1

Be specific as to which *Pentachaeta lyonii* management technique (page 5) will be used (i.e., mechanical, horse grazing or both).

Response 1

In Resubmittal No. 1, we attempted to provide additional data on horse grazing of the site, and discuss mechanical control as a method to sustain Lyon's pentachaeta. We concluded that horse grazing may be an option for the management and long-term viability of Lyon's pentachaeta, and that mechanical means using hand and power tools to selectively remove competing vegetation would be another option.

The applicant has indicated that the use of horses as mitigation for Lyon's pentachaeta is not ideal. Therefore, fuel modification in areas occupied by Lyon's pentachaeta would rely upon mechanical, or more properly, *manual*[1] control of competing shrubs and herbaceous species. The specifications for implementing such manual control would be included in the approved Fuel Modification Plan for the tract.

Comment 2

Provide the rationale (page 6) for the 5:1 ratio for oak replacement (e.g., increased canopy cover).

Response 2

A replacement ratio of 5:1 is in excess of the required 2:1 ratio that is typically specified by the County Forester within Oak Tree Permits. Also, limitations of the amount of available, and most importantly, *suitable habitat* for the replacement trees renders the higher ratio impractical, and therefore, it is no longer proposed by the applicant. Because oak trees add spatial heterogeneity to other habitats including grassland, scrub, and chaparral, and thereby foster greater wildlife diversity than those areas without oak trees, areas for replacement trees would be chosen to best achieve those benefits, rather than to serve as simple amenities within the interior of the subdivision. The locations are currently envisioned in low areas and slopes along Medea Creek, and at the bases of the slopes along Cornell Road, north and south of the development. The detailed specifications for replacement would be developed as part of the Master Landscape Plan for the development.

According to the most recent oak tree assessment, there are 83 trees on the tract that are less than Heritage size, and nine heritage trees, for a grand total of 92 oak trees. Sixteen removals are associated with the lots and internal roadways within the developed areas of

[1] Intended to include the use of hand-tools, and motorized tools such as chain saws, weed-whips, or small mowers with wheels, but excludes use of tractors and discing equipment.

2063

WEED ABATEMENT JOB REPORT

2001 L.C.

MONTH	DAY	YEAR	MAPBOOK	PAGE	PARCEL	CITY CODE	ZONE	DC	G1	G2	G3	G4	G5	DELETE
06	27	01	2061	006	022	804	07							

(FOR OFFICE USE ONLY)

EQUIPMENT

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CHARGES (FOR OFFICE USE ONLY): 483 66

LABOR

SWAW	HRS	MIN
X 21	04	30

CHARGES (FOR OFFICE USE ONLY): 160 74

WAW	HRS	MIN
25		
25		
25		
25		
25		
25		

(FOR OFFICE USE ONLY)

ADD'L SWAW	HRS	MIN
27		

(FOR OFFICE USE ONLY)

BAB	HRS	MIN
28		

(FOR OFFICE USE ONLY)

DUMP FEE

MILEAGE

(FOR OFFICE USE ONLY)

CHEMICAL

CHEMICAL FEE 130 131 132 133 134 (FOR OFFICE USE ONLY)

SQUARE FOOTAGE

AREA	CHARGES (FOR OFFICE USE ONLY)
135 M	
136 N	
137	
138 P	
143 R	
148 S	
DEMOLITION 153 154 155 156 157 158	
159 IMPROVED	

EXCESS UNITS 139 140 141 142

144 145 146 147

149 150 151 152

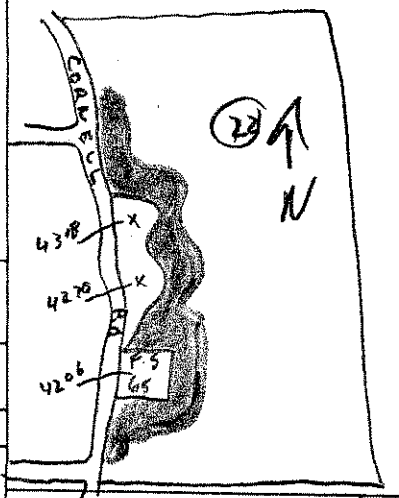
DUMP ACTIVITIES

DUMP TICKET NUMBER	DUMP FEE		MILEAGE
TOTALS			

REMARKS

discing parcel of HEAVY WEED GROWTH. Had 6-15-01 O.C., doing it on 6-[illegible]-01

SKETCH



SWAW/BAB: PCARCIA

WAW | WAW

WAW | WAW

WAW | WAW

VENDOR: VERSATILE

OPERATOR: Dick

HAZARD COMPLAINT

(FOR OFFICE USE ONLY)

CURRENT CHARGES	
644	40
OVERHEAD	
TOTAL CHARGES	

DATE TAX COMPLAINT

DATE COPY TO OWNER

(FOR OFFICE USE ONLY) [illegible] R INSP OK

DIRECT CHARGE STAMP

TRACT: 2804

LOT: 1 BLOCK:

PORTION CLEARED: See Sketch

16 FEET N S (E) W OF AT F.S. 65 CORNELL Rd

2061 | 006 | 022 MAPBOOK PAGE PARCEL

2063

SH

760450 (Rev. 7-88)

WEED ABATEMENT JOB REPORT

MONTH: 05 | DAY: 08 | YEAR: 2003

MAPBOOK: 2063 | PAGE: 006 | PARCEL: 022

CITY CODE: 804 | ZONE: 07

DC | G1 | G2 | G3 | G4 | G5 (FOR OFFICE USE ONLY) | DELETE

EQUIPMENT

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11.0	03	30
34 35 36	37 38	39 40
41 42 43	44 45	46 47
48 49 50	51 52	53 54
55 56 57	58 59	60 61

AC: 01 (62 63 64 / 65 66) | POR (67 68)

LABOR

	HRS	MIN
SWAW	21 (69 70)	03 (71 72) / 30 (73 74)
DRIVER	68 (75 76)	(77 78) / (79 80)
WAW	25 (81 82)	(83 84) / (85 86)
	25 (87 88)	(89 90) / (91 92)
	25 (93 94)	(95 96) / (97 98)
	25 (99 100)	(101 102) / (103 104)
	25 (105 106)	(107 108) / (109 110)
	25 (111 112)	(113 114) / (115 116)
	25 (117 118)	(119 120) / (121 122)
	25 (123 124)	(125 126) / (127 128)
ADD'L SWAW	27 (129 130)	(131 132) / (133 134)
BAS	28 (135 136)	(137 138) / (139 140)

CHARGES (FOR OFFICE USE ONLY)

(FOR OFFICE USE ONLY)

(FOR OFFICE USE ONLY)

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(FOR OFFICE USE ONLY)

(FOR OFFICE USE ONLY)

(FOR OFFICE USE ONLY)

(FOR OFFICE USE ONLY)

(FOR OFFICE USE ONLY)

DUMP FEE (141 142 143 144 145 146)

MILEAGE (147 148 149)

CHEMICAL FEE (150 151 152 153 154) (FOR OFFICE USE ONLY)

SQUARE FOOTAGE

AREA

155 M

156 N

157 P

162 R

167 S

172 T

177 U

182 IMPROVED

EXCESS UNITS: 158 159 160 161 / 163 164 165 166 / 168 169 170 171 / 173 174 175 176 / 178 179 180 181

CHARGES (FOR OFFICE USE ONLY)

DUMP ACTIVITIES

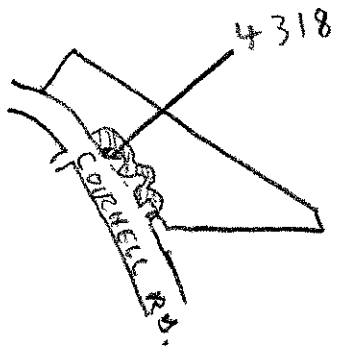
DUMP TICKET NUMBER	DUMP FEE	MILEAGE
TOTALS		

REMARKS: TRACTORED POR. OF LOT.

ROUTINE DISCING | HOURLY MOWING | SQ FT MOWER | H-50

VENDOR WEED HANDWORK | VENDOR BRUSH HANDWORK | VENDOR POISON OAK

SKETCH



JOB COMPLETE

JOB INCOMPLETE

SWAW/BAS: D. Reppel

WAW | WAW

WAW | WAW

WAW | WAW

WAW | WAW

WAW/DRIVER

(FOR OFFICE USE ONLY)

CURRENT CHARGES

OVERHEAD/INSPECTION FEE

TOTAL CHARGES

TAX COMPLAINT DATE

COPY TO OWNER DATE

(FOR OFFICE USE ONLY)

INSP OK: 12 | ZN CLERK OK | DATA ENTRY

VENDOR/OPERATOR: VERSITILE

HAZARD COMP ☐ DIRECT CHARGE ☐

TRACT: 2804

LOT: POR. 1 | BLOCK:

PORTION CLEARED

ALL ☐ SEE SKETCH ☑

1 (LOTS) N S E W OF AT 4318 CORNELL RD.

MAPBOOK 2063 | PAGE 006 | PARCEL 022

WEED ABATEMENT JOB REPORT

MONTH	DAY	YEAR	MAPBOOK	PAGE	PARCEL	CITY CODE	ZONE	DC	G1	G2	G3	G4	G5	DELETE
06	05	00	2063	036	001	804	07							

(FOR OFFICE USE ONLY)

EQUIPMENT

	HRS	MIN
1 10	02	00

LABOR

SWAW	HRS	MIN
X 21	02	00

WAW	HRS	MIN
25		
25		
25		
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ADD'L SWAW	HRS	MIN
27		

BAS	HRS	MIN
28		

DUMP FEE: 000192

MILEAGE:

CHARGES (FOR OFFICE USE ONLY)

CHEMICAL

CHEMICAL FEE (FOR OFFICE USE ONLY):

SQUARE FOOTAGE:

AREA	CHARGES (FOR OFFICE USE ONLY)
m	
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P	
R	
S	
DEMOLITION	
IMPROVED	

EXCESS UNITS:

DUMP ACTIVITIES

DUMP TICKET NUMBER	DUMP FEE	MILEAGE
photo TAKEN (2)	1.92	
TOTALS	1.92	

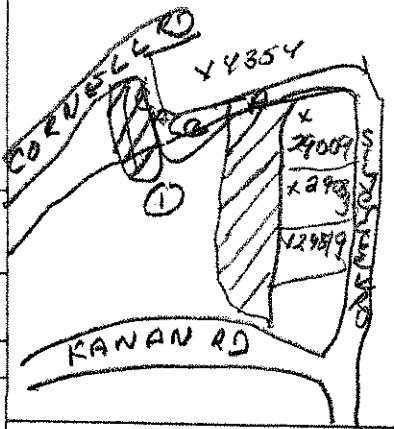
REMARKS

Disced Parcel of heavy weed + mustard growth

2 AREAS Disced on Parcel

photo TAKEN

SKETCH AREA DISCED



SWAW/BAS: Milligan

VENDOR: Versatile TRACTOR

OPERATOR: JOHN

HAZARD COMPLAINT

(FOR OFFICE USE ONLY)

CURRENT CHARGES	
OVERHEAD	
TOTAL CHARGES	

DATE TAX COMPLAINT

DATE COPY TO OWNER

(FOR OFFICE USE ONLY) INIT: MH IMP OK: T

DIRECT CHARGE STAMP

TRACT: [redacted] 2804

LOT: 1 Por BLOCK: —

PORTION CLEARED: see sketch

1 (LOT) S (N) 6 E W (OP) AT 4357 CALETA RD

2063 036 001

MAPBOOK PAGE PARCEL

SH

.50 (Rev. 7-88)

WEED ABATEMENT JOB REPORT

MONTH	DAY	YEAR	MAPBOOK	PAGE	PARCEL	CITY CODE	ZONE	SC	G1	G2	G3	G4	G5	SELECT
07	19	99	2063	036	001	804	07							

(FOR OFFICE USE ONLY)

EQUIPMENT

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1 10	02	30	

LABOR

SWAW	HRS	MIN	CHARGES (FOR OFFICE USE ONLY)
X 21	02	30	

WAW	HRS	MIN	CHARGES (FOR OFFICE USE ONLY)
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ADD'L SWAW	HRS	MIN	CHARGES (FOR OFFICE USE ONLY)
27			

BAS	HRS	MIN	CHARGES (FOR OFFICE USE ONLY)
28			

DUMP FEE 121 122 123 124 125 126

MILEAGE 127 128 129

(FOR OFFICE USE ONLY)

CHEMICAL

CHEMICAL FEE 130 131 132 133 134 (FOR OFFICE USE ONLY)

SQUARE FOOTAGE

AREA		CHARGES (FOR OFFICE USE ONLY)
135 m		
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137		
138 P	EXCESS UNITS 139 140 141 142	
143 R	144 145 146 147	
148 S	149 150 151 152	
DEMOLITION 153 154 155 156 157 158		
159 IMPROVED		

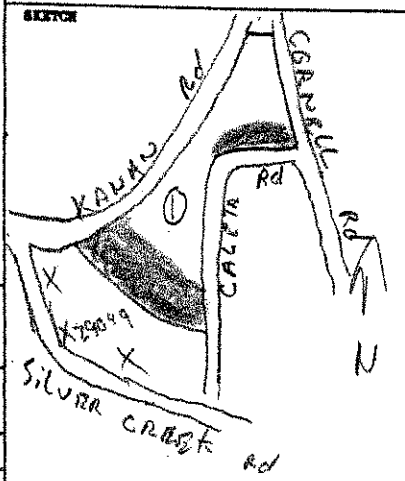
DUMP ACTIVITIES

DUMP TICKET NUMBER	DUMP FEE	MILEAGE
TOTALS		

REMARKS

discing parcel of heavy weed growth

SKETCH



SWAW/BAS: P. GARCIA

WAW | WAW

WAW | WAW

WAW | WAW

VENDOR: VERSATILE

OPERATOR: GENE

HAZARD COMPLAINT

(FOR OFFICE USE ONLY)

CURRENT CHARGES

OVERHEAD

TOTAL CHARGES

DATE | DATE

TAX COMPLAINT | COPY TO OWNER

(FOR OFFICE USE ONLY)

SA | JH

DIRECT CHARGE STAMP

TRACT: 2804

LOT: 1 | BLOCK:

PORTION CLEARED: SEE SKETCH

1 LOT/S N S E W OF AT

29049 SILVER CREEK

MAPBOOK	PAGE	PARCEL
2063	036	001

SA

763450 (Rev. 7-88)

WEED ABATEMENT JOB REPORT

MONTH	DAY	YEAR	MAPBOOK	PAGE	PARCEL	CITY CODE	ZONE	DC	G1	G2	G3	G4	G5	DELETE
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(FOR OFFICE USE ONLY)

EQUIPMENT

	HRS	MIN	CHARGES (FOR OFFICE USE ONLY)
1 10	01	00	

CHEMICAL

CHEMICAL FEE 130 131 132 133 134 (FOR OFFICE USE ONLY) — SQUARE — FOOTAGE

AREA		CHARGES (FOR OFFICE USE ONLY)
135 m		
136 n		
137		
138 P	EXCESS UNITS 139 140 141 142	
143 R	144 145 146 147	
148 S	149 150 151 152	
DEMOLITION 153 154 155 156 157 158		
159 IMPROVED		

LABOR

SWAW	HRS	MIN	CHARGES (FOR OFFICE USE ONLY)
21			

WAW	HRS	MIN	CHARGES (FOR OFFICE USE ONLY)
25			
25			
25			
25			
25			
25			

ADD'L SWAW	HRS	MIN	CHARGES (FOR OFFICE USE ONLY)
27			

BAS	HRS	MIN	CHARGES (FOR OFFICE USE ONLY)
X 28	01	00	

DUMP FEE 121 122 123 124 125 126

MILEAGE 127 128 129 (FOR OFFICE USE ONLY)

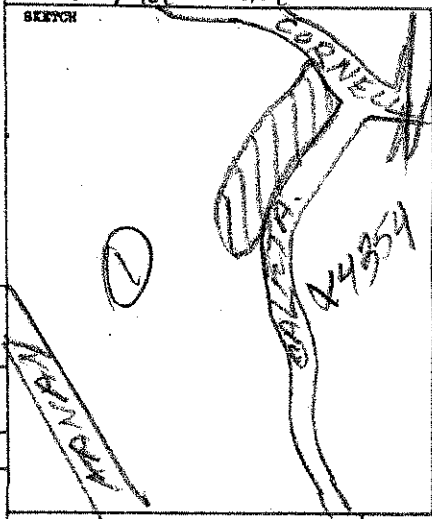
DUMP ACTIVITIES

DUMP TICKET NUMBER	DUMP FEE	MILEAGE
TOTALS		

REMARKS

DISCED GULLY
PARCEL OF MUSTARD
TELEGRAPH WEED
ETC.
Omitted - Resulmet in
2nd Qtr.

SKETCH



SWAW/BAS: Cm. Dwarf

WAW	WAW
WAW	WAW
WAW	WAW

VENDOR: VERSATILE

OPERATOR: WALLIS

HAZARD COMPLAINT

(FOR OFFICE USE ONLY)

CURRENT CHARGES	
OVERHEAD	
TOTAL CHARGES	

DATE — TAX COMPLAINT — DATE — COPY TO OWNER

(FOR OFFICE USE ONLY) IBM — JH

DIRECT CHARGE STAMP

TRACT: 2804

LOT: 1 — BLOCK: —

PORTION CLEARED: SEE SKETCH

1 LOT N S E W OF AT 4354 BALETA

MAPBOOK	PAGE	PARCEL
2063	036	001

SA

76J450 (Rev. 7-88)

WEED ABATEMENT JOB REPORT

MONTH	DAY	YEAR	MAPBOOK	PAGE	PARCEL	CITY CODE	ZONE	DC	G1	G2	G3	G4	G5	DELETE
06	06	01	2063	036	001	804	07							

(FOR OFFICE USE ONLY)

EQUIPMENT

	HRS	MIN
1 10	02	30	

CHARGES (FOR OFFICE USE ONLY)

LABOR

SWAW	HRS	MIN
X21	02	30

CHARGES (FOR OFFICE USE ONLY)

WAW	HRS	MIN
25		
25		
25		
25		
25		
25		

(FOR OFFICE USE ONLY)

ADD'L SWAW	HRS	MIN
27		

(FOR OFFICE USE ONLY)

BAS	HRS	MIN
28		

(FOR OFFICE USE ONLY)

DUMP FEE: 000192

MILEAGE:

(FOR OFFICE USE ONLY)

CHEMICAL

CHEMICAL FEE (130 131 132 133 134) (FOR OFFICE USE ONLY)

SQUARE FOOTAGE

AREA	CHARGES
135 M	(FOR OFFICE USE ONLY)
136 N	
137	
138 P	
143 R	
148 S	

EXCESS UNITS (139 140 141 142) (144 145 146 147) (149 150 151 152)

DEMOLITION (153 154 155 156 157 158)

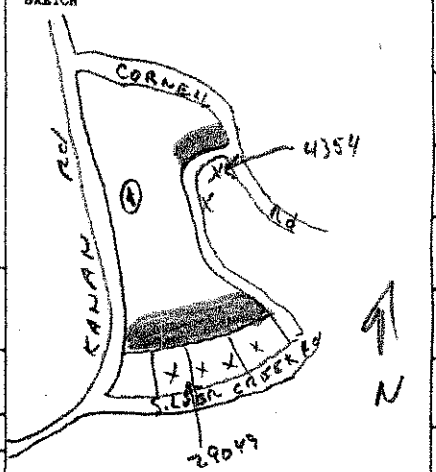
159 IMPROVED

DUMP ACTIVITIES

DUMP TICKET NUMBER	DUMP FEE	MILEAGE
2 pictures	1 92	
TOTALS	1 92	

REMARKS: Dicing parcel in Two Sections of Heavy weed Growth

SKETCH



SWAW/BAS: R GARCIA

WAW | WAW

WAW | WAW

WAW | WAW

VENDOR: Versatile Rental

OPERATOR: Dirt

HAZARD COMPLAINT

(FOR OFFICE USE ONLY)

CURRENT CHARGES	
OVERHEAD	
TOTAL CHARGES	

DIRECT CHARGE STAMP

TRACT: 2804

LOT: — BLOCK:

PORTION CLEARED: See Sketch

1 LOT/S N S E W OF AT 29049 Silver Creek Rd

DATE TAX COMPLAINT | DATE COPY TO OWNER

(FOR OFFICE USE ONLY) DG | R

MAPBOOK	PAGE	PARCEL
2063	036	001

763450 (Rev. 7-88)

DG

WEED ABATEMENT JOB REPORT

MONTH: 05 DAY: 21 YEAR: 2003

MAPBOOK: 2063 PAGE: 036 PARCEL: 001

CITY CODE: 098 ZONE: 07

DC: G1: G2: G3: G4: G5: DELETE (FOR OFFICE USE ONLY)

REMARKS: TRACTORED POR. OF LOT.

EQUIPMENT

	HRS	MIN	CHARGES (FOR OFFICE USE ONLY)
1	10	03	00

AC: 01 POR:

(FOR OFFICE USE ONLY)

LABOR

	HRS	MIN	CHARGES (FOR OFFICE USE ONLY)
SWAW X	21	03	00
DRIVER	68		
WAW	25		
WAW	25		
WAW	25		
WAW	25		
WAW	25		
WAW	25		
WAW	25		
WAW	25		
ADD'L SWAW	27		
BAS	28		

(FOR OFFICE USE ONLY)

DUMP FEE

MILEAGE

CHEMICAL FEE (FOR OFFICE USE ONLY)

SQUARE FOOTAGE

AREA

		CHARGES (FOR OFFICE USE ONLY)
M		
N		
P		
R		
S		
T		
U		
IMPROVED		

EXCESS UNITS

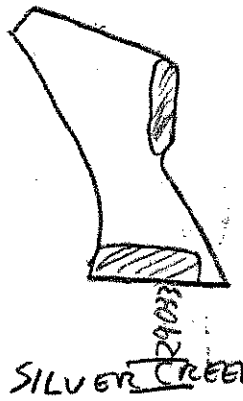
DUMP ACTIVITIES

DUMP TICKET NUMBER	DUMP FEE	MILEAGE
TOTALS		

ROUTINE DISCING ☒ HOURLY MOWING ☐ SQ FT MOWER ☐ H-50 ☐

VENDOR WEED HANDWORK ☐ VENDOR BRUSH HANDWORK ☐ VENDOR POISON OAK ☐

SKETCH



JOB COMPLETE ☒ JOB INCOMPLETE ☐

SWAW/BAS: D. Reppel

WAW / WAW

WAW / WAW

WAW / WAW

WAW / WAW

WAW/DRIVER

(FOR OFFICE USE ONLY)

CURRENT CHARGES

OVERHEAD/INSPECTION FEE

TOTAL CHARGES

DATE TAX COMPLAINT

DATE COPY TO OWNER

(FOR OFFICE USE ONLY) INSP OK ☒ ZN CLERK OK ☒ DATA ENTRY ☒

VENDOR/OPERATOR: VERSITILE

HAZARD COMP ☐ DIRECT CHARGE ☐

TRACT: 2804

LOT: 1 BLOCK:

PORTION CLEARED: ALL ☐ SEE SKETCH ☒

1 LOTS N S E W OF AT 29033 SILVER CREEK RD.

MAPBOOK: 2063 PAGE: 036 PARCEL: 001

WEEDS

WEED ABATEMENT JOB REPORT

MONTH 12 | DAY 31 | YEAR 00

MAPBOOK 2063 | PAGE 006 | PARCEL 025 | CITY CODE 804 | ZONE 07 | DC | G1 | G2 | G3 | G4 | G5 | HELPS

(FOR OFFICE USE ONLY)

EQUIPMENT

	HRS	MIN
25 26 27	28 29	30 31
32 33 34	35 36	37 38
39 40 41	42 43	44 45
46 47 48	49 50	51 52
53 54 55	56 57	58 59
60 61 62	63 64	65 66

LABOR

SWAW	HRS	MIN
67 68	69 70	71 72
21		

WAW	HRS	MIN
73 74	75 76	77 78
25		
79 80	81 82	83 84
25		
85 86	87 88	89 90
25		
91 92	93 94	95 96
25		
97 98	99 100	101 102
25		
103 104	105 106	107 108
25		

ADD'L SWAW	HRS	MIN
109 110	111 112	113 114
27		

BAS	HRS	MIN
115 116	117 118	119 120
X28	00	45

HRUP FEE 121 122 123 124 125 126

MILEAGE 127 128 129

CHARGES (FOR OFFICE USE ONLY)

CHEMICAL

CHEMICAL FEE 130 131 132 133 134 (FOR OFFICE USE ONLY)

SQUARE FOOTAGE 054000

AREA	CHARGES (FOR OFFICE USE ONLY)
135 m	
136 n	
137	
138 P	
143 XR	
146 S	
139 IMPROVED	

EXCESS UNITS 139 140 141 142

144 145 146 147: 2339

DEMOLITION 153 154 155 156 157 158

DUMP ACTIVITIES

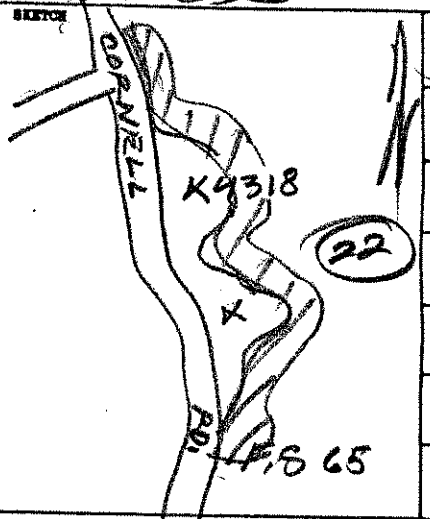
DUMP TICKET NUMBER	DUMP FEE	MILEAGE
TOTALS		

REMARKS

VENDOR HAND CLEARED WEEDS ON HILLSIDE PARCEL

★ WEEDS

SKETCH



SWAW/SWO M. DVORAK

WAW | WAW

WAW | WAW

WAW | WAW

VENDOR PREPO

OPERATOR

HAZARD COMPLAINT

(FOR OFFICE USE ONLY)

CURRENT CHARGES

OVERHEAD

TOTAL CHARGES

DATE TAX COMPLAINT

DATE COPY TO OWNER

(FOR OFFICE USE ONLY) NH | R

DIRECT CHARGE STAMP

TRACT 2804

LOT POR. 1 | BLOCK —

PORTION CLEARED SEE SKETCH

1/4 S 8 W 07 AT 9318 CORNELL

MAPBOOK 2063 | PAGE 006 | PARCEL 025

SH

765/650 (Rev. 7-88)

WEED ABATEMENT JOB REPORT

MONTH	DAY	YEAR	MAPBOOK	PAGE	PARCEL	CITY CODE	ZONE
06	06	2002	2063	036	001	030	07

DC | G1 | G2 | G3 | G4 | G5 | DELETE (FOR OFFICE USE ONLY)

EQUIPMENT

	HRS	MIN
1 10	03	00

AC: 01 | POR:

LABOR

	HRS	MIN
SWAW X 21	03	00
DRIVER 68		
WAW 25		
25		
25		
25		
25		
25		
25		
ADD'L SWAW 27		
BAS 28		

CHARGES (FOR OFFICE USE ONLY)

DUMP FEE 000288

MILEAGE

CHEMICAL FEE (FOR OFFICE USE ONLY) SQUARE FOOTAGE

AREA

M, N, P, R, S, T, U

EXCESS UNITS

IMPROVED

CHARGES (FOR OFFICE USE ONLY)

DUMP ACTIVITIES

DUMP TICKET NUMBER	DUMP FEE	MILEAGE
PHOTO TAKEN	2 88	
TOTALS	2 88	

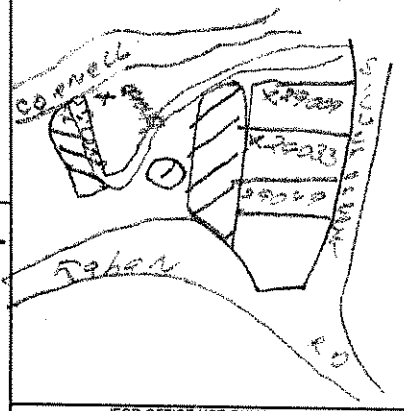
REMARKS:

Difficult unload.
2 areas to disc on Parcel
travel time to both

Photo taken

- [x] ROUTINE DISCING
- [ ] HOURLY MOWING
- [ ] SQ FT MOWER
- [ ] H-50
- [ ] VENDOR WEED HANDWORK
- [ ] VENDOR BRUSH HANDWORK
- [ ] VENDOR POISON OAK

SKETCH AREA DISCED



- [x] JOB COMPLETE
- [ ] JOB INCOMPLETE

SWAW/BAS: Lee Milligan

WAW	WAW
WAW	WAW
WAW	WAW
WAW	WAW
WAW/DRIVER	

(FOR OFFICE USE ONLY)

CURRENT CHARGES
OVERHEAD/INSPECTION FEE
TOTAL CHARGES

DATE | TAX COMPLAINT | DATE | COPY TO OWNER

(FOR OFFICE USE ONLY)

INSP OK	IZN CLERK OK	DATA ENTRY

VENDOR/OPERATOR Versatile ANDY

HAZARD COMP [ ] DIRECT CHARGE [ ]

TRACT 2084

LOT 1 POR | BLOCK —

PORTION CLEARED ALL [ ] SEE SKETCH [x]

LOTS N S E W OF AT 29049

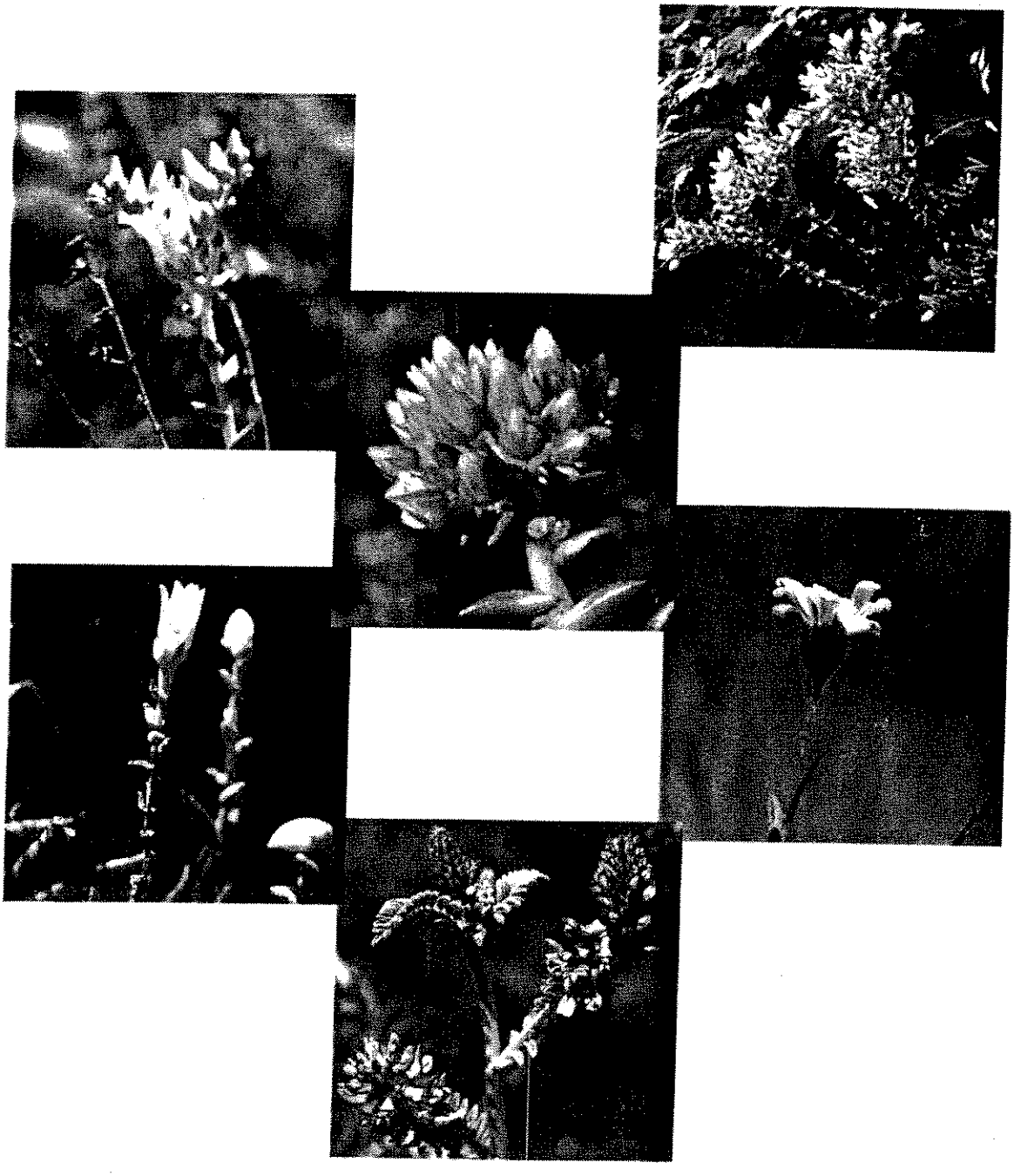
Silver Creek Rd

MAPBOOK	PAGE	PARCEL
2063	036	001

USFWS Recovery Plan Excerpts

U.S. Fish & Wildlife Service

Recovery Plan
for Six Plants from the Mountains Surrounding the Los Angeles Basin



RECOVERY PLAN

FOR

SIX PLANTS FROM THE MOUNTAINS SURROUNDING

THE LOS ANGELES BASIN

U.S. Department of the Interior
Fish and Wildlife Service
Region 1, Portland, Oregon

Approved: _____
Acting Manager, California/Nevada Operations Office,
Region 1, U.S. Fish and Wildlife Service

Date: SEP 3 0 1999

EXECUTIVE SUMMARY

Current Species Status: This recovery plan covers two endangered plant species: *Astragalus brauntonii* (Braunton's milkvetch), and *Pentachaeta lyonii* (Lyon's pentachaeta); and four threatened plant species: *Dudleya abramsii* ssp. *parva* (Conejo dudleya), *Dudleya cymosa* ssp. *marcescens* (marcescent dudleya), *Dudleya cymosa* ssp. *ovatifolia* (Santa Monica Mountains dudleya), and *Dudleya verityi* (Verity's dudleya).

Braunton's milkvetch occurs in 18 current sites in four geographic regions of California, totaling less than 3,000 individuals. All current sites are affected by immediate loss of habitat from development; one population was bulldozed during recent fire suppression activities and another was bulldozed during negotiations to protect the site in August 1998.

Lyon's pentachaeta occurs on 30 current sites, comprising 5 populations, all with fewer than 5,000 individuals. Eleven current sites are threatened with development. One site was recently bulldozed during facility construction for a local water district. No populations are being actively managed or monitored.

Conejo dudleya is restricted to 12 current sites along a (10-mile) stretch of Mountclef Ridge, where it is threatened with development and recreational activities.

Marcescent dudleya occurs at 7 current sites, numbering less than 1,000 individuals, and is threatened by development and recreational activities.

Santa Monica Mountains dudleya occurs at 8 current sites, totaling less 2,000 individuals, and is threatened by development and recreational activities.

Verity's dudleya is restricted to 3 current sites in a 6.4- kilometer (4-mile) stretch at the base of Conejo Mountain where smog damage and quarrying operations are affecting the species habitat quality.

Habitat and Distribution: Grassland, coastal sage scrub, and chaparral communities are habitats for all 6 plants which occur in the Santa Monica

lily (*Calochortus catalinae*), purple needle-grass (*Nassella pulchra*), cud weed aster (*Lessingia filaginifolia*), golden stars (*Bloomeria crocea*),erect plantain *(Plantago erecta),* Spanish carpet (*Lotus purshianus*), *(Trifolium wildenovii), (Filago californica)*, popcorn flower (*Cryptantha micromeres), (Eriastrum sapphirinum)*, and miniature lupine (*Lupinus bicolor*) (Thomas and Danielsen 1984; Thomas and Wishner 1988; Edgington *in litt.* 1999).

Pentachaeta lyonii is dependent upon it's pollinators for successful reproduction. In a study funded by the Southwest Parks and Monuments Association, 29 insect visitors from 7 orders were recorded during the 1998 flowering season (Edgington *in litt.* 1999). Hoverfly (*Mesograpta marginata*), Deerfly (*Lepidanthrax* sp.), Andrenid bee (*Andrenidae*), and Megachilid bee (*Ashmeadiella californica californica*) were the most commonly recorded visitors to *Pentachaeta lyonii*, each of which were active at different times of the season (Edgington *in litt.* 1999). In another study, digger bees (Anthophoridae) were observed to be the most frequent visitors with bee flies (Bombyliidae) the next dominant visitor (Fotheringham and Keeley 1998). Pollen analyzed from three of the frequent visitors included; *Adenostoma fasciculatum, Brassica nigra, Centaurea melitensis, Clarkia purpurea, Dichelostemma capitatum, Hemizonia fasciculata, Salvia leucophylla*, as well as *Pentachaeta lyonii* (Edgington *in litt.* 1999). Understanding and protecting the ecological requirements of pollinators and their habitat will be necessary to successfully protect and recover *Pentachaeta lyonii.*

Need landscape plan

The seed of *Pentachaeta lyonii* germinates readily, without fire-related cues (heat, smoke, charates) (Keeley 1995). Since *P. lyonii* does not compete well with dense annual grasses or native shrubs, fire may play a role by opening up habitat and temporarily reducing spatial competition.

4. DISTRIBUTION

There are very few collections of *Pentachaeta lyonii*; the majority were made around the turn of the century from locations where the species has been extirpated (San Pedro, Wilmington, Palos Verdes Peninsula, and Santa Catalina Island). The first record from the Santa Monica Mountains was made in 1926, from an unknown location in the Malibu Hills (NDDB 1998) (Table 2). It was

TABLE 2. *Pentachaeta lyonii* occurrences

NDDB Occurrence #	LOCATION	NUMBER OF INDIVIDUALS	(YEAR) (SITE TYPE) Current=C Historic=H	SITE OWNER/ MANAGER
1	Point Fermin	collection	(1931) H	Unknown
3	Stunt Ranch	fewer than 1,000	(1982)	University of California Natural Reserve System
		fewer than 100	(1984)	
		fewer than 10	(1987)	
		12	(1988)	
		3	(1989)	
		0	(1990)	
		0	(1995) C	
4	Saddle Rock Ranch	collection	(1964) H	Private
5	Westlake Blvd 2080 Feet	fewer than 100	(1982)	Private
		0	(1987)	
		0	(1990) C	
6	Rocky Oaks	10,000	(1982)	NPS
		fewer than 100	(1987)	
		fewer than 1,000	(1988) C	
9	Malibu Creek State Park	fewer than 100	(1983)	CDPR
		fewer than 50	(1984)	
		3	(1988)	
		0	(1994) C	
10	West Side of Westlake Blvd	more than 1,000	(1983)	COSCA
		1,000	(1987)	
		more than 1,000	(1988)	
		more than 1,000	(1990) C	
11	Ridge above Lake Eleanor	fewer than 100	(1983)	Private
		0	(1987) C	
12	Wildwood Park	more than 1,000	(1984)	COSCA
		more than 1,000	(1987)	
		more than 1,000	(1988) C	

TABLE 2. *Pentachaeta lyonii* occurrences (continued)

13	Malibu Hills	herbarium specimen (No Date) H	Unknown
14	Wood Ranch	400 (1989) C	Private
15	Lake Sherwood	4,076 (1990) fewer than 4,000 (1993) C	Private
16	Lake Sherwood, North	330 (1990) C	Private
17	Upper Carlisle	more than 100 (1993) C	Private
18	Eagles Nest Mulholland Highway	200 (1989) C	Private
19	Lake Sherwood Southwest	3,200 (1987) 200 (1988) 40 (1992) 7 (1993) 1 (1994) C*	Private
20	South of Olsen Road	200 (1988) C	Private
21	North of Olsen Road	20 (1991) 100 (1994) C	Private
22	Seventh-day Adventist	fewer than 100 (1991) 200 (1993) C	Private
23	Newbury Park Academy	200 (1991) 1,000 (1993) C	Private
24	Lynnmere	500 (1991) C	COSCA
25	0.3 miles east of Montclef Peak	200 (1994) C	Private
26&27	Baldwin Westlake	more than 5,000 (1992) C	Las Virgenes MWD/Owner; SMMC/Manager
28	Lake Eleanor Hills	more than 1,200 (unknown) 6,000-9,000 (1991) 7,500 (1992) C	Private
29	Reagan Library	0 (1999) H*	Private

30	Carlsberg	1,000	(1991) C	Private
31	Clovercast	60	(1991) C	Private
32	Bridgegate	11,050	(1991) C	Private
33	Cornell Fire Station	4,000	(1992) C	Private
34	East Ladyface	4,000	(1992) C	Private
35	Malibu Lake	Observed	(1996) C	Private
36	Hill Canyon	30	(1996) C	Private
no #	265 Decker Canyon	1000	(1998) C	Private
no #	Ridge east above intersection of Decker and Potrero	1000	(1998) C	Private
no #	Wilmington	Collection	(1900) H	unknown
no #	San Pedro	Collection	(1899) H	unknown
no #	Palos Verdes	Collection	(1910) H	unknown
no #	Palos Verdes Mountain	leucotype collection	(1886) H	unknown
no #	Santa Catalina Island	Collection	(1885) H	Private

NDDB: California Natural Diversity Database, California Department of Fish and Game
COSCA: Conejo Open Space Conservation Authority
CDPR: California Department of Parks and Recreation
NPS: National Park Service
MWD/SMMC: Municipal Water District/Santa Monica Mountains Conservancy

not until 1963, when Peter Raven was collecting for his 1966 Flora of the Santa Monica Mountains, that *P. lyonii* was again documented from the Santa Monica Mountains (Van Horne 1973). That population has since been extirpated by habitat conversion to agriculture (NDDB 1998). In 1977, David Verity discovered the easternmost population of *P. lyonii* in the Santa Monica Mountains at Stunt Ranch. It has since been extirpated through site alteration by gopher activity that turned over the soil, allowing an increase in non-native weeds (NDDB 1998). The species is currently defined from 5 meta-populations, spread over 30 current sites (including seedbanks), in the central

Santa Monica Mountains along the northern slopes, which run through Thousand Oaks, and around the western edge of the Simi Hills to the western edge of the City of Simi Valley (Figure 1) (Table 2). This species ranges over approximately 32 kilometers (20 miles) and is distributed in a highly fragmented landscape.

5. REASONS FOR DECLINE AND THREATS

Primary threats include direct loss of habitat and the influence of development in proximity to existing populations (fuel modification). The introduction of competitive weeds that displace *Pentachaeta lyonii*, changes in local hydrology which can encourage invasive weeds, intensive gopher activity altering the soil integrity, and the alteration of habitat structure from nearby development have negatively affected populations in Ventura County.

Mitigation for development projects has not provided adequate protection for the species. Attempts to create new sites have not met with success, largely because non-native annual grasses have displaced the species. Protection of existing populations have also failed because the areas set aside as reserves have been too small or too close to developments. For example, a 61 meter (200 foot) buffer was established between designated rare plant habitat and a fuel modification development. The buffer was however, destroyed in compliance with fire insurance requirements to clear an additional 30 meters (100 feet). Attempts to mitigate loss of habitat at sites such as the Lake Sherwood golf course (through planting seeds and seedlings) have also failed.

200 foot buffer between lyons p & fuel modifica

6. CONSERVATION EFFORTS

A study of the ecology and distribution of *Pentachaeta lyonii* was funded under section 6 of the Act, to better define recovery needs (Fotheringham and Keeley 1998). The results provide a preliminary understanding of soil seed banks and pollination requirements (see section 3 above). The California Department of Fish and Game funded a study on the seed germination and dormancy of *Pentachaeta lyonii* through an emergency drought relief project (Keeley 1995). Results from this project indicated that the seed is not adapted to germinate in response to fire, contrary to observations presented in the final rule listing the species. These and additional studies will be useful in managing the species for recovery.

The National Park Service has fenced a small site to protect it from trampling by hikers and equestrians. There is an occurrence protected along Westlake Boulevard by Conejo Open Space Conservation Authority. The City of Thousand Oaks manages a site at Wildwood Park. The Santa Monica Mountains Conservancy (SMMC) is managing a site near the Baldwin reservoir. All but the last site comprise a small portion of the distribution of the species, and additional protection and management is still needed. The species was listed as endangered by the State in 1990. See section G (page 34), for information on available conservation measures.

C. *Dudleya abramsii* spp. *parva* (CONEJO LIVE-FOREVER)

1. TAXONOMY

Dudleya (live-forever) is a genus comprising species of succulent, rosette-forming perennial plants in the stonecrop family (Crassulaceae). These plants frequently inhabit rocky soils or rock outcrops along the coast, and in interior mountain ranges. Many species of *Dudleya* are highly localized in their distribution because of the patchy and limited distribution of such habitats within other plant community types. The Santa Monica Mountains contains one of the most diverse concentrations of taxa in this genus.

In California, 39 taxa (species and subspecies) of *Dudleya*, belonging to 3 subgenera (*Dudleya, Hasseanthus*, and *Stylophyllum*), are recognized (Bartel 1993). All four *Dudleya* species included in this recovery plan are members of the subgenus *Dudleya*. Subgenus *Dudleya* is separated from the other two subgenera by having above ground caudices (stems), sepals that are erect to only slightly spreading at tips, and generally erect follicles (fruit). However, *Dudleya abramsii* and *Dudleya cymosa* ssp. *marcescens* are unusual in the subgenus in that their leaves are vernal.

Dudleya abramsii ssp. *parva* was described in 1923 as *D. parva* by Joseph N. Rose and Anstruther Davidson (Moran 1948) based on a cultivated collection made a year earlier by Mrs. J. H. Bullard from the Conejo Grade in Ventura County. Neither Jepson 1925, nor Jepson 1936, mentioned the plant. Munz (1935) listed *D. parva* as a synonym of *Echeveria lanceolata*. Moran (1960)

formation; therefore, this dudleya may be the only flowering plant occurring in a microhabitat that is otherwise dominated by mosses, lichens, and ferns (*Pellaea andromedifolia*, and *Polypodium californicum*) (NDDB 1998).

5. REASONS FOR DECLINE AND THREATS

The plant is threatened by recreational use (particularly rock climbing), collection, and fire. One occurrence is on a site with an administrative easement where the land owner has drastically altered the native vegetation (pine plantings in a cleared oak grove). Populations of *Dudleya cymosa* ssp. *marcescens* are often affected by unregulated recreation (boulder hopping, rock climbing) on California Department of Parks and Recreation and National Park Service lands.

6. CONSERVATION EFFORTS

Three populations are protected from development in Malibu Creek State Park, as well as one population on National Park Service land in the west fork of upper Arroyo Sequit drainage. The remaining locations are on private lands. In 1978, the species was listed as rare by the State. See section G (page 34), for information on available conservation measures.

E. *Dudleya cymosa* ssp. *ovatifolia* (SANTA MONICA MOUNTAINS DUDLEYA)

1. TAXONOMY

Dudleya cymosa ssp. *ovatifolia* was originally described as *Dudleya ovatifolia* by Britton (1903) based on a collection made by H.M. Hall in 1902. The type locality is listed as "Sierra Santa Monica," thought to be Topanga Canyon, Los Angeles County (Moran 1951). The species was subsequently recognized as *Cotyledon ovatifolia* and *Echeveria ovatifolia* (Fedde 1904 and Berger 1930 respectively, cited in Moran 1951) when different generic concepts were used in the family Crassulaceae. Moran (1957) published the currently accepted combination of *Dudleya cymosa* ssp. *ovatifolia.*

Nakai (1983) considered plants from near Agoura, Los Angeles County to be distinct from *Dudleya cymosa* ssp. *ovatifolia.* Subsequently, (Nakai 1987)

published the new name *D. cymosa* ssp. *agourensis*. Nakai distinguished the new subspecies from the other on the basis of number and shape of rosette leaves, pedicel length, and degree of spreading in petal apices. Nakai (1987) considered *D. cymosa* ssp. *agourensis* to differ from *D. cymosa* ssp. *ovatifolia* in having a simple- to several-branched caudex and glaucous elliptical basal leaves. Nakai (1987) noted that *D. cymosa* ssp. *ovatifolia* has an unbranched caudex and green, ovate basal leaves. Bartel (1993) apparently considered these differences consistent, and included *D. cymosa* ssp. *agourensis* in *D. cymosa* ssp. *ovatifolia* in his treatment of the genus *Dudleya,* for the Jepson Manual.

2. DESCRIPTION

Like most members of the section *Dudleya*, *D. cymosa* ssp. *ovatifolia* has evergreen rosette leaves rather than marcescent leaves that wither in the summer. Leaves are 2 to 5 centimeters (0.8 to 2.0 inches) long, 1.5 to 2.5 centimeters (0.6 to 1.0 inch) wide; floral stems are 4 to 15 centimeters (1.6 to 6.0 inches) tall; corollas are pale yellow (Munz 1974). The ovate leaves with a maroon underside, distinguish "*ovatifolia*" in Nakai's narrow sense from other local *Dudleya*, while glaucous leaves and lemon yellow flowers separate the "*agourensis*" form from other local species.

3. DISTRIBUTION

Dudleya cymosa ssp. *ovatifolia* is found scattered along exposed north-facing slopes of the Santa Monica Mountains from near Westlake Village to Agoura ("*agourensis*"), and in deep canyon bottoms along lower Malibu Creek and Topanga Creek in the Santa Monica Mountains (Figure 1). In the Santa Ana Mountains there are populations in Modjeska Canyon and Modjeska Peak. Fewer than 10 locations of *D. cymosa* ssp. *ovatifolia* have been reported, each consisting of no more than several hundred individuals (Table 5). While future

710 locations
no more than
several 100 ind.

TABLE 5. *Dudleya cymosa* ssp. *ovatifolia* occurrences and locations.

NDDB Occurrence #	LOCATION	NUMBER OF INDIVIDUALS	(YEAR) (SITE TYPE) Current=C Historic=H	SITE OWNER/MANAGER
1	Modjeska Canyon	fewer than 1,000	(1989) C	Orange County Parks
2	Topanga Canyon	Observed	(1984) C	CDPR
3	Triunfo Canyon	Observed	(1986) C	Private
4	Ladyface	Observed	(1990) C	Private
5	Cornell Corners	Observed	(1990) C	Private
6	Potrero	Observed	(1990) C	Private
7	Lake Eleanor	100	(1986) C	COSCA
8	Arroyo Sequit	Herbarium label	(1960) H	Private
9	Slopes Modjeska Peak	500	(1997) C	USFS/Cleveland National Forest

NDDB: California Natural Diversity Database, California Department of Fish and Game
COSCA: Conejo Open Space Conservation Authority
CDPR: California Department of Parks and Recreation
USFS: U.S. Forest Service

surveys may locate additional populations of the "Agoura" form along the northern slopes of the Santa Monica Mountains, the limited habitat available makes it unlikely that the total number of individuals will exceed several thousand (NDDB 1998).

4. LIFE HISTORY AND HABITAT

Dudleya cymosa ssp. *ovatifolia* is a succulent, perennial herb, with a thickened rootstock, persisting in exposed dry habitats. Very little is known of this species life history. The typical *Dudleya cymosa* ssp. *ovatifolia* is situated on shaded slopes and canyon bottoms on sedimentary conglomerate rock. The "Agoura" form occurs on a band of late Pleistocene dissected gravels that supports a

sparser grassland habitat than the surrounding vegetation on the north slope of Ladyface Mountain (Dibblee and Ehrenspeck 1993). This habitat band is at road level, to the east of Kanan Road, and gradually climbs in elevation to the west. In the vicinity of Reyes Adobe Road, the band is just at the 405-meter (1,000-foot) contour (Envicom 1998).

5. REASONS FOR DECLINE AND THREATS

Populations of *Dudleya cymosa* ssp. *ovatifolia* in Malibu and Topanga Canyons occur largely on lands owned and managed by California Department of Parks and Recreation. While one of these populations is relatively inaccessible, another is directly adjacent to private property that has been bulldozed for development access (Suzanne Goode, Resource Ecologist, California Department of Parks and Recreation, Santa Monica Mountains, pers. comm., 1992). Most of the remaining populations are along the north slope of Ladyface Mountain, on several privately-owned properties zoned for commercial and residential development. The City of Agoura Hills has a restriction on grading above the 445-meter (1,100-foot) contour on Ladyface Mountain, and the majority of the *Dudleya cymosa* ssp. *ovatifolia* occurrences fall below that contour.

The "Agoura" form is scraped off roadside locations by City of Agoura Hills road crews every year as a casualty of the roadside weed abatement program.

6. CONSERVATION EFFORTS

There are populations on public lands in Orange County on Modjeska Peak, in the Cleveland National Forest, and in Modjeska Canyon on County Park land. Populations also occur on public lands in the Santa Monica Mountains, on State Park land, and in Ventura County on Conejo Open Space Conservation Authority land. These populations are protected from development, but there are no management plans, for monitoring or protection of the taxa. See section G (page 34), for information on available conservation measures.

1.3 Landowner contact.

For private lands reported to have any of the listed species, landowners should be contacted and provided with information about available conservation mechanisms, such as conservation easements, management agreements, or purchase where there are willing sellers. (see task 5).

1.4 Establish rare plant reserves.

Rare plant reserves should be designed to include adequate space for plant populations to persist through dispersal within immediate areas of suitable habitat. For example, the annual *Pentachaeta lyonii* will dominate different portions of appropriate habitat over the course of several years. A properly designed, protected habitat will also include unoccupied potential habitat for plants to disperse within any given year. In addition to providing enough space for plant populations to disperse, protected habitats must provide buffers against the adverse effects of adjacent development. This includes effects such as altered soil moisture conditions, enhanced weed establishment, and/or other factors that result in degraded site quality. Additionally, buffers should support habitat required for pollinators, an important factor for *P. lyonii*. Development adjacent to wildland habitat will require buffers for fire clearance. Buffer zones for fire control purposes should include adequate distance from modified habitat. Fuels modification requirements for insurance purposes is potentially as much as 90 meters (300 feet) from dwellings. An additional buffer of 60 meters (200 feet) would permit the habitat integrity needed for a combination of rare plant and pollinator requirements. Plans that have already been developed (e.g., mitigation plans for *Astragalus* and *Dudleya verityi*) should be incorporated into conservation actions for those species.

2. Manage and monitor protected areas.

The process of evaluating past and current management and making adjustments as needed is termed "adaptive management." Public and private conservation

lands should be adaptively managed to maximize their potential to support listed species and their habitats.

2.1 Implement appropriate management in occupied habitat.

Management plans should be developed and implemented for areas that harbor any of the six listed species. If new threats are identified, or other new information becomes available, then management plans need to be re-evaluated and/or revised. Management activities should be evaluated periodically and adjusted to maximize the potential for survival, conservation, and recovery of listed species. Results of new biological research should be considered in adaptive management schemes (see research task 4).

2.2 Develop and implement monitoring plans for all populations.

Land management agencies, which administer lands occupied by any of the six species listed in this plan, should develop and implement long-term, permanent monitoring plans. Monitoring should include; plant abundance of listed species, site integrity, and documentation of existing/potential threats. The populations should be monitored every 3 years, to determine trends in population characteristics and threats. Occurrences should be continually monitored (current and future sites). Monitoring should be done for all other possible populations, regardless of whether management plans have been developed or formal protection has been secured. The Service and the California Department of Fish and Game plant ecologist for the region will evaluate the monitoring reports.

3. Survey historic locations and other potential habitat where species in the plan may occur.

Surveys of the potential albeit limited, habitat within each of the six species range should be done. Several California Natural Diversity Database occurrence records for the listed species are represented only by observations. Information on population status, threats, and

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

James E. Hartl, AICP
Director of Planning

June 16, 2005

TO: Wayne Rew, Chair
Pat Modugno, Vice Chair
Esther L. Valadez, Commissioner
Leslie G. Bellamy, Commissioner
Harold V. Helsley, Commissioner

FROM: Susan Tae, AICP, Principal Regional Planning Assistant
Land Divisions Section

SUBJECT: VESTING TENTATIVE TRACT MAP NO. 52419-(3)
CONDITIONAL USE PERMIT CASE NO. 97-178-(3)
OAK TREE PERMIT CASE NO. 97-178-(3)
AGENDA ITEM NO. #6 a, b, c; JUNE 22, 2005

PROJECT BACKGROUND

As you may recall, Vesting Tentative Tract Map No. 52419 is a subdivision proposal to create 81 single-family, five open space, nine landscape, one street and one desilting basin lots on 320.3 gross acres, located east and west of Kanan Road and Cornell Road in The Malibu Zoned District. A Conditional Use Permit ("CUP") is required to ensure compliance with the requirements of hillside management, density-controlled development, planned residential development within the Residential Planned Development zone, development within a Significant Ecological Area("SEA"), and grading (onsite project and within the Santa Monica Mountains North Area). An Oak Tree Permit is also required to authorize removal of 18 oak trees, including two heritage oaks, and encroachment within the protected zone of 17 oak trees, including five heritage oaks. After opening the public hearing and taking public testimony both in favor and in opposition, the public hearing was continued to June 21, 2005 to take any remaining testimony, and give the applicant opportunity for rebuttal.

Issues raised so far at the public hearing, include the following:

- Open space: dedication, delineation

Your Regional Planning Commission ("Commission") questioned how much of the project's open space will be the dedicated to a public agency and how far discussions have come along in the acceptance of this open space. The Commission also asked whether areas within individual lots are considered part of the project's open space.

- Adjacent City of Agoura Hills standards and project

As this property is directly adjacent to the City of Agoura Hills ("Agoura Hills") on the north, the Commission expressed interest in reviewing existing development standards, including height limits, in Agoura Hills for Ladyface Mountain. A project known as "Agoura Hills Village" is also proposed within Agoura Hills near the subject property. As the Agoura Hills Village project includes a variety of uses, the Commission also expressed interest in reviewing the proposed development so that their action considers adjacent Agoura Hills' development. Staff has requested additional

information from Agoura Hills, and is waiting to review.

- Alternative Plan 6

The Cornell Preservation Organization, in opposition testimony, presented a projectalternative that depicts nine single-family homes on large lots west of Kanan Road. The alternative was designed based on many community meetings, and includes rural improvements, great reduction in required grading.

- Adequacy of environmental document

Testimony was taken from several individuals who expressed concerns that certain information was not evaluated in the Draft Environmental Impact Report ("Draft EIR"). These include lack of evaluation or no information available on the applicant's economic data related to the project, master landscape plan, of discussion of blasting, 100-year flood analyses and weekend traffic studies. Testimony was also taken that the Draft EIR lacks an adequate alternative.

STAFF EVALUATION AND RECOMMENDATION

Staff continues to feel that the proposed project is inconsistent with the Santa Monica Mountains North Area Plan; and fails to meet the burdens of proof required for hillside management development, development within an SEA and grading within the Santa Monica Mountains North Area. The zoning violation(s) on the western portion of the subject property, remain unabated. No additional information has been provided to staff that clarify and document the required weed abatement activity where the endangered Lyon's pentachaeta population exists. Alternative No. 4 of the Draft EIR provides a project design that better address biological resources issues. However, staff feels that additional hillside management design features, including contoured grading and reduction in overall grading, should be incorporated with the base design of Alternative No. 4.

The following recommendation is subject to change based on oral testimony or documentary evidence submitted during the public hearing process.

If the Regional Planning Commission agrees with staff's evaluation, staff recommends that the Commission continue the public hearing to allow the applicant time to redesign the project. The redesign should address the Commission's concerns, including consistency with the Santa Monica Mountains North Area Plan, and that incorporates elements of Alternative No. 4 of the Draft EIR and hillside management design.

Suggested Motion: "I move that the Regional Planning Commission continue the public hearing, and direct the applicant to redesign the project that is more consistentwith the Santa Monica Mountains North Area Plan and protects the significant natural resources of the project site."

OR

"I move that the Regional Planning Commission close the public hearing, and indicate its intent to deny Vesting Tentative Tract Map No. 52419, and Conditional Use Permit and Oak Tree Permits No. 97-178-(3).

EMF:SMT
06/16/05

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

James E. Hartl, AICP
Director of Planning

LATE SUBMISSION

June 16, 2005

TO: Wayne Rew, Chair
Pat Modugno, Vice Chair
Esther L. Valadez, Commissioner
Leslie G. Bellamy, Commissioner
Harold V. Helsley, Commissioner

FROM: Susan Tae, AICP, Principal Regional Planning Assistant
Land Divisions Section

SUBJECT: VESTING TENTATIVE TRACT MAP NO. 52419-(3)
CONDITIONAL USE PERMIT CASE NO. 97-178-(3)
OAK TREE PERMIT CASE NO. 97-178-(3)
AGENDA ITEM NO. #6 a, b, c; JUNE 22, 2005

APPLICANT MATERIALS

The following are materials submitted by the applicant **after** the Regional Planning Commission's ("Commission") materials were packaged and distributed. While this is considered 'piecemeal' as a separate Commission mailing, the applicant's materials include information regarding the project that would benefit the Commission a longer period for review.

As this was a late submittal, staff has not had an opportunity to review the materials. Any questions or clarification regarding the information contained in this submittal may be addressed at the June 22, 2005 continued public hearing.

As previously stated in staff's June 16, 2005 letter to the Commission, staff continues to feel that the proposed project is inconsistent with the Santa Monica Mountains North Area Plan; and fails to meet the burdens of proof required for hillside management development, development within an SEA and grading within the Santa Monica Mountains North Area. The zoning violation(s) on the western portion of the subject property, remain unabated. No additional information has been provided to staff that clarify and document the required weed abatement activity where the endangered Lyon's pentachaeta population exists. Alternative No. 4 of the Draft EIR provides a project design that better addresses biological resources issues. However, staff feels that additional hillside management design features, including contoured grading and reduction in overall grading, should be incorporated within the base design of Alternative No. 4.

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Suggested Motion: "I move that the Regional Planning Commission continue the public hearing, and direct the applicant to redesign the project that is more consistent with the Santa Monica Mountains North Area Plan and protects the significant natural resources of the project site."

OR

"I move that the Regional Planning Commission close the public hearing, and indicate its intent to deny Vesting Tentative Tract Map No. 52419, and Conditional Use Permit and Oak Tree Permits No. 97-178-(3).

Attachment: Applicant's materials

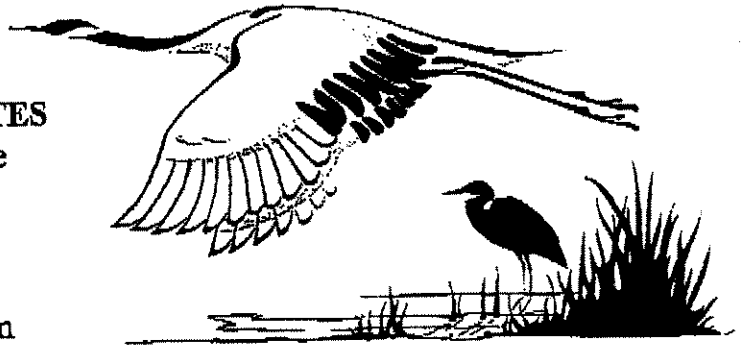
EMF:SMT
06/16/05

REGIONAL PLANNING COMMISSION
JUNE 22, 2005
AGENDA ITEM NO. 6 a, b, c

ADDITIONAL

CORRESPONDENCE

FAX TRANSMISSION



TOM DODSON & ASSOCIATES
2150 N. Arrowhead Avenue
San Bernardino, CA 92405
Tel: (909) 882-3612
Fax: (909) 882-7015
E-Mail: tda@tstonramp.com

Company Name: LA Co. Reg. Plng. Dept.
Attention: Christina Tran
Fax Number: 213-217-5108

Date: 6-21-05
Time Sent: 8:50
Pages (including transmittal sheet): 6

From: Tom Dodson.

Subject or Job Number:

Comments: Please provide this letter to the Planning Commission for the Commission's hearing on June 22, 2005.

Call if any questions.

Any problems with this transmission, please contact Chris. at (909) 882-3612.

TOM DODSON & ASSOCIATES
2150 N. ARROWHEAD AVENUE
SAN BERNARDINO, CA 92405
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E-MAIL tda@tstonramp.com

MEMORANDUM

June 18, 2005

From: Tom Dodson

To: Los Angeles County Regional Planning Commission

Subj: Additional Comments on County Project No. 97-178, State Clearinghouse No. 1998111091

On May 11, 2005 I submitted detailed comments on the content of the Draft Environmental Impact Report (Draft EIR) distributed for public review by the County for County Project No. 97-178, which is the Triangle Ranch project near the City of Agoura Hills. My purpose in this submittal to the Commission is not to reiterate all of the previous comments submitted on behalf of the Cornell Preservation Organization (CPO), which describe what I believe are the inadequacies of the Draft EIR, but to focus on three specific issues that are somewhat more complicated than the other issues. These three issues are:

- consistency of County Project No. 97-178 with the County General Plan;
- consideration of economic information about the project; and
- water quality issues related to Medea Creek.

I also provide my professional opinion regarding the status of the environmental review process for complying with the California Environmental Quality Act (CEQA). This is necessary to ensure that, if future litigation regarding the Final EIR ensues, we will have provided all of our input to the County to establish an adequate summary of our position for the administrative record.

1. General Plan Consistency

Most of the focus of the Cornell Preservation Organization has been on the significant environmental effects of the project and not on General Plan consistency. However, this issue is one of the two key decisions for which the Commission will make recommendations for action to the County Board of Supervisors. The other key recommendation being the Commission's decision regarding the adequacy of the Final EIR for consideration by the Board, i.e., is it adequate or not and should the Board certify the Final EIR or not.

As the Commission is aware, the County Staff has presented an alternative design for this project that would allow development of approximately 44 units. Further, the CPO has presented a design that would allow less than ten units, all located west of Kanan. Why are these alternatives being presented to the Commission? I believe the reason is that each party, the County Staff and CPO, has carefully reviewed the applicable County General Plan policies and determined that the proposed Triangle Ranch project is not consistent with the adopted General Plan for the project site, as expressed in the Santa Monica Mountains North Area Plan. Both County Staff and CPO have presented alternative project designs that each believes is consistent with the General Plan and is therefore approvable by the County. The analysis of General Plan policies in Chapter III.K of the Draft EIR clearly demonstrates that the proposed project with 81 units is not consistent with many of the policies in the General Plan, and in my opinion the project is not consistent with the General Plan as required by law.

To set the stage for my conclusion and recommendation to the Commission on this issue, I need to reference some essential planning documents. Much of the following information is excerpted from "Curtin's California Land Use and Planning Law" publication (21st Edition). It is an important reference guide used by most professional planners regarding planning law and planning requirements. I am sure the Commission is aware that it must make factual determinations regarding the proposed project's consistency with the adopted General Plan, which as noted above is the Santa Monica Mountains North Area Plan (Plan). On page 22 of Curtin's publication the following conclusion is presented: "*Since the general plan is the constitution for all future development, any decision of the city affecting land use and development must be consistent with the general plan.*" This statement also applies to a county, such as Los Angeles County. Further, Curtin further states: *"A court will defer to the city council's interpretation of its own general plan and factual findings unless "based on the evidence before the city council, a reasonable person could not have reached the same conclusion."" "In the subdivision context, Government Code section 66473.5 requires that approvals of tentative maps be consistent with the city's general plan. However, the Subdivision Map Act does not require an exact match between the tentative map and the general plan or specific plan. The tentative map only need be in agreement or harmony with the general or specific plan.*

Thus, it is clear that consistency is required an consistency does not need be to demonstrated with every policy, but it must be in "harmony or agreement" with the Plan. My previous comments indicate where we disagree with the EIR's findings of consistency between the Plan and proposed project. For several of the fundamental issues where agreement or harmony is required, in my opinion, between the Plan and the proposed project, the project is inconsistent with the Plan. The specific areas of general inconsistency include: biology goals; hillside management goals; scenic resource protection goals; fire hazard goals; and finally inconsistency with most of the SEA compatibility criteria. The EIR documents

these inconsistencies; we believe the inconsistencies are greater than summarized in the EIR (see pages 17 and 18 of my May 11, 2005 letter); and it is our conclusion that the degree of inconsistency between the proposed project and the Santa Monica Mountains North Area Plan reaches the level of being out of harmony and in disagreement with fundamental elements of this Plan.

The implication of this conclusion is that the project as proposed is inconsistent with the applicable Plan for the project area and the County cannot make the factual findings to approve this project. After reviewing the proposed project in terms of consistency or conformity with the Santa Monica Mountains North Area Plan we do not believe that any reasonable person can make a finding of consistency between the proposed development and the Plan. We are also skeptical that the Staff alternative development concept can be deemed consistent, but it is clearly more consistent than the proposed development project. We are confident that the CPO alternative development plan is wholly consistent with the Plan.

As a result of concluding the proposed project is not consistent with the Santa Monica Mountains North Area Plan, we recommend that the Commission deny the proposed Triangle Ranch project, or require the applicant to submit a design that is clearly in agreement and harmonious with the Plan.

Economic Issues

The California Environmental Quality Act (CEQA) generally avoids dealing with economic issues related to a proposed development because economic issues seldom are related to physical effects on the environment (the primary test of whether an issue must be considered in a CEQA document. Having stated this, there are instances where economic issues do come into play. Specifically, the State CEQA Guidelines (Section 15131) provide the following guidance: *"Economic or social effects of a project shall not be treated as significant effects on the environment." Economic or social effects of a project may be used to determine the significance of physical changes caused by a project."*

In this instance, the proposed project was not identified as causing any economic or social effects related to physical changes caused by a project. So the issue of concern to CPO is not physical changes and related economic or social effects.

The economic issue of concern to the CPO is that the stated primary project objective for the applicant is to achieve a profitable economic return on its property investment (Page 1-2 if the Draft EIR). If the County and the interested public does not have the data to substantiate what a "profitable economic return on its property investment", it is not possible to determine whether an 81-lot subdivision is required to meet this "primary objective" or whether the CPO alternative of nine lots is sufficient to meet this "primary objective." If no economic data regarding return on investment are provided to the County decision-makers, then the County

must select the least environmentally damaging alternative, which is clearly the CPO alternative. This is consistent with the requirements of Sections 15091 and 15092 of the State CEQA Guidelines which includes the following statement: *A public agency shall not decide to approve or carry out a project for which an EIR was prepared unless either: (1) The project as approved will not have a significant effect on the environment, or (2) the Agency has: (A) Eliminated or substantially lessened all significant effects on the environment where feasible as shown in findings under Section 15091, and (B) Determined that any remaining significant effects on the environment found to be unavoidable under Section 15091 are acceptable due to overriding concerns as described in Section 15093.*

The proposed project will have significant impacts. So, impact must be eliminated where feasible. Although the logic is somewhat difficult to understand, I interpret the above Guidelines section to indicate that if all alternatives are economically feasible, then the alternative with the least impact, i.e., the CPO alternative, must be selected by the City. If any of the alternatives are not economically feasible because they will not meet the applicant's primary objective, the all participants in the CEQA review process, including the decision-making body and the public, are entitled to review the data justifying what is or is not economically feasible as determined by the applicant. Otherwise, how does the decision-make or the public obtain the substantiation necessary to verify economic feasibility.

CPO has been denied access to the requisite economic information and, apparently, the County does not have any data justifying what is or is not a profitable economic return on its property investment for the applicant. Once again, I request the detailed economic data to perform an independent verification of assumptions and findings, or request that the Commission select the CPO alternative development plan as the least environmentally damaging feasible alternative.

Water Quality in Medea Creek

In simple terms, water quality in Medea Creek and Malibu Creek (which forms downstream of the project site) is severely degraded (i.e., significantly degraded for three water quality components, phosphorus, nitrates and bacteria). This is a statement of fact, not an assumption. The project will install best management practices (BMPs) to minimize non-point source pollution discharge to Medea Creek during both construction and post-construction. However, these best management practices will not be 100% effective for either phase of the project. Both construction and occupancy storm water quality will be contribute to the existing degraded condition of water quality in Medea Creek. As a result, the proposed project will make a cumulatively considerable contribution to already severely degraded surface water in Medea Creek. The Draft EIR makes a finding that this impact is less than significant because the applicant is installing the requisite BMPs.

This finding is in error as the proposed project's additions of phosphorus, nitrates and bacteria are inherently a significant unavoidable adverse cumulative water quality impact to the existing condition.

As a result of this inaccurate finding, CPO requested that the Draft EIR be recirculated to address this issue. Specifically, the applicant should be required to further define the specific contribution of these three pollutants and then be required to offset the project's cumulative contribution by cleaning other existing sources of the same pollutants within the drainage basin. For example, the applicant could fund the connection of several (the actual number of systems that should be replaced will depend upon the estimate of the project's contribution to this noncompliant Total Maximum Daily Load (TMDL) pollutant) failing septic tank systems to the regional sewer system and reduce the amount of bacteria by an amount comparable to the bacteria contribution of the proposed project. Similarly the project should be required to reduce phosphorus and nitrates from other sources by an amount comparable to that generated by the proposed project. Thus mitigation is available to hold the project's cumulative contributions to the TMDL pollutants to a less than significant level. The Draft EIR ignores such measures and is therefore inadequate until the TMDL water quality issue is resolved.

Conclusion

There is a tendency when an applicant is being opposed so strongly on a project to feel sympathy for that applicant. However, the local community did not create the very difficult circumstances that constrain development on the Triangle Ranch. It is a combination of institutional constraints (endangered species, hillside development standards and water quality standards), the Santa Monica Mountains North Area Plan and the natural constraints of the property that make it particularly difficult to develop. CPO is seeking to ensure that any development approved fully complies with all of the constraints affecting the property. Based on the data in the record at this time, CPO believes that the proposed development is not consistent with the requisite planning document; the Draft EIR before the Commission is not adequate; and the development requires additional modification and mitigation in order to be approved by the County.

If the applicant refuses to revise the project to resolve these issues, CPO requests that the proposed project be denied.

Sincerely,

Tom Dodson

Tom Dodson
cc: Cornell Preservation Organization

TO: C. Tran for Susan Tae, County Regional Planning, Land Divisions Section
FAX: 213-217-5108

FROM: Betsey Landis, California Native Plant Society
FAX: 310-476-5019

RE: Triangle Ranch, CUP & Oak Tree Permit 97-178, Tentative Tract Map 52419

Cover page plus 2-page letter.

California Native Plant Society

Los Angeles/Santa Monica Mountains Chapter

3908 Mandeville Canyon Road
Los Angeles, California 90049
June 21, 2005

Susan Tae, AICP, Principal Regional Planning Assistant
Land Divisions Section
Los Angeles County Regional Planning Department
320 West Temple Street
Los Angeles, California 90012

RE: Triangle Ranch, County Project No. 97-178, Conditional Use Permit No. 97-178, Oak Tree Permit No. 97-178, Vesting Tentative Tract Map 52419.

Dear Ms. Tae:

California Native Plant Society (CNPS) is a non-profit State-wide organization with over 9700 members. The Los Angeles/Santa Monica Mountains Chapter has about 500 members and is one of three CNPS Chapters in Los Angeles County. CNPS is dedicated to the preservation of California's native flora through science, education and advocacy.

We have serious concerns over County Project No. 97-178, also known as Triangle Ranch. For years we have monitored the natural resource values of Significant Ecological Areas. Most have increased in resource value as Los Angeles has become increasingly urbanized. SEA No. 6 is no exception.

SEA No. 6 represent a locally rare range extension of several plant species, most notably California Juniper (*Juniperus californica*), *Haplopappus linearifolius* and *Calochortus venustus*. The SEA also contains Federally listed species: the endangered Lyon's pentachaeta (*Pentacaeta lyonii*) and the threatened Santa Monica Mountains Dudleya (*Dudleya cymosa* ssp. *ovatifolia*).

From staff and SEATAC reports it is evident that the project proponents are planning to decimate these valuable resources to create a suburb in a rural area. In all the years since the project was first proposed (I assume it was first proposed in 1997) the project proponents apparently have ignored the planning advice of the County Regional Planners, the area's district plan, the concerns of the neighbors and those of neighboring jurisdictions. According to recent reports there has been loss of Lyon's pentachaeta habitat to disking and manure spreading as well as at least one structure built on known Lyon's pentachaeta habitat. The Santa Monica Mountains Dudleya habitat is threatened as well.

At their February 2, 2004 meeting SEATAC, which had been making recommendations and comments on this project since January 5, 1998, made a list of comments and noted serious concerns in eighteen different areas, twelve of which involved loss of listed or unusual native plants and habitat. They noted many of these concerns had not been addressed previously.

When does the Regional Planning Commission say "Enough is enough"? If the staff and SEATAC have concerns so severe that they suggest possibly illegal actions have been taken, if

the project proponents are dilatory in responding to concerns and unwilling to design their project to protect already threatened and endangered natural resources and to benefit the surrounding communities, why should the Regional Planning Commission continue to give them more time?

We support the staff's second suggested motion for the Regional Planning Commission on June 22, 2005, Agenda Item No. 6 a,b,c: Vesting Tentative Tract Map No 52419, CUP and Oak Tree Permit No. 97-178-(3). In the June 22, 2005 Regional Planning Commission Cover Letter the 2nd staff motion reads: "I move that the Regional Planning Commission close the public hearing, and indicate its intent to deny Vesting Tentative Tract Map No. 52419, and Conditional Use Permit and Oak Tree Permits No. 97-178-(3)".

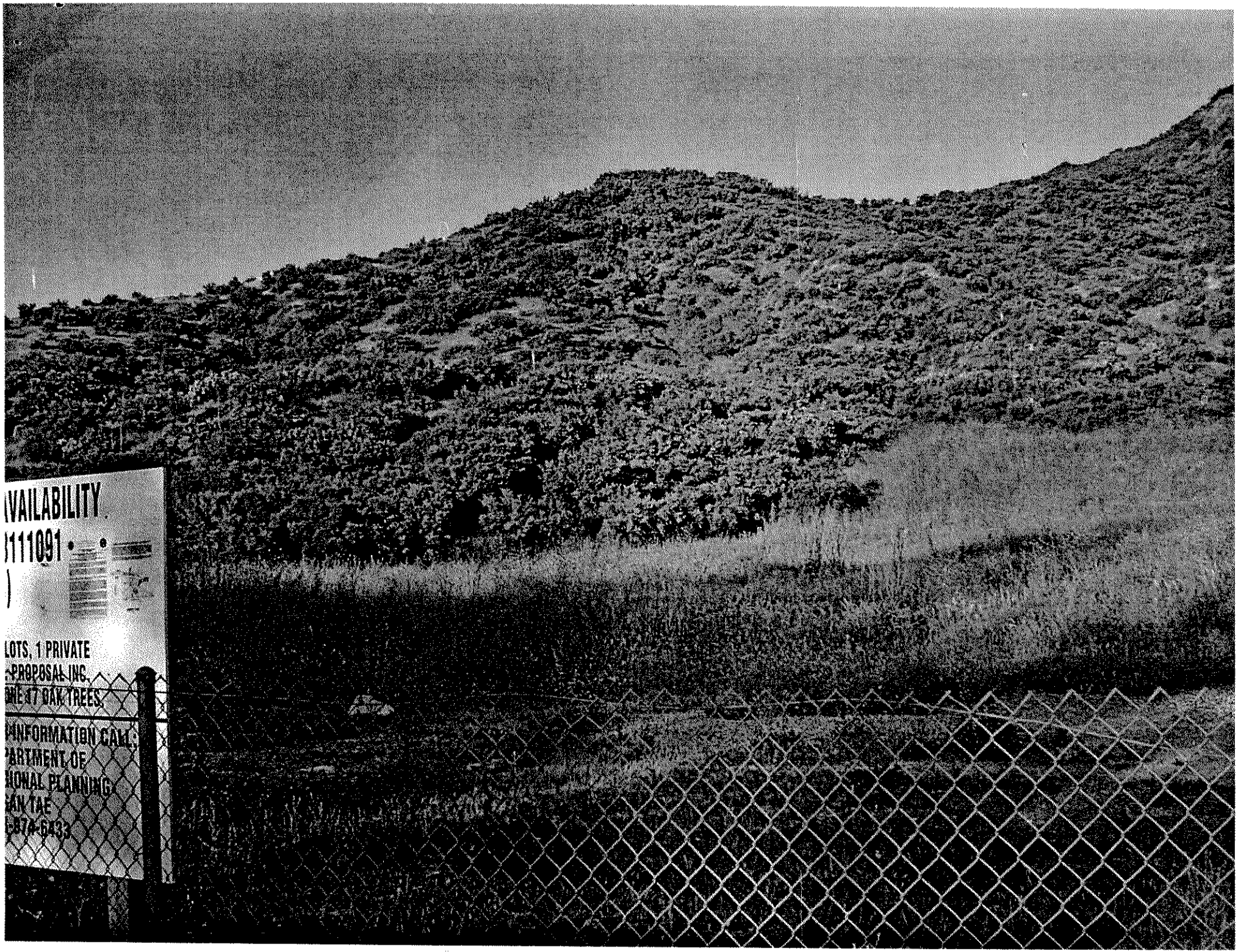
Please send all future communications on this project to:
Betsey Landis
CNPS
3908 Mandeville Canyon Road
Los Angeles, CA 90049.

Thank you.

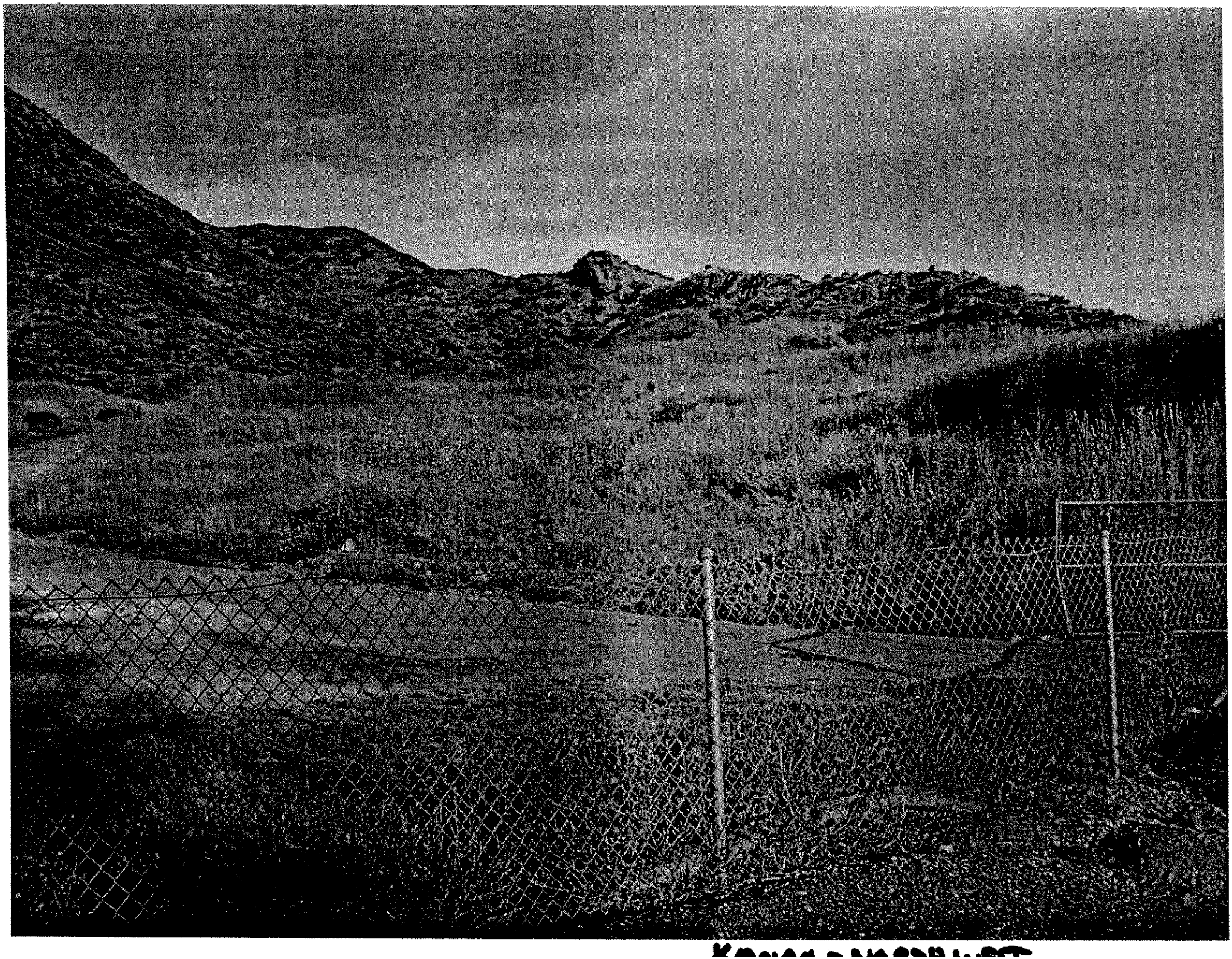
Sincerely,

Betsey Landis

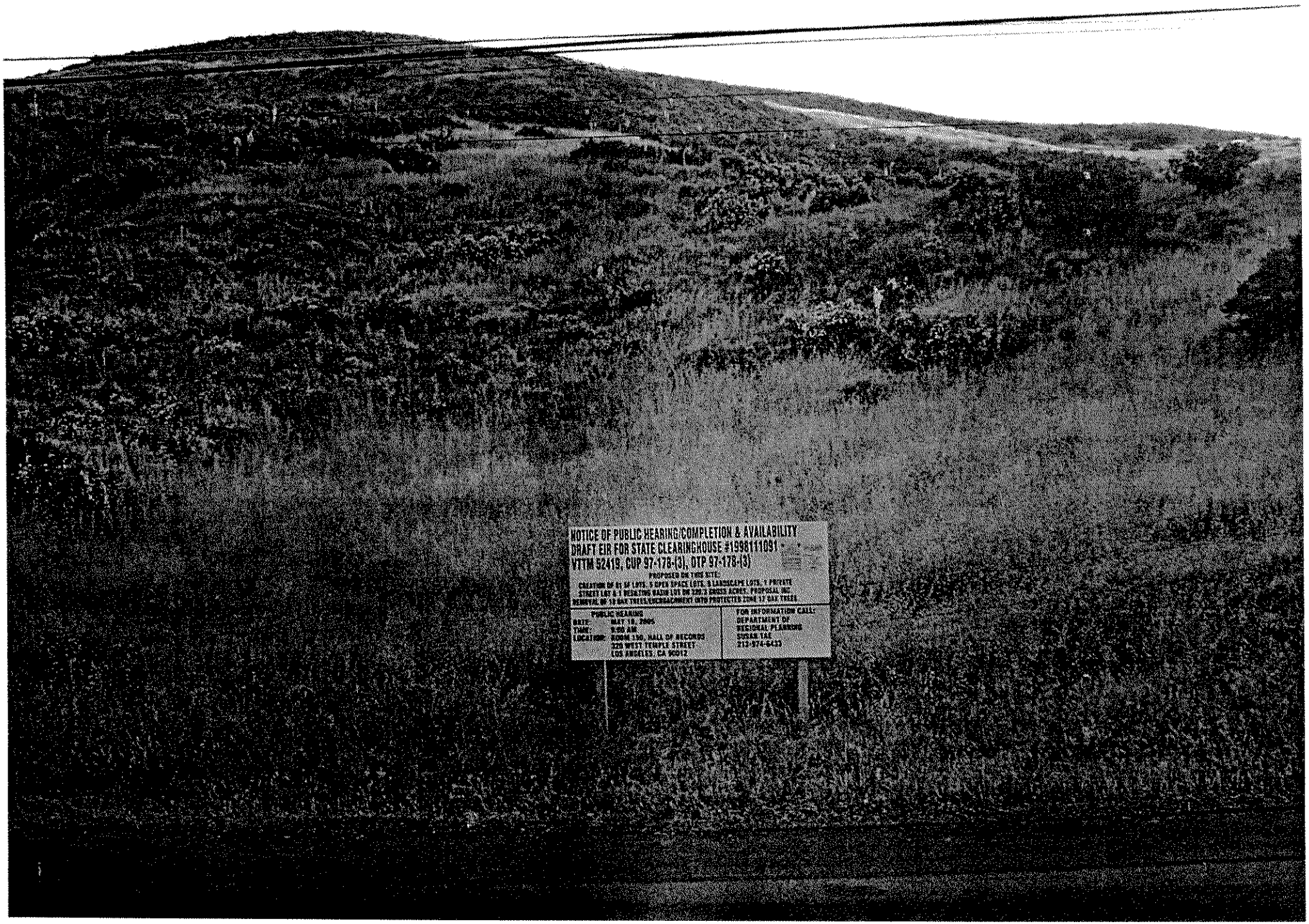
Betsey Landis, President
Los Angeles/Santa Monica Mts. Chapter
California Native Plant Society

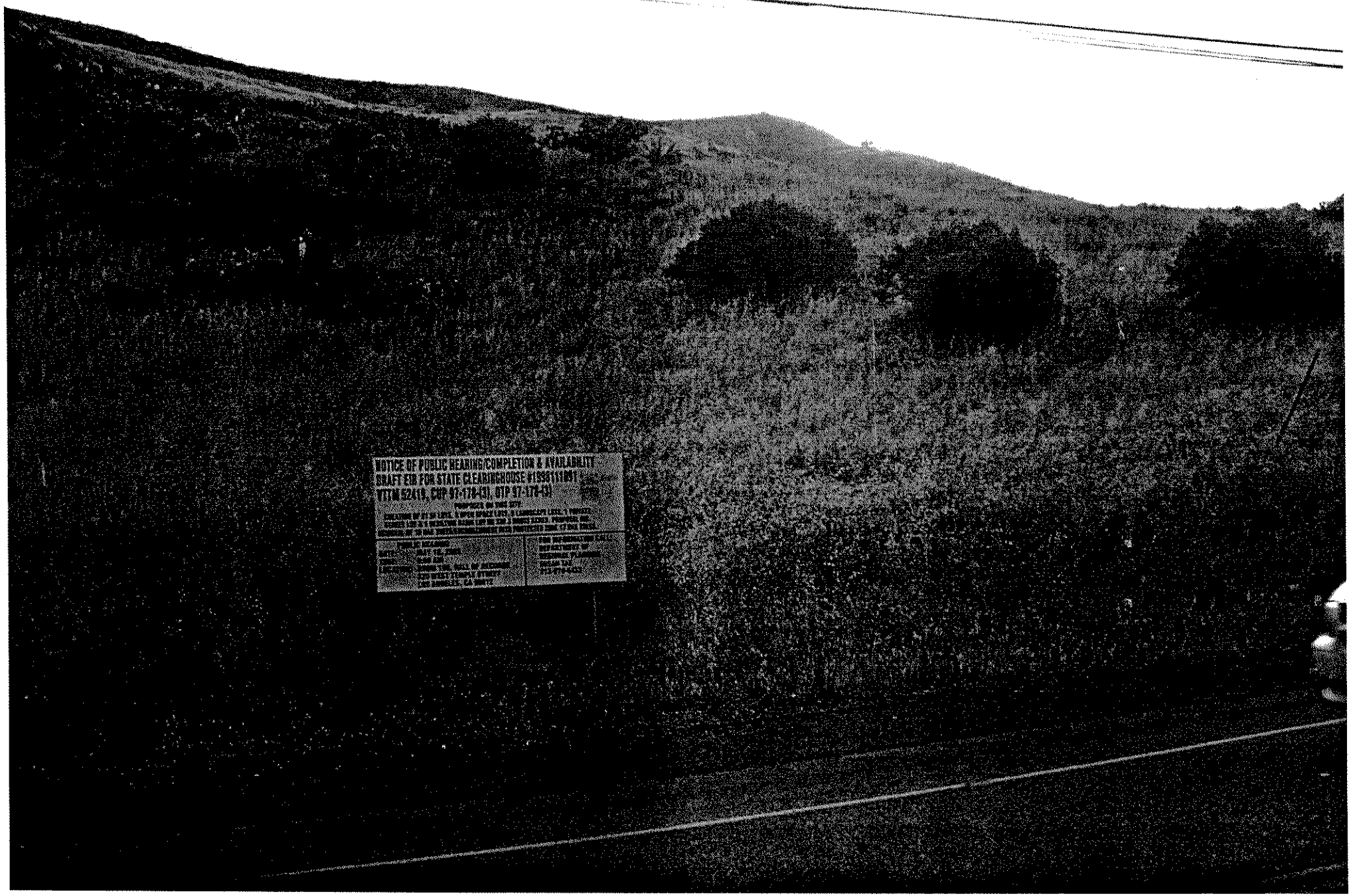

VAILABILITY
111091
LOTS, 1 PRIVATE
PROPOSAL INC.
E 47 OAK TREES.
INFORMATION CALL
ARTMENT OF
IONAL PLANNING
AN TAE
874-6433

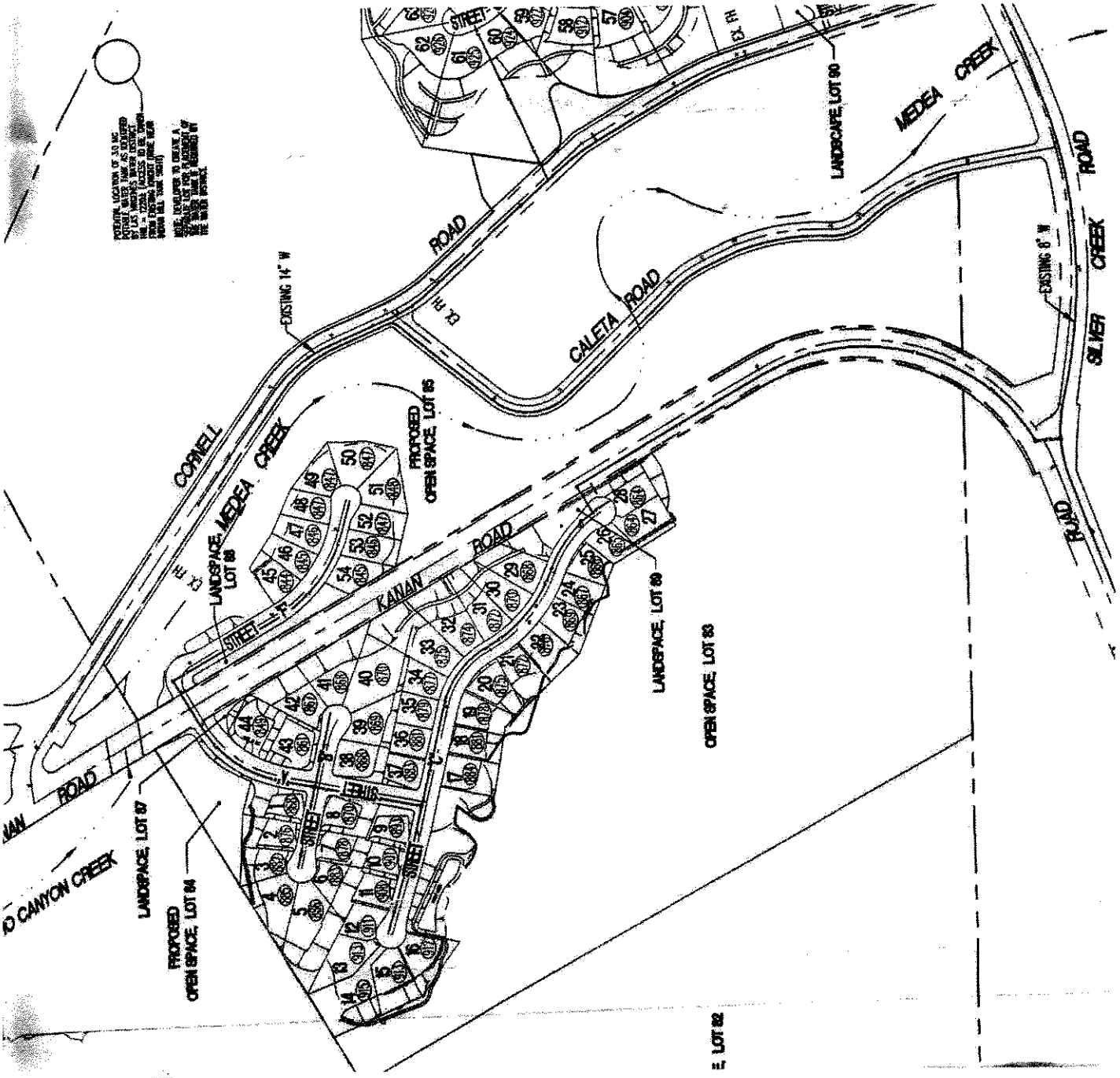
NOTICE OF PUBLIC HEARING/COMPLETION & AVAILABILITY
DRAFT EIR FOR STATE CLEARINGHOUSE #1998111091
VTTM 52419, CUP 97-178-(3), OTP 97-178-(3)
PROPOSED ON THIS SITE:
CREATION OF 81 SF LOTS, 5 OPEN SPACE LOTS, 9 LANDSCAPE LOTS, 1 PRIVATE
STREET LOT & 1 DESILTING BASIN LOT ON 320.3 GROSS ACRES. PROPOSAL INC.
REMOVAL OF 18 OAK TREES/ENCROACHMENT INTO PROTECTED ZONE 17 OAK TREES.
PUBLIC HEARING
DATE: MAY 18, 2005
TIME: 9:00 AM
LOCATION: ROOM 150, HALL OF RECORDS
320 WEST TEMPLE STREET
LOS ANGELES, CA 90012
FOR INFORMATION CALL:
DEPARTMENT OF
REGIONAL PLANNING
SUSAN TAE
213.974.6433



NOTICE OF PUBLIC HEARING COMPLETION & AVAILABILITY
DRAFT EIR FOR STATE CLEARINGHOUSE #1998111091 *
VTTM 52419, CUP 97-178-(3), OTP 97-178-(3)
PROPOSED ON FREE SITE:
PUBLIC HEARING
DATE: MAY 12, 2004
TIME: 9:30 AM
LOCATION: ROOM 750, HALL OF RECORDS
320 WEST TEMPLE STREET
LOS ANGELES, CA 90012
FOR INFORMATION CALL:
DEPARTMENT OF
REGIONAL PLANNING
EDGAR CRE
213-974-6433


NOTICE OF PUBLIC HEARING/COMPLETION & AVAILABILITY
DRAFT EIR FOR STATE CLEARINGHOUSE #1998111091 -
VTTM 52419, CUP 97-178-(3), OTP 97-178-(3)
PROPOSED ON THIS SITE:
PUBLIC HEARING
DATE: MAY 10, 2005
TIME: 9:00 AM
LOCATION: ROOM 150, HALL OF RECORDS
320 WEST TEMPLE STREET
LOS ANGELES, CA 90012
FOR INFORMATION CALL:
DEPARTMENT OF
REGIONAL PLANNING
SUSAN TAE
213-974-6433


NOTICE OF PUBLIC HEARING/COMPLETION & AVAILABILITY
DRAFT EIR FOR STATE CLEARINGHOUSE #1998111091
VTTM 52419, CUP 97-178-(3), OTP 97-178-(3)



REVISED STOPRANCH.doc (24.5 KB)

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

James E. Hartl AICP
Director of Planning

February 15, 2006

TO: Pat Modugno, Chair
Esther L. Valadez, Vice Chair
Leslie G. Bellamy, Commissioner
Harold V. Helsley, Commissioner
Wayne Rew, Commissioner

FROM: Susan Tae, AICP, Principal Regional Planning Assistant SMT
Land Divisions Section

SUBJECT: VESTING TENTATIVE TRACT MAP NO. 52419-(3)
CONDITIONAL USE PERMIT CASE NO. 97-178-(3)
OAK TREE PERMIT CASE NO. 97-178-(3)
AGENDA ITEM NO. #9 a, b, c; FEBRUARY 22, 2006

As your Commission may recall, a public hearing was held on Vesting Tentative Tract Map No. 52419, Conditional Use Permit Case No. 97-178-(3) and Oak Tree Permit Case No. 97-178-(3) on May 18, 2005, and continued to June 22, 2005. After opening the public hearing and taking public testimony both in favor and in opposition, on June 22 the Commission directed the applicant to redesign the project to be more consistent with the Santa Monica Mountains North Area Plan.

On October 11, 2005, the applicant submitted a redesigned project that underwent technical review by the Los Angeles County Subdivision Committee. A revised Project Description to the Draft Environmental Impact Report was also prepared for the redesigned project, and was recirculated for public review beginning October 31, 2005. The applicant had also been working with Regional Planning Zoning Enforcement staff, and all known violations discovered on the subject property have been abated. The redesigned project was scheduled for a public hearing before your Commission for February 22, 2006.

On February 9, 2006, the applicant's representative submitted a letter requesting a continuance for 30 days to a date certain. Based on your Commission's calendar, the next available public hearing date is April 5, 2006.

Suggested Motion: "I move that the Regional Planning Commission continue the public hearing to April 5, 2006, as requested by the applicant."

PMC:SMT
02/22/06

Attachment: Applicant's request letter

WESTON BENSHOOF
ROCHEFORT RUBALCAVA MACCUISH LLP
ATTORNEYS AT LAW

RECEIVED
FEB 13 2006

(213) 576-1031
lbernhardt@wbcounsel.com

February 9, 2006

VIA E-MAIL AND U.S. MAIL

Susan Tae, AICP
County of Los Angeles
Department of Regional Planning
Hall of Records, 13th Floor
320 West Temple Street
Los Angeles, CA 90012

Re: Sage Community Group, Inc., Triangle Ranch Project
Vesting Tentative Tract Map No. 52419, Conditional Use Permit Case No. 97-178-(3) and Oak Tree Permit Case No. 97-178-(3)

Dear Susie:

We would like to request a continuance of the February 22, 2006 Planning Commission hearing on the above-referenced matter for 30 days to a date certain. Should you have any questions or require additional information please do not hesitate to contact me at (213) 576-1031.

Thank you for your consideration.

Very truly yours,

Linda Bernhardt

Linda Bernhardt
Director Regulatory Affairs and Land Development
WESTON, BENSHOOF,
ROCHEFORT, RUBALCAVA & MacCUISH LLP

LB/amm

cc: Steven W. Weston, Esq.
Diane Fradkin, Sage Development
Paul McCarthy, Director, Land Divisions
Vivan Rescalvo, Deputy, Supervisor Zev Yaroslavsky's Office

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

James E. Hartl AICP
Director of Planning

March 30, 2006

TO: Pat Modugno, Chair
Esther L. Valadez, Vice Chair
Leslie G. Bellamy, Commissioner
Harold V. Helsley, Commissioner
Wayne Rew, Commissioner

FROM: Susan Tae, AICP, Acting Supervising Regional Planner SMT
Land Divisions Section

SUBJECT: VESTING TENTATIVE TRACT MAP NO. 52419-(3)
CONDITIONAL USE PERMIT CASE NO. 97-178-(3)
OAK TREE PERMIT CASE NO. 97-178-(3)
AGENDA ITEM NO. 7 a, b, c; APRIL 5, 2006

As your Commission may recall, a public hearing was held on Vesting Tentative Tract Map No. 52419, Conditional Use Permit Case No. 97-178-(3) and Oak Tree Permit Case No. 97-178-(3) on May 18, 2005, and continued to June 22, 2005. After opening the public hearing and taking public testimony both in favor and in opposition, on June 22 the Commission directed the applicant to redesign the project to be more consistent with the Santa Monica Mountains North Area Plan.

On October 11, 2005, the applicant submitted a redesigned project that underwent technical review by the Los Angeles County Subdivision Committee. A revised Project Description to the Draft Environmental Impact Report was also prepared for the redesigned project, and was recirculated for public review beginning October 31, 2005. The applicant had also been working with Regional Planning Zoning Enforcement staff, and all known violations discovered on the subject property have been abated.

The redesigned project was scheduled for a public hearing before your Commission for February 22, 2006. The applicant requested a continuance, and the public hearing was continued to April 5, 2006. On March 29, 2006, the applicant submitted another letter requesting a 30-day continuance from the April 5 hearing.

RECOMMENDATION: As this is the second consecutive continuance request, your Commission may wish to have the applicant provide you with a status report of the project. As 30 days may be insufficient time for the applicant, staff recommends that the matter be taken off calendar.

Suggested Motion: " I move that the Regional Planning Commission take this matter off calendar."

OR

"I I move that the Regional Planning Commission continue the public hearing."

SMT:st
03/30/06

Attachment: Applicant's continuance request letter

WESTON BENSHOOF
ROCHEFORT RUBALCAVA MACCUISH LLP
ATTORNEYS AT LAW

(213) 576-1031
lbernhardt@wbcounsel.com

March 29, 2006

VIA E-MAIL AND U.S. MAIL

Susan Tae, AICP
County of Los Angeles
Department of Regional Planning
Hall of Records, 13th Floor
320 West Temple Street
Los Angeles, CA 90012

Re: Sage Community Group, Inc., Triangle Ranch Project
Vesting Tentative Tract Map No. 52419, Conditional Use Permit Case No. 97-178-(3) and Oak Tree Permit Case No. 97-178-(3)

Dear Susie:

We would like to request a continuance of the April 5, 2006 Planning Commission hearing on the above-referenced matter for 30 days to a date certain. Should you have any questions or require additional information please do not hesitate to contact me at (213) 576-1031.

Thank you for your consideration.

Very truly yours,

Linda Bernhardt

Linda Bernhardt
Director Regulatory Affairs and Land Development
WESTON, BENSHOOF,
ROCHEFORT, RUBALCAVA & MacCUISH LLP

LB/amm

cc: Vivan Rescalvo, Deputy, Supervisor Zev Yaroslavsky's Office
Paul McCarthy, Director, Land Divisions
Rosie Ruiz, Planning Commission Secretary
Steven W. Weston, Esq.

Diane Fradkin, Sage Development
Charles Moore, Esq.
Lisa Dittman, Esq.
Mike Kamino, Director of Planning & Community Development
City of Agoura Hills

DRAFT

Los Angeles County Department of Regional Planning
320 West Temple Street, Los Angeles, California 90012
Telephone (213) 974-6433

PROJECT No. 97-178-(3)
TRACT MAP NO. 52419
CUP/OTP 97-178-(3)

RPC/HO MEETING DATE	CONTINUE TO
5-18-05, 6-22-05	
AGENDA ITEM #	
PUBLIC HEARING DATE February 22, 2006	

APPLICANT	OWNER	REPRESENTATIVE
Sage Community Group	Beautiful City Holding Company, Inc.	Wagner Halladay, Inc.

REQUEST
Tentative Tract Map: 71 single-family, 5 open space, 7 landscape, and 2 desilting basin lots on 320.3 gross acres
Conditional Use Permit: To ensure compliance with the requirements of hillside management, density-controlled development, planned residential development within the Residential Planned Development zone, development within a Significant Ecological Area, and grading (onsite project and within the Santa Monica Mountains North Area)
Oak Tree Permit: To authorize removal of 16 oak trees and encroachment within the protected zone of 2 oak trees

LOCATION/ADDRESS
East and west of Kanan Road and Cornell Road just south of the City of Agoura Hills, Agoura

ACCESS
Kanan Road and Cornell Road

ZONED DISTRICT
The Malibu

COMMUNITY
Santa Monica Mountains North Area

EXISTING ZONING
RPD-2-0.5U (Residential Planned Development-Two Acre Minimum Lot Area-0.5 Dwelling Units per Net Acre) and
RPD-5-0.2U (Residential Planned Development-Five Acre Minimum Lot Area-0.2 Dwelling Units per Net Acre)

SIZE	EXISTING LAND USE	SHAPE	TOPOGRAPHY
320.3 Gross Acres	Vacant	Irregular	Slight to steeply sloping

SURROUNDING LAND USES & ZONING

North: Single-family residences, water tank/City of Agoura Hills

East: Single-family residences, religious facility and vacant property/City of Agoura Hills

South: Fire station, single-family residences and vacant property/A-1-20 (Light Agricultural-20 Ac Min Area), A-1-2, A-1-10, O-S (Open Space)

West: Single-family residences and vacant property/A-1-20 (Light Agricultural-20 Ac Min Area) and City of Agoura Hills

GENERAL PLAN	DESIGNATION	MAXIMUM DENSITY	CONSISTENCY
Santa Monica Mountains North Area Plan	Mountain Lands 2 & Mountain Lands 5	81 Dwelling Units	TBD

ENVIRONMENTAL STATUS – Revised Project Design Summary was available beginning October 31, 2005

Draft Environmental Impact Report: Potentially significant impacts include Geotechnical (Grading, Seismicity); Air Quality; Surface Water Runoff/Hydrology; Water Quality; Biological Impacts; Cultural Resources – Archaeology; Visual Quality; Land Use; Traffic; Fire; Sheriff; Libraries; Schools; Water Service, etc. Impacts that cannot be mitigated to less than significant include Visual and Biological Resources.

DESCRIPTION OF SITE PLAN
The tentative map and exhibit "A" depict the single-family development clustered in four areas: two west of Kanan Rd, and between Kanan Rd and Cornell Rd, and east of Cornell Rd. The single-family lots range from approximately 10,000 square feet to 1.1 acres in size, and the project development area totals 36.5 acres. Custom lots are proposed for the gated portion east of Cornell. Grading consists of 407,100 cubic yards of cut and 389,700 cubic yards of fill with 160,000 cubic yards of remedial removal and recompaction. Also depicted are two desilting basin lots, and retaining walls as high as 17 feet high within the project with maximum 10 feet high walls along Kanan Rd. Open space consists of 2.4 acres (89 percent), including both natural and disturbed areas. A 20-foot hiking and riding trail easement is provided along Medea Creek.

KEY ISSUES
- Project was previously before the Regional Planning Commission in May and June of 2005, and was continued for redesign to be consistent with the North Area Plan
- Project has been redesigned from 81 single-family lots to 71 single-family lots, with reduction to number of single-family lots, elimination of development near drainages and in most areas of *Lyon's pentachaeta*, reduction of grading quantities (including 9.7 acres less disturbance within SEA) and lowering of pad elevations by 23 feet west of Kanan and 21 feet east of Cornell

(If more space is required, use opposite side)

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

STAFF CONTACT PERSON		
RPC HEARING DATE (S)	RPC ACTION DATE	RPC RECOMMENDATION
MEMBERS VOTING AYE	MEMBERS VOTING NO	MEMBERS ABSTAINING
STAFF RECOMMENDATION (PRIOR TO HEARING)		
SPEAKERS* (O) (F)	PETITIONS (O) (F)	LETTERS (O) (F)

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

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – SUBDIVISION

TRACT NO. 52419 (Rev.) TENTATIVE MAP DATED 10-11-2005

It is recommended that the project be scheduled for a public hearing on 02/22/2006, but that this tentative map not be approved at this time. The applicant has provided sufficient documentation to support the technical adequacy of the design of the Tentative Map. However, this design requires the acquisition of offsite storm drain easements. Public Works will be able to recommend approval of the Tentative Map, once the applicant has acquired the offsite storm drain easements. The location of the offsite easements are shown on the approved Drainage Concept dated 01-11-2006.

Submit draft of offsite storm drain easement to Land Development Division. Contact Mo Kajbaf or Curtis Page at (626) 458-4921 for questions or additional information.

TC

Prepared by Timothy Chen Phone (626) 458-4921 Date 01-11-2006

tr52419L-rev10(rev'd).doc

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – SUBDIVISION
TRACT NO. 52419 (Rev.)

TENTATIVE MAP DATED 10-11-2005

- If this recommendation of disapproval is changed to a recommendation of approval based on additional information, the following reports would be recommended for inclusion in the conditions of tentative approval:

Prepared by Henry Wong +HW Phone (626) 458-4915 Date 11-07-2005

tr52419L-rev10.doc

The following reports consisting of __ pages are the recommendations of Public Works.

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. Details and notes shown on the tentative map are not necessarily approved. Any details or notes which may be inconsistent with requirements of ordinances, general conditions of approval, or Department policies must be specifically approved in other conditions, or ordinance requirements are modified to those shown on the tentative map upon approval by the Advisory agency.

2. Easements are tentatively required, subject to review by the Director of Public Works to determine the final locations and requirements.

3. Easements shall not be granted or recorded within areas proposed to be granted, dedicated, or offered for dedication for public streets, highways, access rights, building restriction rights, or other easements until after the final map is filed with the Registrar-Recorder/County Clerk's Office. If easements are granted after the date of tentative approval, a subordination must be executed by the easement holder prior to the filing of the final map.

4. In lieu of establishing the final specific locations of structures on each lot/parcel at this time, the owner, at the time of issuance of a grading or building permit, agrees to develop the property in conformance with the County Code and other appropriate ordinances such as the Building Code, Plumbing Code, Grading Ordinance, Highway Permit Ordinance, Mechanical Code, Zoning Ordinance, Undergrounding of Utilities Ordinance, Water Ordinance, Sanitary Sewer and Industrial Waste Ordinance, Electrical Code, and Fire Code. Improvements and other requirements may be imposed pursuant to such codes and ordinances.

5. All easements existing at the time of final map approval must be accounted for on the approved tentative map. This includes the location, owner, purpose, and recording reference for all existing easements. If an easement is blanket or indeterminate in nature, a statement to that effect must be shown on the tentative map in lieu of its location. If all easements have not been accounted for, submit a corrected tentative map to the Department of Regional Planning for approval.

6. Adjust, relocate, and/or eliminate lot lines, lots, streets, easements, grading, geotechnical protective devices, and/or physical improvements to comply with ordinances, policies, and standards in effect at the date the County determined the application to be complete all to the satisfaction of Public Works.

7. Furnish Public Works' Street Name Unit with a list of street names acceptable to the subdivider. These names must not be duplicated within a radius of 20 miles.

8. A Mapping and Property Management Division house numbering clearance is required prior to approval of the final map.

9. Label driveways and multiple access strips as "Private Driveway and Fire Lane" and delineate on the final map to the satisfaction of Public Works.

10. Reserve reciprocal easements for drainage, ingress/egress, water, sewer, utilities, right to grade, and maintenance purposes, etc., in documents over the common private driveways to the satisfaction of Public Works.

11. Design the boundaries of the unit final maps to the satisfaction of the Departments of Regional Planning and Public Works.

12 The first unit of this subdivision shall be filed as Tract No. 52419-01, the second unit, Tract No. 52419-02, ... and the last unit, Tract No. 52419.

13. Provide separated lots for all private and future streets to the satisfaction of the Department of Regional Planning.

14. Grant ingress/egress and utility easements to the public over the private and future or future streets.

15. Show open space note on the final map and dedicate residential construction rights over the open space lots.

16. Dedicate vehicular access rights to streets at rear of double frontage lots.

17. A final tract map must be processed through the Director of Public Works prior to being filed with the Registrar-Recorder/County Clerk's Office.

18. Prior to submitting the tract map to the Director of Public Works for examination pursuant to Section 66442 of the Government Code, obtain clearances from all affected Departments and Divisions, including a clearance from the Subdivision Mapping Section of the Land Development Division of Public Works for the following mapping items; mathematical accuracy; survey analysis; and correctness of certificates, signatures, etc.

19. A final guarantee will be required at the time of filing of the final map with the Registrar-Recorder/County Clerk's Office.

20. Within 30 days of the approval date of this land use entitlement or at the time of first plan check submittal, the applicant shall deposit the sum of $2,000 (Minor Land Divisions) or $5,000 (Major Land Divisions) with Public Works to defray the cost of verifying conditions of approval for the purpose of issuing final map clearances. This deposit will cover the actual cost of reviewing conditions of approval for Conditional Use Permits, Tentative Tract and Parcel Maps, Vesting Tentative Tract and Parcel Maps, Oak Tree Permits, Specific Plans, General Plan Amendments, Zone Changes, CEQA Mitigation Monitoring Programs and Regulatory Permits from State and Federal Agencies (Fish and Game, USF&W, Army Corps, RWQCB, etc.) as they relate to the various plan check activities and improvement plan designs. In addition, this deposit will be used to conduct site field reviews and attend meetings requested by the applicant and/or his agents for the purpose of resolving technical issues on condition compliance as they relate to improvement plan design, engineering studies, highway alignment studies and tract/parcel map boundary, title and easement issues. When 80% of the deposit is expended, the applicant will be required to provide additional funds to restore the initial deposit. Remaining balances in the deposit account will be refunded upon final map recordation.

HCW

Prepared by Henry Wong Phone (626) 458-4915 Date 11-07-2005

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION
SUBDIVISION PLAN CHECKING SECTION
DRAINAGE AND GRADING UNIT

TRACT NO. 52419

REV TENTATIVE MAP DATED 10/11/05
EXHIBIT MAP DATED 10/11/05

DRAINAGE CONDITIONS

1. Provide drainage facilities to remove the flood hazard and dedicate and show necessary easements and/or right of way on the final map. This is required to the satisfaction of the Department of Public Works prior to the filing of the final map.
2. Place a note of flood hazard on the final map and delineate the areas subject to flood hazard. Show and label all natural drainage courses. Dedicate to the County the right to restrict the erection of buildings in the flood hazard area. This note will be allowed on lots 66 and 67. This is required to the satisfaction of the Department of Public Works prior to the filing of the final map.
3. A hydrology study for design of drainage facilities/delineation of flood hazard is required. Hydrology study must be submitted and approved prior to submittal of improvement plans. This is required to the satisfaction of the Department of Public Works prior to the filing of the final map.
4. Provide fee title lot for desilting inlets to the satisfaction of the Department of Public Works.
5. Notify the State Department of Fish and Game prior to commencement of work within any natural drainage course. If non-jurisdiction is established by the Department of Fish and Game, submit a letter of non-jurisdiction to Public Works (Land Development Division).
6. Contact the State Water Resources Control Board to determine if a Notice of Intent (NOI) and a Storm Water Pollution Prevention Plan (SWPPP) are required to meet National Pollution Discharge Elimination System (NPDES) construction requirements for this site.
7. Contact the Corps of Engineers to determine if a permit is required for any proposed work within the major watercourse. Provide a copy of the 404 Permit upon processing of the drainage plans. If non-jurisdiction is established by the Corps of Engineers, submit a letter of non-jurisdiction to Public Works (Land Development Division).
8. Comply with the requirements of the approved revised drainage concept / Standard Urban Stormwater Mitigation Plan (SUSMP) plan dated 01/11/06, to the satisfaction of Public Works. With this approval easements must be acquired, otherwise a revised drainage concept and revisions to the tentative map will be required.
9. Prior to approval of any grading, storm drain, or other improvement plan and prior to recordation of any final map for this subdivision, notarized drainage covenants, in a form approved by Public Works, shall be obtained from all impacted offsite property owners, as determined by Public Works, and shall be recorded by the applicant. The number of offsite drainage covenants will be determined by Public Works based on hydrology and hydraulic studies which must be prepared by the applicant's consultants and submitted to Public Works for review and approval, in a format acceptable to Public Works. By acceptance of this condition, the applicant and his Counsel acknowledge and agree that this condition does not require or otherwise involve the construction or installation of an offsite improvement, and that the offsite drainage covenants referenced above do not constitute an offsite easement, license, title or interest in favor of the County. Therefore, the applicant and his Counsel acknowledge and agree that the provisions of Government Code Section 66462.5 do not apply to this condition and that the County shall have no duty or obligation to acquire by negotiation or by eminent domain any land or any interest in any land in connection with this condition.
10. Any encroachment into an adopted floodway may require floodway map revision(s) of ordinance map(s) 370 ML9-ML11.

==========

GRADING CONDITIONS:

1. A grading plan and soil and geology report must be submitted and approved prior to approval of the final map. The grading plans must show and call out the construction of at least all the drainage devices and details, the paved driveways, the elevation and drainage of all pads, and the SUSMP devices. The applicant is required to show and call out all existing easements on the grading plans and obtain the easement holder approvals prior to the grading plans approval.

Name CURTIS PAGE Date 01/11/06 Phone (626) 458-4921

Sheet 1 of 1

County of Los Angeles Department of Public Works
GEOTECHNICAL AND MATERIALS ENGINEERING DIVISION
GEOLOGIC AND SOILS ENGINEERING REVIEW SHEET
900 So. Fremont Ave., Alhambra, CA 91803
TEL. (626) 458-4925

DISTRIBUTION
1 Geologist
1 Soils Engineer
1 GMED File
1 Subdivision

TENTATIVE TRACT 52419
SUBDIVIDER Beautiful City Holdings Co.
ENGINEER Wagner Halladay, Inc.
GEOLOGIST Pacific Soils Engineering, Inc.
SOILS ENGINEER Pacific Soils Engineering, Inc.

TENTATIVE MAP DATED 10/11/05 (revised)
LOCATION Agoura

REPORT DATE 11/9/05, 6/1/04, 6/30/03, 9/25/00, 5/15/00
REPORT DATE 11/9/05, 6/1/04, 6/30/03, 9/20/00, 5/15/00

[X] **TENTATIVE MAP FEASIBILITY IS RECOMMENDED FOR APPROVAL. PRIOR TO FILING THE FINAL LAND DIVISION MAP, THE FOLLOWING CONDITIONS MUST BE FULFILLED:**

[X] The final map must be approved by the Geology and Soils Sections to assure that all geotechnical (geology and soils) factors have been properly evaluated.

[X] A grading plan must be geotechnically approved by the Geology and Soils Sections. This grading plan must be based on a detailed engineering geology report and/or soils engineering report and show all recommendations submitted by them. It must also agree with the tentative map and conditions as approved by the Planning Commission. If the subdivision is to be recorded prior to the completion and acceptance of grading, corrective geologic bonds will be required.

[X] All geologic hazards associated with this proposed development must be eliminated,

or

delineate restricted use areas, approved by the consultant geologist and/or soils engineer, to the satisfaction of the Geology and Soils Sections, and dedicate to the County the right to prohibit the erection of buildings or other structures within the restricted use areas.

[X] The Soils Engineering review dated 11/22/05 is attached.

[X] **TENTATIVE MAP IS APPROVED FOR FEASIBILITY. THE FOLLOWING INFORMATION IS APPLICABLE TO THIS DIVISION OF LAND:**

[X] The subdivider is advised that approval of this division of land is contingent upon the installation and use of a sewer system.

[X] A geology and soils engineering report will be required prior to approval of building or grading plans.

[X] Geotechnical Recordation Map verification deposit estimate 6 hours.

Prepared by Karin Vazquez Reviewed by Date November 21, 2005

P:\Gmepub\Geology Review\Forms\Form02.doc
1/7/03

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
GEOTECHNICAL AND MATERIALS ENGINEERING DIVISION

SOILS ENGINEERING REVIEW SHEET

Address: 900 S. Fremont Ave., Alhambra, CA 91803
Telephone: (626) 458-4925
Fax: (626) 458-4913

District Office 9.1
Job Number LX001129 & GMTR
Sheet 1 of 1

Tentative Tract Map 52419

DISTRIBUTION:
___ Grading/ Drainage
___ Geo/Soils Central File
___ District Engineer
___ Geologist
___ Soils Engineer
___ Engineer/Architect

Location	Kanan Road and Cornell Road, Agoura
Developer/Owner	Beautiful City Holdings Co.
Engineer/Architect	Wagner Halliday, Inc.
Soils Engineer	Pacific Soils Engineering (101568-MP)
Geologist	Same as above

Review of:
Revised Tract Tentative Map and Exhibit A Dated By Regional Planning **10/11/05**
Soils Engineering and Geologic Reports Dated **11/9/05**, 6/1/04, 9/25/00, and 5/15/00
Previous review sheet dated 3/8/05

ACTION:
Tentative Map feasibility is recommended for approval, subject to conditions below:

REMARKS:
1. At the grading plan review stage, provide information, analyses, and/or recommendations for the following:
   a. *Soils parameters.* Provide additional shear strength test results of various materials (in particular, shear strength parameters of the along bedding materials, fill material for proposed keystone walls, etc.) required for additional stability analyses as indicated below.
   b. *Slope stability analyses.* Provide additional stability analyses for slopes based on a 40 scale to substantiate those performed at a 100 scale. Also, provide global stability analyses of the relatively high retaining walls proposed (the tentative map shows walls of up to 28 feet are proposed), analyses of backcut required for the construction of these walls, and walls that will be subject to the potential surcharge due to adverse beddings. Indicate the various shear strength parameters used in the analyses, in the appropriate segments of each failure plane. Recommend mitigation if factors of safety are below County minimum standards.
   c. *Retaining walls.* Indicate the types of walls are proposed (e.g., keystone walls, crib walls, impact walls in areas with potential debris hazards, standard retaining walls, etc.) and provide additional analyses as indicated below.
   d. *Debris Impact walls.* If debris containment walls are proposed, the containment areas must be designed for 100 percent of the predicted debris flow volume. Therefore, provide data and analyses (e.g., areas to be mitigated, volume calculations of anticipated debris flow volume and containment volume, etc.) in support of the recommended mitigation measures.
   e. *Walls higher than 12 feet.* For walls in which the retained height is higher than 12 feet, the walls must be designed to resist the additional earth pressure due to seismic ground shaking. Therefore, provide seismic surcharge pressure distribution for retaining wall in which the retained height is higher than 12 feet as necessary.
   f. *Keystone walls or similar.* If Keystone walls or similar are proposed, then provide internal analyses (sliding, overturning, pull-out, etc.) of these walls. Indicate the various shear strength and seismic parameters used in the analyses. Also indicate and show on the plans the locations of Restriction Use Areas (RUA's) for all areas with geogrid reinforcement. Per County policy, all areas with geogrid reinforcement plus 10 feet beyond the geogrid reinforcement areas shall be designated as RUA's.
   g. *Rock fences.* Provide rockfall analyses to determine the kinetic energy of the falling rocks for use in the structural design of the proposed fences and the anticipated trajectory path of the falling rocks for use in the designed heights and locations of the proposed fences.
   h. *Debris basins.* Provide slope stability analyses considering rapid drawdown conditions for any debris basins with slopes steeper than 3:1 gradient and designed with outlet structures. Recommend mitigation if the factor of safety is below the minimum standard.
   i. *Grading adjacent to Kanan Road.* Provide additional recommendations for proposed grading adjacent to Kanan Road as stated in the 5/15/00 report.
2. At the grading plan review stage, submit two sets of grading plans to the Soils Section for verification of compliance with County codes and policies.

NOTE(S) TO THE PLAN CHECKER/BUILDING AND SAFETY ENGINEER:
ON-SITE SOILS ARE CORROSIVE TO FERROUS METALS AND HAVE A LOW TO HIGH EXPANSION POTENTIAL.

REGISTERED PROFESSIONAL ENGINEER GAN N. LEM No. 2328 EXP. 5/30/07 GEOTECHNICAL STATE OF CALIFORNIA

Prepared by _____ Date 11/22/05
Gan Lem

NOTICE: Public safety, relative to geotechnical subsurface exploration, shall be provided in accordance with current codes for excavations, inclusive of the Los Angeles County Code, Chapter 11.48, and the State of California, Title 8, Construction Safety Orders.
Gan:tract-52419

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. A minimum centerline curve length of 100 feet shall be maintained on all local streets. A minimum centerline curve radius of 100 feet shall be maintained on all cul-de-sac streets. Reversing curves of local streets need not exceed a radius of 1,500 feet, and any curve need not exceed a radius of 3,000 feet.

2. The minimum centerline radius is 350 feet on all local streets with 64 feet of right of way and on all the streets where grades exceed 10 percent.

3. Compound curves are preferred over broken-back curves. Broken-back curves must be separated by a minimum of 200 feet of tangent (1,000 feet for multi-lane highways). If compound curves are used, the radius of the smaller curve shall not be less than two-thirds of the larger curve. The curve length of compound curves shall be adjusted to exceed a minimum curve length of 100 feet, when appropriate.

4. Curves through intersections should be avoided when possible. If unavoidable, the alignment shall be adjusted so that the proposed BC and EC of the curve through the intersection are set back a minimum of 100 feet away from the BCR's of the intersection.

5. Reversing curves and compound curves through intersections should be avoided when possible. If unavoidable, the minimum centerline radius of reversing curves and compound curves through intersections shall comply with design speeds per the Subdivision Plan Checking Section's "Requirements for Street Plans" and sight distances.

6. The minimum centerline radius on a local street with an intersection street on the concave side shall comply with design speeds per the Subdivision Plan Checking Section's "Requirements for Street Plans" and sight distances.

7. The centerline of all local streets shall be aligned without creating jogs of less than 150 feet. A one-foot jog may be used where a street changes width from 60 feet to 58 feet of right of way.

8. The central angles of the right of way radius returns shall not differ by more than 10 degrees on local streets.

9. Driveways will not be permitted within 25 feet upstream of any catch basins when street grades exceed 6 percent.

10. Provide minimum landing area of 100 feet for local collectors, 50 feet for local access roads, and 25 feet for cul-de-sacs at a maximum 3 percent grade on all "tee" intersections to the satisfaction of Public Works.

11. The extended length of Streets "D", "E", and "H" over 700 feet must be approved by the Fire Department.

12. Prepare signing and striping plans for Kanan Road and Cornell Road within or abutting this subdivision to the satisfaction of Public Works.

13. Provide intersection sight distance for a design speed at the following intersections to the satisfaction of Public Works:

    a. 55 mph (585 feet) on Cornell Road from Caleta Road (northerly direction); and

    b. 30 mph (310 feet) on "A" Street from "B" Street (northeasterly direction).

    Line of sight shall be within right of way or dedicate airspace easements to the satisfaction of Public Works. Additional on-site grading may be required. With respect to the position of the vehicle at the minor road, the driver of the vehicle is presumed to be located 4 feet right of centerline and 10 feet back the top of curb (TC) or flow line (FL) prolongation. When looking left, we consider the target to be located at the center of the lane nearest to the parkway curb. When looking right, the target is 6 feet from the centerline.

14. Provide standard property line return radii of 13 feet at all local street intersections, including intersection of local streets with Kanan Road and Cornell Road.

15. Dedicate right of way 40 feet from the latest IEC approved centerline on Cornell Road per C.S.B. 1099-1. Permission is granted to vacate right of way in excess of 40 feet from centerline on Cornell Road in the vicinity of Lot 76. Easement shall be provided for all utility companies that have facilities remaining within the vacated area.

16. Dedicate right of way 32 feet from centerline on Street "A" from Kanan Road to Street "B", Street D from Kanan Road to the knuckle, and Street E from Kanan Road to the knuckle. Dedicate additional right of way for a modified knuckle on Street "D" and Street "E" from Kanan Road to the knuckle to the satisfaction of Public Works.

17. Dedicate right of way 30 feet from centerline on Street "A" from Street "B" to Street "C", Street "C" (including additional right of way for a standard cul-de-sac bulb and knuckle), Street D south of the knuckle, and Street E south of the knuckle.

18. Dedicate right of way 29 feet from centerline including additional right of way for a standard cul-de-sac bulb and knuckle on Street "B".

19. Dedicate slope easements along the property frontage on Kanan Road, Cornell Road, and Caleta Road to the satisfaction of Public Works.

20. Dedicate vehicular access rights on Kanan Road, Cornell Road, and Caleta Road, unless the Department of Regional Planning requires the construction of a wall. In such cases, complete access rights shall be dedicated.

21. Make an offer of private and future right of way 32 feet from centerline on Street "F" from Cornell Road to Street "H".

22. Make an offer of additional private and future right of way in the vicinity of the gated entrance on Street "F" to the satisfaction of Public Works.

23. Make an offer of private and future right of way 30 feet from centerline including additional right of way for a standard knuckle and standard cul-de-sac bulbs on Street "F" between Street "H" and Street "G", Street "H", and Street "G".

24. Make an offer of future right of way 32 feet from centerline on Caleta Road. Road improvements are not required on Caleta Road.

25. Whenever there is an offer of a future street or private and future street, provide a drainage statement/letter.

26. Repair any broken or damaged pavement along the property frontage on Kanan Road and Cornell Road to the satisfaction of Public Works.

27. Construct additional pavement (both on-site and off-site) on partially improved highways to provide a striped left-turn lane, striped right-turn lane, and transition pavement for a 65 mph design speed on Kanan Road at Street "A"/Street "D"/Street "E" and for a 55 mph design speed on Cornell Road at Street "F" to the satisfaction of Public Works.

28. Construct curb, gutter, base, pavement, and sidewalk (adjacent to the property line) on all interior streets off Kanan Road. Permission to use the alternate street section (sidewalk adjacent to the curb) is denied. Also, alternative cross sections for Streets "A", "B", "C", "D", "E" with rural improvements are not approved by Public Works.

29. Construct curb, gutter, base, pavement, and sidewalk (adjacent to the property line) on all interior streets off Cornell Road. Permission to construct rural improvements on all interior streets off Cornell Road is not approved by Public Works, unless all residential lots off Cornell Road have a minimum lot size of 20,000 square feet.

30. Plant street trees on all interior streets off Kanan Road and Cornell Road to the satisfaction of Public Works. Street trees are not required on all interior streets off Cornell Road if these streets are not improved with curbs.

31. Locate the entry gate (or key pad if one is provided) a minimum of 50 feet beyond the right of way of Cornell Road and construct a turnaround with a minimum radius of 32 feet preceding the gated entrance on Street "F" to the satisfaction of Public Works.

32. Construct drainage improvements and offer easements needed for street drainage or slopes to the satisfaction of Public Works. Construct adequate embankment protection, including a service road if required, along those portions of Cornell Road, Kanan Road, and all interior streets except Caleta Road located within flood plain boundaries or subject to inundation. Adequate freeboard shall also be provided.

33. Comply with the following street lighting requirements: (subdivision annexation and balloting)

    a. Provide street lights on concrete poles with underground wiring within the tract boundaries and along the property frontage on Kanan Road and Street A/Street D/Street E and at the intersection of Cornell Road and "E" Street with fixtures acceptable to Southern California Edison to the satisfaction of Public Works. Submit street lighting plans as soon as possible for review and approval to the Street Lighting Section of the Traffic and Lighting Division. For additional information, please contact the Street Lighting Section at (626) 300-4726.

b. The operation and maintenance of the street lights on the private and future street shall remain the responsibility of the Developer / Property Owner / Home Owners Association until such time as the street(s) are accepted for maintenance by the County. Assessments will be imposed on portions of the development served by gated private and future streets (if any) as a result of benefits derived from existing or future street lights on adjacent public roadways.

c. The proposed development, or portions thereof, are not within an existing Lighting District. Annexation and assessment balloting are required. Upon tentative map approval, the applicant shall comply with conditions listed below in order for the Lighting District to pay for the future operation and maintenance of the street lights. The Board of Supervisors must approve the annexation and levy of assessment (should assessment balloting favor levy of assessment) prior to filing of the final subdivision maps for each area with the Registrar-Recorder/County Clerk.

(1) Request the Street Lighting Section to commence annexation and levy of assessment proceedings.

(2) Provide business/property owner's name(s), mailing address(es), site address, Assessor Parcel Number(s), and Parcel Boundaries in either Microstation or Auto CADD format of territory to be developed to the Street Lighting Section.

(3) Submit a map of the proposed development including any roadways conditioned for street lights that are outside the proposed project area to Street Lighting Section. Contact the Street Lighting Section for map requirements and with any questions at (626) 300-4726.

d. The annexation and assessment balloting process takes approximately ten to twelve months to complete once the above information is received and approved. Therefore, untimely compliance with the above will result in a delay in receiving approval of the street lighting plans or in filing the final subdivision map for recordation. Information on the annexation and the assessment balloting process can be obtained by contacting Street Lighting Section at (626) 300-4726.

e. For acceptance of street light transfer of billing, the area must be annexed into the Lighting District and all street lights in the development, or the current phase of the development, must be constructed according to Public Works approved plans. The contractor shall submit one complete set of "as-built" plans. Provided the above conditions are met, all street lights in the development, or the current phase of the development, have been energized, and the developer has requested a transfer of billing at least by January 1 of the previous year, the Lighting District can assume responsibility for the operation and maintenance of the street lights by July 1 of any given year. The transfer of billing could be delayed one or more years if the above conditions are not met. The Lighting District cannot pay for the operation and maintenance of street lights on gated private and future street(s).

34. Provide and install street name signs prior to occupancy of buildings.

35. Install postal delivery receptacles in groups to serve two or more residential units.

36. Underground all existing service lines and distribution lines that are less than 50 KV and new utility lines to the satisfaction of Public Works and Southern California Edison. Please contact Construction Division at (626) 458-3129 for new location of any above ground utility structure in the parkway.

37. Prior to final map approval, enter into an agreement with the County franchised cable TV operator (if an area is served) to permit the installation of cable in a common utility trench to the satisfaction of Public Works, or provide documentation that steps to provide cable TV to the proposed subdivision have been initiated to the satisfaction of Public Works.

38. Comply with the mitigation measures identified in the attached memoranda/letters dated December 13, 2004; November 22, 2004; and March 24, 2004 from our Traffic and Lighting Division to the satisfaction of Public Works.

+HCJ

Prepared by Timothy Chen Phone (626) 458-4921 Date 11-07-2005

December 13, 2004

TO: Tom Hoagland
Land Development Division

FROM: Bill Winter
Traffic and Lighting Division

TRIANGLE RANCH
TENTATIVE TRACT NO. 52419
CONDITIONAL USE PERMIT 97178
SCREENCHECK ENVIRONMENTAL IMPACT REPORT
AGOURA HILLS AREA

As requested, we have reviewed the above-mentioned document. The project site is generally located southwest and southeast of Kanan Road and Cornell Road, approximately one-third mile south of the Ventura Freeway in the unincorporated County area of Agoura Hills.

The proposed project consists of the construction of 81 single-family homes on approximately 320 acres. The proposed project is estimated to generate approximately 854 vehicle trips daily, with 67 and 89 vehicle trips during the a.m. and p.m. peak hours, respectively.

We generally agree with the report that the traffic generated by the project alone will not have a significant impact to any County or City roadways or intersections. However, the cumulative traffic generated by the project and other related projects will significantly impact the following City of Agoura Hills intersections. The proposed mitigation measures are subject to the approval of the City of Agoura Hills. The project will participate in a Traffic Improvement Fee program through the City of Agoura Hills Benefit Assessment Fee.

Kanan Road at Canwood Street

North approach: One left-turn lane, four through lanes, and one shared through/right-turn lane instead of one left-turn lane, three through lanes, and one shared through/right-turn lane (add a through lane).

South approach: One left-turn lane, two through lanes, and one shared through/right-turn lane instead of one left-turn lane, one through lane, and one shared through/right-turn lane (add a through lane).

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Kanan Road at Agoura Road

North approach: Two left-turn lanes, one through lane, and one exclusive right-turn lane instead of one left-turn lane, one through lane, and one exclusive right-turn lane (add a left-turn lane).

East approach: One left-turn lane, two through lanes, and one exclusive right-turn lane instead of one left-turn lane, one through lane, and one exclusive right-turn lane (add a through lane).

West approach: One left-turn lane, two through lanes, and one exclusive right-turn lane instead of one left-turn lane and one shared through/right-turn lane (add a through lane and an exclusive right-turn lane).

It is our understanding that the project traffic consultant, Kimley-Horn and Associates, Inc., has been in contact with the Agoura Hills City Engineer in order to determine if the City has adopted an improvement plan for the Kanan Road at Agoura Road intersection. The project shall also consult with the City of Agoura Hills regarding the feasibility of all of the proposed mitigation measures and shall pay its pro-rata share of the intersection improvements once they are identified.

We also agree with the mitigation proposed for the intersection of Kanan Road at Roadside Drive. This intersection will be integrated into the US 101/Kanan Road Interchange improvement project, and will no longer function as a stand-alone intersection. We generally agree with the study that the interchange improvement project addresses an existing need and that the project traffic does not represent a significant portion of the total traffic served by the interchange. Therefore, it will not be necessary to withhold building permits for the project until the interchange is in place.

We also agree with the study that the project will not have a significant impact on any Congestion Management Program monitored intersections, arterial, or freeway segment in the area.

The project shall continue to coordinate with the City of Agoura Hills and shall consult with Caltrans to determine whether they concur with the study's findings of the potential California Environmental Quality Act impacts within their jurisdiction.

If you have any questions regarding the review of the document, please contact Kristin Norman of our Traffic Studies Section at Extension 4766.

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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
www.ladpw.org

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

IN REPLY PLEASE
REFER TO FILE: T-4

November 22, 2004

Ms. Serine Ciandella
Kimley-Horn and Associates, Inc.
2100 West Orangewood Avenue, Suite 140
Orange, CA 92868

Dear Ms. Ciandella:

TRIANGLE RANCH
TENTATIVE TRACT NO. 52419
CONDITIONAL USE PERMIT 97178
TRAFFIC IMPACT ANALYSIS (MARCH 2004)
AGOURA HILLS AREA

As requested, we have reviewed the above-mentioned document. The project site is generally located southwest and southeast of Kanan Road and Cornell Road, approximately one-third mile south of the Ventura Freeway in the unincorporated County of Los Angeles area of Agoura Hills.

The proposed project consists of the construction of 81 single-family homes on approximately 320 acres. The proposed project is estimated to generate approximately 854 vehicle trips daily, with 67 and 89 vehicle trips during the a.m. and p.m. peak hours, respectively. Fifty-four lots will take access from Kanan Road and 27 lots through a gated entrance on Cornell Road.

We generally agree with the study that the interchange improvement project addresses an existing need and that the project traffic does not represent a significant portion of the total traffic served by the interchange. Therefore, it will not be necessary to withhold building permits for the project until the interchange is in place as mentioned in our March 24, 2004, memo.

The project shall participate in a Traffic Impact Fee as required by the City of Agoura Hills Benefit Assessment Fee for the proposed improvements at the intersections of Kanan Road at Canwood Street and Kanan Road at Agoura Road.

We also agree with the study that the project will not have any significant impact to the Congestion Management Program monitored locations.

We recommend that the City of Agoura Hills review this document to determine the potential California Environmental Quality Act (CEQA) impacts within their jurisdiction. Caltrans shall also be consulted to determine whether the project has a significant CEQA impact on the adjacent Ventura Freeway.

In order to complete our review, a 40-foot-scale site plan showing site access locations in relationship to adjacent intersections and driveways, and driveways opposite project frontage, shall be prepared and submitted to Traffic and Lighting Division for review and approval. Generally, site access should be designed to eliminate any potential conflicts between vehicles entering the site and parked vehicles on-site and/or on-site facilities, such as a trash pick-up area.

If you have any questions, please contact Ms. Kristin Norman of our Traffic Studies Section, Traffic and Lighting Division, at (626) 300-4766.

Very truly yours,

DONALD L. WOLFE
Interim Director of Public Works

WILLIAM J. WINTER
Assistant Deputy Director
Traffic and Lighting Division

KN:cn
EIR04264.doc

cc: City of Agoura Hills

bc: Land Development (Wong)

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

JAMES A. NOYES, Director

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

IN REPLY PLEASE
REFER TO FILE: T-4

March 24, 2004

Ms. Serine Ciandella
Kimley-Horn and Associates, Inc.
2100 West Orangewood Avenue, Suite 140
Orange, CA 92868

Dear Ms. Ciandella:

TRIANGLE RANCH
TENTATIVE TRACT NO. 52419
CONDITIONAL USE PERMIT 97178
TRAFFIC IMPACT ANALYSIS (SEPTEMBER 2003)
AGOURA HILLS AREA

As requested, we have reviewed the above-mentioned document. The project site is generally located southwest and southeast of Kanan Road and Cornell Road, approximately one-third mile south of the Ventura Freeway in the unincorporated County area of Los Angeles.

The proposed project consists of the construction of 81 single-family homes on about 320 acres. The proposed project is estimated to generate approximately 854 vehicle trips daily, with 67 and 89 vehicle trips during the a.m. and p.m. peak hours, respectively. Fifty-four lots will take access from Kanan Road and 27 lots through a gated entrance on Cornell Road.

The traffic study shall be revised to include the following.

- The study assumes the completion of the Kanan Road interchange project. It should be noted that the issuance of a building permit for the project will be withheld until this interchange project is in place.

- A diagram showing proposed mitigation measures and future lane configurations for each intersection analyzed.

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- A traffic signal warrant analysis for the unsignalized intersections.
- Details for the proposed gated access ("H" Street-TT 52419) shall be provided. The gate shall be designed to handle anticipated queing and turn movement for a typical United Parcel Service delivery truck. Intercom location and lane configurations shall also be provided.
- The study shall be stamped and signed by a registered Professional Engineer in the State of California in the field of Civil or Traffic Engineering.

We recommend that the City of Agoura Hills review this document to determine the potential California Environmental Quality Act (CEQA) impacts within their jurisdiction. Caltrans shall also be consulted to determine whether the project has a significant CEQA impact on the adjacent Ventura Freeway.

If you have any questions, please contact Ms. Marian Guirguis of our Traffic Studies Section at (626) 300-4848.

Very truly yours,

JAMES A. NOYES
Director of Public Works

WILLIAM J. WINTER
Assistant Deputy Director
Traffic and Lighting Division

MG:cn
EIR03355

cc: Department of Regional Planning (Koutnik)

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - SEWER
TRACT NO. 52419 (Rev)

TENTATIVE MAP DATED 10-11-2005

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. The subdivider shall install and dedicate main line sewers and serve each lot with a separate house lateral or have approved and bonded sewer plans on file with Public Works.

2. Install off-site sewer mainlines to serve this subdivision to the satisfaction of Public Works.

3. A sewer area study for the proposed subdivision (PC 11843as, dated 02-22-2005) was reviewed and approved. No additional mitigation measures are required. The approved sewer area study shall remain valid for two years after initial approval of the tentative map. After this period of time, an update of the area study shall be submitted by the applicant if determined to be warranted by Public Works.

4. The subdivider shall determine from the Las Virgenes Municipal Water District where the connection to the trunk sewer system and disposal facilities of the District shall be made, and shall meet the requirements of the Water District for the use of the sewerage facilities. Acceptance by the District must be assured in writing.

5. Easements are required, subject to review by Public Works to determine the final locations and requirements.

+1cw

Prepared by Nathan Howells Phone (626) 458-4921 Date 11-07-2005

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - WATER
TRACT NO. 52419 (Rev.)

TENTATIVE MAP DATED 10-11-2005

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. A water system maintained by the water purveyor, with appurtenant facilities to serve all lots in the land division, must be provided. The system shall include fire hydrants of the type and location (both on-site and off-site) as determined by the Fire Department. The water mains shall be sized to accommodate the total domestic and fire flows.

2. There shall be filed with Public Works a statement from the water purveyor indicating that the water system will be operated by the purveyor, and that under normal conditions, the system will meet the requirements for the land division, and that water service will be provided to each lot.

3. If necessary, install off-site sewer mainline to serve this subdivision to the satisfaction of Public Works.

4. Easements shall be granted to the County, appropriate agency or entity for the purpose of ingress, egress, construction, and maintenance of all infrastructures constructed for this land division to the satisfaction of Public Works.

5. Submit landscape and irrigation plans for each open space and landscape lot in the land division, with landscape area greater than 2,500 square feet, in accordance with the Water Efficient Landscape Ordinance.

6. If necessary, depict all line of sight easements on the landscape and irrigation plans.

+HW

Prepared by Juan M Sarda Phone (626) 458-4921 Date 11-07-2005

tr52419w-rev10

RP

COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

WATER SYSTEM REQUIREMENTS - UNINCORPORATED

Subdivision No. 52419 Tentative Map Date 11-October-05

Revised Report yes

☐ The County Forester and Fire Warden is prohibited from setting requirements for water mains, fire hydrants and fire flows as a condition of approval for this division of land as presently zoned and/or submitted. However, water requirements may be necessary at the time of building permit issuance.

☒ The required fire flow for public fire hydrants at this location is **1250** gallons per minute at 20 psi for a duration of **2** hours, over and above maximum daily domestic demand. **1** Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.

☐ The required fire flow for private on-site hydrants is ____ gallons per minute at 20 psi. Each private on-site hydrant must be capable of flowing ____ gallons per minute at 20 psi with two hydrants flowing simultaneously, one of which must be the furthest from the public water source.

☒ Fire hydrant requirements are as follows:

Install **14** public fire hydrant(s). Verify / Upgrade existing ____ public fire hydrant(s).

Install ____ private on-site fire hydrant(s).

☒ All hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal. All on-site hydrants shall be installed a minimum of 25' feet from a structure or protected by a two (2) hour rated firewall.
- ☒ Location: As per map on file with the office.
- ☐ Other location: ____

☒ All required fire hydrants shall be installed, tested and accepted or bonded for prior to Final Map approval. Vehicular access shall be provided and maintained serviceable throughout construction.

☐ The County of Los Angeles Fire Department is not setting requirements for water mains, fire hydrants and fire flows as a condition of approval for this division of land as presently zoned and/or submitted.

☐ Additional water system requirements will be required when this land is further subdivided and/or during the building permit process.

☐ Hydrants and fire flows are adequate to meet current Fire Department requirements.

☐ Upgrade not necessary, if existing hydrant(s) meet(s) fire flow requirements. Submit original water availability form to our office.

Comments: **The proposed development shall comply with Fire Code section 1003.2.11 regarding Occupancies in Very High Fire Hazard Severity Zones and in the Malibu-Santa Monica Mountains or San Gabriel South face areas.**
If a water tank is installed a minimum paved access of 20' wide shall be provided. The exisitng fire hydrant located on the Northside of the fire station shll be relocated outside of the proposed street location ("F" street)

All hydrants shall be installed in conformance with Title 20, County of Los Angeles Government Code and County of Los Angeles Fire Code, or appropriate city regulations. This shall include minimum six-inch diameter mains. Arrangements to meet these requirements must be made with the water purveyor serving the area.

By Inspector *Janna Masi* Date 1-Nov-05

COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

CONDITIONS OF APPROVAL FOR SUBDIVISION - UNINCORPORATED

Subdivision: 52419 Map Date 11-October-05

C.U.P. _____ Vicinity Malibu

☐ **FIRE DEPARTMENT HOLD** on the tentative map shall remain until verification from the Los Angeles County Fire Dept. Planning Section is received, stating adequacy of service. Contact (323) 881–2404.

☒ Access shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 902 of the Fire Code, which requires all weather access. All weather access may require paving.

☒ Fire Department access shall be extended to within 150 feet distance of any exterior portion of all structures.

☐ Where driveways extend further than 300 feet and are of single access design, turnarounds suitable for fire protection equipment use shall be provided and shown on the final map. Turnarounds shall be designed, constructed and maintained to insure their integrity for Fire Department use. Where topography dictates, turnarounds shall be provided for driveways that extend over 150 feet in length.

☒ The private driveways shall be indicated on the final map as "Private Driveway and Firelane" with the widths clearly depicted. Driveways shall be maintained in accordance with the Fire Code.

☐ Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested and accepted prior to construction.

☒ This property is located within the area described by the Fire Department as "Very High Fire Hazard Severity Zone" (formerly Fire Zone 4). A "Fuel Modification Plan" shall be submitted and approved prior to final map clearance. (Contact: Fuel Modification Unit, Fire Station #32, 605 North Angeleno Avenue, Azusa, CA 91702-2904, Phone (626) 969-5205 for details).

☒ Provide Fire Department or City approved street signs and building access numbers prior to occupancy.

☐ Additional fire protection systems shall be installed in lieu of suitable access and/or fire protection water.

☐ The final concept map, which has been submitted to this department for review, has fulfilled the conditions of approval recommended by this department for access only.

☐ These conditions must be secured by a C.U.P. and/or Covenant and Agreement approved by the County of Los Angeles Fire Department prior to final map clearance.

☐ The Fire Department has no additional requirements for this division of land.

Comments: **Provide a gate detail for review and approval prior to the clearance of the final map. The gate design shall include the following criteria;**
1. The keypad shall be setback from the right of way a minimum of distance of 50'.
2. Provide a minimum gate width of 20' for each, egress and ingress.
3. Prior to the gate provide a minimum turning radii of 32'.

By Inspector: Janna Masi Date 1-Nov-05

LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION

PARK OBLIGATION REPORT

Tentative Map #	52419	DRP Map Date:10/11/2005	SCM Date: / / .	Report Date: 11/02/2005
Park Planning Area #	33B	AGOURA / CALABASAS		Map Type:REV. (REV RECD)

Total Units [71] = Proposed Units [71] + Exempt Units [0]

Sections 21.24.340, 21.24.350, 21.28.120, 21.28.130, and 21.28.140, the County of Los Angeles Code, Title 21, Subdivision Ordinance provide that the County will determine whether the development's park obligation is to be met by:

1) the dedication of land for public or private park purpose or,
2) the payment of in-lieu fees or,
3) the provision of amenities or any combination of the above.

The specific determination of how the park obligation will be satisfied will be based on the conditions of approval by the advisory agency as recommended by the Department of Parks and Recreation.

Park land obligation in acres or in-lieu fees:

ACRES:	0.62
IN-LIEU FEES:	$184,641

Conditions of the map approval:

The park obligation for this development will be met by:

The payment of $184,641 in-lieu fees.

Trails:

See also attached Trail Report. ZUMA RIDGE TRAIL

Contact Patrocenia T. Sobrepeña, Departmental Facilities Planner I, Department of Parks and Recreation, 510 South Vermont Avenue, Los Angeles, California, 90020 at (213) 351-5120 for further information or an appointment to make an in-lieu fee payment.

For information on Hiking and Equestrian Trail requirements contact Trail Coordinator at (213) 351-5135.

By: _____
James Barber, Advanced Planning Section Head

Supv D 3rd
November 02, 2005 11:10:14
QMB02F.FRX

LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION

PARK OBLIGATION WORKSHEET

Tentative Map # **52419**	DRP Map Date: **10/11/2005**	SMC Date: / /	Report Date: **11/02/2005**
Park Planning Area # **33B**	**AGOURA / CALABASAS**		Map Type: **REV. (REV RECD)**

The formula for calculating the acreage obligation and or In-lieu fee is as follows:

(P)eople x (0.003) Goal x (U)nits = (X) acres obligation

(X) acres obligation x RLV/Acre = In-Lieu Base Fee

Where: P = Estimate of number of People per dwelling unit according to the type of dwelling unit as determined by the 2000 U.S. Census*. Assume * people for detached single-family residences; Assume * people for attached single-family (townhouse) residences, two-family residences, and apartment houses containing fewer than five dwelling units; Assume * people for apartment houses containing five or more dwelling units; Assume * people for mobile homes.

Goal = The subdivision ordinance allows for the goal of 3.0 acres of park land for each 1,000 people generated by the development. This goal is calculated as "0.0030" in the formula.

U = Total approved number of Dwelling Units.

X = Local park space obligation expressed in terms of acres.

RLV/Acre = Representative Land Value per Acre by Park Planning Area.

Total Units **71** = Proposed Units **71** + Exempt Units **0**

	People*	Goal 3.0 Acres / 1000 People	Number of Units	Acre Obligation
Detached S.F. Units	**2.91**	**0.0030**	**71**	**0.62**
M.F. < 5 Units	2.39	0.0030	0	0.00
M.F. >= 5 Units	2.17	0.0030	0	0.00
Mobile Units	2.50	0.0030	0	0.00
Exempt Units			0	
			Total Acre Obligation =	**0.62**

Park Planning Area = **33B AGOURA / CALABASAS**

Goal	Acre Obligation	RLV / Acre	In-Lieu Base Fee
@(0.0030)	0.62	$297,808	**$184,641**

Lot #	Provided Space	Provided Acres	Credit (%)	Acre Credit	Land
None					
			Total Provided Acre Credit:	**0.00**	

Acre Obligation	Public Land Crdt.	Priv. Land Crdt.	Net Obligation	RLV / Acre	In-Lieu Fee Due
0.62	0.00	0.00	0.62	$297,808	**$184,641**

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November 02, 2005 11:10:18
QMB01F.FRX

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

November 1, 2005

NOTICE OF TRAIL REQUIREMENT FOR TRACT MAPS AND PARCEL MAPS

Map #: TR - 52419 Date on Map: October 11, 2005

Provide a **20** foot easement for **Zuma Ridge Trail** to the satisfaction of the Department of Parks and Recreations' Standards. Because of the necessity to show the trail alignment as it pertains to topographical lines, all information pertaining to trail requirements must be shown on the Tentative Parcel Map.

X TRAIL OK AS SHOWN.

The exact following language must be shown for trail dedications on the final map.

Title Page: We hereby dedicate to the County of Los Angeles a **20** foot easement for Riding and Hiking purposes for the **Zuma Ridge Trail**.

Map Sheets: A **20** foot wide easement to the County of Los Angeles for Riding and Hiking purposes for the **Zuma Ridge Trail**.

X IF A WAIVER IS FILED, A PLAT MAP DEPICTING THE TRAIL MUST ACCOMPANY THE WAIVER.

For any questions concerning trail alignment or other trail requirements, please contact Jeremy Bok at 213-351-5137.

Jeremy Bok, Acting Trails Coordinator

COUNTY OF LOS ANGELES
DEPARTMENT OF HEALTH SERVICES
Public Health

THOMAS L. GARTHWAITE, M.D.
DIRECTOR and CHIEF MEDICAL OFFICER

FRED LEAF
CHIEF OPERATING OFFICER

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

Environmental Health
ARTURO AGUIRRE, Director

Bureau of Environmental Protection
Mountain & Rural/Water, Sewage & Subdivision Program
5050 Commerce Drive, Baldwin Park, CA 91706-1423
TEL (626)430-5380 · FAX (626)813-3016
www.lapublichealth.org/eh/progs/envirp.htm

BOARD OF SUPERVISORS

Gloria Molina
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Michael D. Antonovich
Fifth District

November 2, 2005

RFS No. 05-0029348

Tract No. 52419

Vicinity: Agoura

Vesting Tentative Tract Map Date: October 11, 2005 (10th Revision)

The Los Angeles County Department of Health Services' conditions of approval for **Vesting Tentative Tract Map 52419** are unchanged by the submission of the revised map. The following conditions still apply and are in force:

1. Potable water will be supplied by the **Las Virgenes Municipal Water District**, a public water system, which guarantees water connection and service to all lots.

2. Sewage disposal will be provided through the public sewer and wastewater treatment facilities of the **Las Virgenes Municipal Water District** as proposed.

If you have any questions or need additional information, please contact me at (626) 430-5380.

Respectfully,

Becky Valenti, E.H.S. IV
Mountain and Rural/Water, Sewage, and Subdivision Program

WESTON BENSHOOF
ROCHEFORT RUBALCAVA MACCUISH LLP
ATTORNEYS AT LAW

RECEIVED
APR 3 2006

(213) 576-1031
lbernhardt@wbcounsel.com

March 29, 2006

VIA E-MAIL AND U.S. MAIL

Susan Tae, AICP
County of Los Angeles
Department of Regional Planning
Hall of Records, 13th Floor
320 West Temple Street
Los Angeles, CA 90012

Re: Sage Community Group, Inc., Triangle Ranch Project
Vesting Tentative Tract Map No. 52419, Conditional Use Permit Case No. 97-178-(3) and Oak Tree Permit Case No. 97-178-(3)

Dear Susie:

We would like to request a continuance of the April 5, 2006 Planning Commission hearing on the above-referenced matter for 30 days to a date certain. Should you have any questions or require additional information please do not hesitate to contact me at (213) 576-1031.

Thank you for your consideration.

Very truly yours,

Linda Bernhardt

Linda Bernhardt
Director Regulatory Affairs and Land Development
WESTON, BENSHOOF,
ROCHEFORT, RUBALCAVA & MacCUISH LLP

LB/amm

cc: Vivan Rescalvo, Deputy, Supervisor Zev Yaroslavsky's Office
Paul McCarthy, Director, Land Divisions
Rosie Ruiz, Planning Commission Secretary
Steven W. Weston, Esq.

Diane Fradkin, Sage Development
Charles Moore, Esq.
Lisa Dittman, Esq.
Mike Kamino, Director of Planning & Community Development
City of Agoura Hills

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

James E. Hartl AICP
Director of Planning

June 22, 2006

TO: Pat Modugno, Chair
Esther L. Valadez, Vice Chair
Leslie G. Bellamy, Commissioner
Harold V. Helsley, Commissioner
Wayne Rew, Commissioner

FROM: Susan Tae, AICP, Acting Section Head
Land Divisions Section

SUBJECT: VESTING TENTATIVE TRACT MAP NO. 52419-(3)
CONDITIONAL USE PERMIT CASE NO. 97-178-(3)
OAK TREE PERMIT CASE NO. 97-178-(3)
AGENDA ITEM NO. #7 a, b, c; JUNE 28, 2006

PROJECT BACKGROUND

As you may recall, Vesting Tentative Tract Map No. 52419 ("TR 52419") is a subdivision originally proposed to create 81 single-family lots, five open space lots, nine landscape lots , one street lot and one desilting basin lot on 320.3 gross acres. A Conditional Use Permit ("CUP") was required to ensure compliance with the requirements of hillside management, density-controlled development, planned residential development within the Residential Planned Development ("RPD") zone, development within a Significant Ecological Area ("SEA"), and grading (onsite project and within the Santa Monica Mountains North Area). An Oak Tree Permit was also filed to authorize removal of 18 oak trees, including two heritage oaks, and encroachment into the protected zone of 17 oak trees, including five heritage oaks. After opening the public hearing and taking public testimony both in favor and in opposition on May 18, 2005, the public hearing was continued to June 21, 2005 to take any remaining testimony, and give the applicant opportunity for rebuttal. On June 21, your Commission directed the applicant to redesign the project to protect the natural resources and be more consistent with the Santa Monica Mountains North Area Plan ("North Area Plan").

In October of 2005, the applicant submitted a redesigned project of 71 single-family lots, five open space lots, seven landscape lots and two public facility lots for Los Angeles County Subdivision Committee ("Subdivision Committee") technical review. The 71-unit design was advertised for a public hearing before your Commission on February 22, 2006; an updated project description for the Draft Environmental Impact Report ("EIR") was also prepared and distributed for public comments. On February 22, the applicant requested, and your Commission granted, a continuance to April 5, 2006. On April 5, after a status report was given by the applicants of ongoing redesign efforts, your Commission granted another continuance to the June 28, 2006 continued public hearing.

REDESIGNED PROJECT DESCRIPTION

The redesigned project now before your Commission for consideration is a subdivision proposal for 66 single-family lots, five open space lots, six landscape lots and two public facility lots. The residential lots range in size from 10,000 square feet to two gross acres in size. Five natural open space lots and six landscape lots comprise the project's 281.1 acres (88 percent) of open space.

Proposed street improvements include additional transitional paving and striped lanes for right-turn and

left-turn lanes. Improvements required by Los Angeles County Department of Public Works ("DPW") for internal Streets "A," "B," "C," "D" and "E" west of Cornell Road include full curb, gutter and sidewalks; the applicant is requesting the inverted shoulder or rural street section design (elimination of the curb, gutter and sidewalk improvement). Private and future "F" Street east of Cornell Road is to be improved with the rural or inverted shoulder design.

Grading consists of 379,700 cubic yards of cut and 319,100 cubic yards of fill; an average of 5,753 cubic yards of cut and 4,835 cubic yards of fill for each residential lot. A total of 60,600 cubic yards of earthwork is proposed to be transported offsite. Retaining walls proposed range from eight feet to 17 feet high with a maximum 10-foot retaining wall along Kanan Road. The revised project will also require removal of 21 oak trees (including two heritage oaks) and encroachment into the protected zone of 11 oak trees (including three heritage oaks).

The residential lots are clustered in three areas of the subject property: 50 lots are located west of Kanan Road with clusters of 38 and 12 single-family lots, 10 lots between Kanan Road and Cornell Road, and six lots east of Cornell Road within the SEA (which was established in 1981 as part of the Malibu/Santa Monica Mountains Interim Area Plan). The six single-family lots east of Cornell Road are proposed to be semi-custom or custom home lots, and are proposed to be gated. The single-family lots range in size from approximately 10,000 square feet to two acres. A 12-foot riding and hiking trail easement for the Zuma Ridge Trail is also shown along Medea Creek between Kanan Road and Cornell Road; no grading or associated improvements are depicted for the future construction of the trail.

The redesigned project also depicts development within mapped areas of Lyon's pentachaeta (please see attached exhibit). These populations are in the locations of single-family Lot Nos. 5, 14 through 17 and landscape Lot No. 73. The other proposed development impact on population of Lyon's pentachaeta is located east of Cornell Road approximately within single-family Lot Nos. 65 and 66; this population was previously disturbed with the location of a structure and animal uses.

The project design has been reviewed by the Subdivision Committee for technical feasibility and recommended project conditions are attached. Additional technical information is still required by DPW to be depicted on the tentative map; however these changes to the tentative map would not substantively change the project design. These include corrections to the depicted road cross-sections, depiction of line-of-sight distances, and depiction of additional required pavement improvements. DPW has also indicated that the Los Angeles County Fire Department ("Fire Department") must approve the lengths of "D" and "E" Street as they are over 700 feet long; Fire Department's maximum cul-de-sac length for this project is 1,000 feet long. Los Angeles County Department of Regional Planning staff also require additional information to be depicted on the tentative map, including location and notes related to oak tree removals and encroachments, cross-sections of all retaining walls added to the tentative map, and additional lot information including corrected gross and net areas of the lots and pad area calculations.

NORTH AREA PLAN CONSISTENCY

On June 21, 2005, your Commission directed the applicant to redesign the project to be more consistent with the North Area Plan. This included redesign to reflect more sensitive development, including reducing grading, requiring buffers from sensitive resources, prohibiting disturbance of protected species, and minimizing impervious surfaces and disturbance of natural drainages to protect water quality. Alternative No. 4 of the Draft EIR as the environmentally superior alternative was also cited as a guide for redesign with respect to protection of these sensitive species, including reduction in

the number of homes within the SEA, retaining natural tributary drainage, and preservation of a second ridge west of Kanan Road. Alternative No. 4 would "essentially [eliminate]" (Draft EIR, Page V-38) impacts to sensitive species, including Lyon's pentachaeta habitat.

The North Area Plan contains many policies that support its goals for preservation of natural resources, and orderly development that maintains the rural character of the Santa Monica Mountains. The North Area Plan encourages and describes many features of hillside projects and more sensitive development. The North Area Plan also stresses to allow the land dictate the type and intensity of use (North Area Plan, Guiding Principles, page II-10).

As redesigned, the project is overall more consistent with many of the goals and policies of the North Area Plan, specifically related to resource protection, hazards planning and land use. The project continues to cluster development, and has now incorporated greater protection of identified sensitive resources, including an endangered species, except in a few areas identified west of Kanan Road. Existing drainage courses, including within an SEA, have now been maintained in a natural state. The redesigned project has also reduced impacts to scenic resources, and has incorporated undulating slopes and contoured grading that better blends with the natural terrain. The applicant has also indicated that the natural open space lots would be dedicated to public agency.

Applicable North Area Plan Provisions
Attached are excerpts of selected applicable North Area Plan goals and policies.

Your Commission also discussed during the May 18 and June 22 public hearings, incorporation of additional provisions or design elements, including:

- Location of homes within the SEA closer to Cornell Road;
- Single-story homes on lots at higher elevations;
- Location of a berm along Kanan Road to provide a sound and visual barrier, or greater setbacks of homes if no berm is provided;
- Placement of proposed "E" Street as a barrier between homes and Medea Creek; and
- Minimal lighting with shielding and/or timers to protect night skies.

STAFF ANALYSIS AND RECOMMENDATIONS

- Impact on endangered species

The project as redesigned continues to impact populations of the endangered Lyon's pentachaeta on the western portion of the property (see exhibit). The populations are located within single-family Lot Nos. 5, 14 through 17 and landscape Lot No. 73. The North Area Plan states: "Require development designs that protect and preserve significant, viable habitat areas and habitat linkages/wildlife corridors in their natural condition...[and that] within designated habitat areas of rare, threatened or endangered species, prohibit disturbance of protected biotic resources" (Policy IV-3, Page IV-19).

Staff recommends that the western portion of the subdivision be redesigned to eliminate any disturbance of Lyon's pentachaeta for the preservation of the endangered species, and consistency with the North Area Plan.

- Adjacent City of Agoura Hills Specific Plan: 'Agoura Village'

As this property is directly adjacent to the City of Agoura Hills ("City") on the north, your Commission expressed interest in reviewing the City's project known as "Agoura Hills Village"; a copy of the Agoura Hills Specific Plan and errata sheet (corrections) has been included in your package.

Adopted by the City Council on June 14, 2006, the Specific Plan (dated August 29, 2005) encompasses a 'village concept plan' that includes up to 293 attached residential dwelling units (apartments or condominiums) and maximum 948,500 square feet of retail, office, restaurants and hotel on a total of 135 acres. Envisioned as a pedestrian-friendly village, the focus of the project was revitalization to establish, over time, a regional attraction that balances new residential units with new retail development. Building heights would be permitted to 35 feet with a maximum of 45 feet for those buildings with residential over commercial use or that is a hotel. Approximately 38 percent of the project site is set aside as open space under the Specific Plan with all new projects required to provide a minimum of 15 percent gross area for public spaces. Design guidelines are also incorporated into the Specific Plan, and intended to provide for flexibility and creativity while "promoting an overall character and design consistency throughout the Specific Plan area" (Specific Plan, Page 5-63).

City staff believed that the residential development is a vital component to the Specific Plan (Report to City Council dated June 14, 2006, Page 3), and expressed that based on the amount of projected commercial development, a minimum of 239 dwelling units is necessary to make the project viable. Provisions for density bonus based on affordable housing are included within the Specific Plan, and contribute 58 units to the maximum density.

An Environmental Impact Report was prepared addressing significant impacts that can be mitigated to less than significant to: aesthetics, biological resources, geology, hazards and hazardous materials, historic and archaeological resources, hydrology and water quality, land use, noise and public services. Impacts to air quality and traffic were deemed as unavoidable adverse impacts and a Statement of Overriding Considerations for air quality and traffic was adopted together with the Specific Plan.

- Design Guidelines

After the May and June 2005 public hearings, the applicant met on several occasions with community representatives to address community concerns. Based on these meetings, of which staff attended in April and May of 2006, a draft set of design review guidelines has been prepared by the applicant (see provided exhibit). These guidelines are intended to address community concerns with respect to more detailed standards for the future construction of homes and other project features, such as walls and landscaping, and for dictating architectural styles, building materials and colors, etc, to ensure compatibility with community character. These have been submitted in draft format for your Commission's consideration and comments.

A final set of project Design Guidelines, in conformance with the Residential Planned Development ("RPD") zone, is recommended to be submitted for your Commission's approval as part of the RPD CUP entitlement. Staff also recommends that the design guidelines include additional standards or any other appropriate provisions to ensure the placement of future homes are consistent with the policies of the North Area Plan. These may include establishing ranges of building setbacks based on lot or pad size, and proportional ratios related to building footprint and pad and/or lot size. Staff also recommends inclusion of an updated fuel modification plan with best estimates based on pad locations, that depict the fuel modification zones and location of sensitive and protected species.

- Grading CUP change

The project as redesigned no longer maintains a cut-and-fill balance condition, but has a remaining 60,600 cubic yards of cut material to be removed from the property. While the countywide standard for a CUP for offsite transport is 10,000 cubic yards, the Santa Monica Mountains North Area Community Standards District establishes 1,000 cubic yards of transport as the threshold for a CUP (Section 22.44.133 D.4.c of the Los Angeles County Code ("County Code")). As an application requirement of the CUP, a haul route must be approved with the CUP authorizing the offsite transport. The applicant has indicated to staff that a haul route for the project is unknown at this time.

As the provisions require a haul route to be approved as part of the CUP, staff recommends that prior to final action by the Commission, the applicant provide a haul route for the Commission's review and approval. Additional application information required for the off-site transport CUP (Section 22.56.210 of the County Code) include ownership information of the properties where the earthwork is being removed, and proposed to be transported to; and information regarding who will be conducting the earthwork transport. Transport is strictly limited to the haul route approved by DPW (formerly Road Commissioner as indicated in County Code provisions).

- Alignment of the Zuma Ridge Trail

The Los Angeles County Department of Parks and Recreation ("Parks and Recreation") is currently evaluating the required alignment of the Zuma Ridge Trail as depicted on the tentative map. At the time of writing, Parks and Recreation has yet to determine whether a different point of exit from the property at its southern end is warranted for depiction on the tentative map. Parks and Recreation is conducting a site visit on June 22, 2006 to determine feasibility. Parks and Recreation will also be evaluating the trail alignment based on the adopted trails location within the City associated with the Agoura Village Specific Plan to the north.

Staff recommends that all associated grading and/or necessary improvements for the future construction of the trail based on the final alignment as determined by Parks and Recreation, be evaluated and depicted on the updated tentative map.

- Modification of street standards

DPW has required for all internal streets west of Cornell Road to be constructed with full street improvements, including curbs, gutters and sidewalks. The applicant is requesting a modification of these standards to construct streets with the rural, or inverted shoulder, design.

As rural street standards would be more in keeping with the community character, staff recommends that your Commission grant the modification so long as any safety issues are addressed to the satisfaction of DPW.

- Other project notes

-- Additional correspondence

All additional correspondence received since June 22, 2005 has been provided as part of this package, and includes correspondence related to the project itself as well as the Draft EIR. At the time of writing, correspondence received includes 13 letters in support of the project, one letter in opposition, and two

letters with concerns of the adequacy and suitability of the Draft EIR. One letter has been received requesting a continuance to continue discussions on the draft Design Guidelines document with the community and to arrange transportation to the public hearing on a weekday.

-- Zoning violations

Zoning enforcement cases were opened on the subject property for the storage of commercial vehicles, use of a recreational vehicle for residential purposes, existence of inoperable vehicles on the property, maintenance of an unpermitted storage container onsite, and unpermitted storage of firewood. All of the listed zoning violations have since been abated, and the zoning violation cases have been closed on February 6, 2006.

STAFF EVALUATION

Staff feels that the proposed project is overall more consistent with the Santa Monica Mountains North Area Plan as directed to the applicant by your Commission; and as redesigned better meets the burdens of proof required for hillside management development, development within an SEA and grading within the Santa Monica Mountains North Area.

The following recommendation is subject to change based on oral testimony or documentary evidence submitted during the public hearing process.

If the Regional Planning Commission agrees with staff's evaluation, staff recommends that the Commission close the public hearing, and with the changes made as discussed in this report and during the public hearing, including elimination of impacts to the westerly populations of Lyon's pentachaeta; indicate their intent to certify the EIR; and approve Vesting Tentative Tract Map No. 52419, and Conditional Use Permit and Oak Tree Permit Case Nos. 97-178-(3).

Suggested Motion: "I move that the Regional Planning Commission close the public hearing, and with the changes made as discussed during the public hearing; indicate our intent to certify the EIR and approve Vesting Tentative Tract Map No. 52419, and Conditional Use Permit and Oak Tree Permit Case Nos. 97-178-(3); and direct staff to prepare the final documents."

SMT:st
06/22/06

Attachments: Tentative Map and Exhibit "A" reflecting 66 unit design
Draft Conditions
Excerpts of applicable North Area Plan goals and policies
Updated burdens of proof
Applicant's development schedule
Additional Correspondence
Exhibit depicting populations of Lyon's pentachaeta west of Kanan Road
Copy of City of Agoura Hills Specific Plan, including errata sheet
Copy of draft Design Guidelines
Applicant's exhibit (dated June 21, 2006)

RP

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – SUBDIVISION

TRACT NO. 52419 (Rev.)

TENTATIVE MAP DATED 05-08-2006
EXHIBIT MAP DATED 05-08-2006

It is recommended that this tentative map not be approved at this time. This recommendation is based upon information or lack of information that is available concerning the subject property. The removal of this recommendation is contingent upon the submission and satisfactory review of the following:

1. The extended length of Streets "D" (750 feet +/-) and "E" (800 feet +/-) over 700 feet must be approved by the Fire Department.

2. A revised tentative map is required to show the following additional items:

   - Please see attached Road review sheets for requirements.

HW

Prepared by Henry Wong Phone (626) 458-4921 Date 06-19-2006

tr52419L-rev11.doc

It is recommended that this tentative map not be approved at this time. This recommendation is based upon information or lack of information that is available concerning the subject property. The removal of this recommendation is contingent upon the submission and satisfactory review of the following:

1. The extended length of Streets "D" (750 feet +/-) and "E" (800 feet +/-) over 700 feet must be approved by the Fire Department.

2. A revised tentative map is required to show the following additional items:

   a. As previously requested, delineate and call out the proposed right of way of 30 feet from centerline on Street "D", Street "F" and Street "E" from the knuckle to the cul-de-sac.

   b. As previously requested, show and call out proposed BC's and EC's on Street "B", Street "C", and Street "F".

   c. As previously requested, show proposed street grades on Street "A".

   d. Delineate and call out the proposed right of way of 32 feet from centerline on Street "F" from Cornell Road to the knuckle.

   e. Eliminate the angle point on Street "F" in the vicinity of the gated entry and provide a minimum centerline curve radius of 250 feet and a minimum centerline curve length of 100 feet to the satisfaction of Public Works.

   f. As previously requested, revise the cross section for Cornell Road to remove the proposed curb, gutter, and sidewalk.

   g. As previously requested, revise the titles of the cross section for the proposed 60' right-of-way (dedicated road) to include Street "D"

   h. Revise the titles of the cross section for the proposed 60' right-of-way (dedicated roads - alternate) to include Street "D".

   i. Revise the titles of the cross section for the proposed 58' right-of-way (dedicated roads) to remove Street "D".

   j. Revise the titles of the cross section for the proposed 58' right-of-way (dedicated roads - alternate) to remove Street "D".

2. A revised tentative map is required to show the following additional items: (cont.)

   k. As previously requested, revise the proposed street cross sections to show the sidewalk adjacent to the property line. Permission to use the alternate street section (sidewalk adjacent to the curb) is denied.

   l. As previously requested, depict the line of sight to provide 30 mph (310 feet) on "A" Street from "B" Street (northeasterly direction). Line of sight shall be within right of way or dedicate airspace easements to the satisfaction of Public Works. Additional grading may be required. With respect to the position of the vehicle at the minor road, the driver of the vehicle is presumed to be located 4 feet right of centerline and 10 feet back the top of curb (TC) or flow line (FL) prolongation. When looking left, we consider the target to be located at the center of the lane nearest to the parkway curb. When looking right, the target is 6 feet from the centerline.

   n. Delineate and call out property line return radii of 27 feet at the intersection of all local streets with Kanan Road and Cornell Road.

   q. Provide additional pavement (both on-site and off-site as needed) on partially improved Kanan Road to provide a striped left-turn lane, striped right-turn lane, and transition pavement for a 65 mph design speed on Kanan Road at Street "A"/Street "D"/ and at Street "E" to the satisfaction of Public Works. The lengths for the turning lanes as shown are inadequate for queuing purposes on a major highway. The minimum length of a left turn lane and right-turn lane on Kanan Road is 200 feet. Design details for the turning lanes and transitions as shown on the tentative map are not approved. Please contact Sam Richards of our Traffic and Lighting Division at (626) 300-4842 for additional information.

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – SUBDIVISION
TRACT NO. 52419 (Rev.)

TENTATIVE MAP DATED 05-08-2006
EXHIBIT MAP DATED 05-08-2006

- If this recommendation of disapproval is changed to a recommendation of approval based on additional information, the following reports would be recommended for inclusion in the conditions of tentative approval:

HW

Prepared by Henry Wong Phone (626) 458-4915 Date 06-19-2006

tr52419L-rev11.doc

The following reports consisting of __ pages are the recommendations of Public Works.

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. Details and notes shown on the tentative map are not necessarily approved. Any details or notes which may be inconsistent with requirements of ordinances, general conditions of approval, or Department policies must be specifically approved in other conditions, or ordinance requirements are modified to those shown on the tentative map upon approval by the Advisory agency.

2. Easements are tentatively required, subject to review by the Director of Public Works to determine the final locations and requirements.

3. Easements shall not be granted or recorded within areas proposed to be granted, dedicated, or offered for dedication for public streets, highways, access rights, building restriction rights, or other easements until after the final map is filed with the Registrar-Recorder/County Clerk's Office. If easements are granted after the date of tentative approval, a subordination must be executed by the easement holder prior to the filing of the final map.

4. In lieu of establishing the final specific locations of structures on each lot/parcel at this time, the owner, at the time of issuance of a grading or building permit, agrees to develop the property in conformance with the County Code and other appropriate ordinances such as the Building Code, Plumbing Code, Grading Ordinance, Highway Permit Ordinance, Mechanical Code, Zoning Ordinance, Undergrounding of Utilities Ordinance, Water Ordinance, Sanitary Sewer and Industrial Waste Ordinance, Electrical Code, and Fire Code. Improvements and other requirements may be imposed pursuant to such codes and ordinances.

5. All easements existing at the time of final map approval must be accounted for on the approved tentative map. This includes the location, owner, purpose, and recording reference for all existing easements. If an easement is blanket or indeterminate in nature, a statement to that effect must be shown on the tentative map in lieu of its location. If all easements have not been accounted for, submit a corrected tentative map to the Department of Regional Planning for approval.

6. Adjust, relocate, and/or eliminate lot lines, lots, streets, easements, grading, geotechnical protective devices, and/or physical improvements to comply with ordinances, policies, and standards in effect at the date the County determined the application to be complete all to the satisfaction of Public Works.

7. Furnish Public Works' Street Name Unit with a list of street names acceptable to the subdivider. These names must not be duplicated within a radius of 20 miles.

8. A Mapping and Property Management Division house numbering clearance is required prior to approval of the final map.

9. Label driveways and multiple access strips as "Private Driveway and Fire Lane" and delineate on the final map to the satisfaction of Public Works.

10. Reserve reciprocal easements for drainage, ingress/egress, water, sewer, utilities, right to grade, and maintenance purposes, etc., in documents over the common private driveways to the satisfaction of Public Works.

11. Design the boundaries of the unit final maps to the satisfaction of the Departments of Regional Planning and Public Works.

12 The first unit of this subdivision shall be filed as Tract No. 52419-01, the second unit, Tract No. 52419-02, ... and the last unit, Tract No. 52419.

13. Extend lot lines to the center of private and future streets or provide separate lots for the private and future streets to the satisfaction of the Department of Regional Planning.

14. Grant ingress/egress and utility easements to the public over the private and future or future streets.

15. Show open space note on the final map and dedicate residential construction rights over the open space lots.

16. Dedicate vehicular access rights to streets at rear of double frontage lots.

17. A final tract map must be processed through the Director of Public Works prior to being filed with the Registrar-Recorder/County Clerk's Office.

18. Prior to submitting the tract map to the Director of Public Works for examination pursuant to Section 66442 of the Government Code, obtain clearances from all affected Departments and Divisions, including a clearance from the Subdivision Mapping Section of the Land Development Division of Public Works for the following mapping items; mathematical accuracy; survey analysis; and correctness of certificates, signatures, etc.

19. A final guarantee will be required at the time of filing of the final map with the Registrar-Recorder/County Clerk's Office.

20. Within 30 days of the approval date of this land use entitlement or at the time of first plan check submittal, the applicant shall deposit the sum of $2,000 (Minor Land Divisions) or $5,000 (Major Land Divisions) with Public Works to defray the cost of verifying conditions of approval for the purpose of issuing final map clearances. This deposit will cover the actual cost of reviewing conditions of approval for Conditional Use Permits, Tentative Tract and Parcel Maps, Vesting Tentative Tract and Parcel Maps, Oak Tree Permits, Specific Plans, General Plan Amendments, Zone Changes, CEQA Mitigation Monitoring Programs and Regulatory Permits from State and Federal Agencies (Fish and Game, USF&W, Army Corps, RWQCB, etc.) as they relate to the various plan check activities and improvement plan designs. In addition, this deposit will be used to conduct site field reviews and attend meetings requested by the applicant and/or his agents for the purpose of resolving technical issues on condition compliance as they relate to improvement plan design, engineering studies, highway alignment studies and tract/parcel map boundary, title and easement issues. When 80% of the deposit is expended, the applicant will be required to provide additional funds to restore the initial deposit. Remaining balances in the deposit account will be refunded upon final map recordation.

HW

Prepared by Henry Wong Phone (626) 458-4915 Date 06-19-2006

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION
SUBDIVISION PLAN CHECKING SECTION
DRAINAGE AND GRADING UNIT

TRACT NO. 52419

REV TENTATIVE MAP DATED 05/08/06
EXHIBIT MAP DATED 05/08/06

DRAINAGE CONDITIONS

1. Provide drainage facilities to remove the flood hazard and dedicate and show necessary easements and/or right of way on the final map. This is required to the satisfaction of the Department of Public Works prior to the filing of the final map.
2. Place a note of flood hazard on the final map and delineate the areas subject to flood hazard. Show and label all natural drainage courses. Dedicate to the County the right to restrict the erection of buildings in the flood hazard area. This note will be allowed on lots 67 through 79. This is required to the satisfaction of the Department of Public Works prior to the filing of the final map.
3. A hydrology study for design of drainage facilities/delineation of flood hazard is required. Hydrology study must be submitted and approved prior to submittal of improvement plans. This is required to the satisfaction of the Department of Public Works prior to the filing of the final map.
4. Provide fee title lot for desilting inlets to the satisfaction of the Department of Public Works.
5. Notify the State Department of Fish and Game prior to commencement of work within any natural drainage course. If non-jurisdiction is established by the Department of Fish and Game, submit a letter of non-jurisdiction to Public Works (Land Development Division).
6. Contact the State Water Resources Control Board to determine if a Notice of Intent (NOI) and a Storm Water Pollution Prevention Plan (SWPPP) are required to meet National Pollution Discharge Elimination System (NPDES) construction requirements for this site.
7. Contact the Corps of Engineers to determine if a permit is required for any proposed work within the major watercourse. Provide a copy of the 404 Permit upon processing of the drainage plans. If non-jurisdiction is established by the Corps of Engineers, submit a letter of non-jurisdiction to Public Works (Land Development Division).
8. Comply with the requirements of the approved revised drainage concept / Standard Urban Stormwater Mitigation Plan (SUSMP) plan dated 05/17/06, to the satisfaction of Public Works.
9. Prior to approval of any grading, storm drain, or other improvement plan and prior to recordation of any final map for this subdivision, notarized drainage covenants, in a form approved by Public Works, shall be obtained from all impacted offsite property owners, as determined by Public Works, and shall be recorded by the applicant. The number of offsite drainage covenants will be determined by Public Works based on hydrology and hydraulic studies which must be prepared by the applicant's consultants and submitted to Public Works for review and approval, in a format acceptable to Public Works. By acceptance of this condition, the applicant acknowledges and agrees that this condition does not require or otherwise involve the construction or installation of an offsite improvement, and that the offsite drainage covenants referenced above do not constitute an offsite easement, license, title or interest in favor of the County. Therefore, the applicant acknowledges and agrees that the provisions of Government Code Section 66462.5 do not apply to this condition and that the County shall have no duty or obligation to acquire by negotiation or by eminent domain any land or any interest in any land in connection with this condition.
10. Any encroachment into an adopted floodway may require floodway map revision(s) of ordinance map(s) 370 ML9-ML11.

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GRADING CONDITIONS:

1. A grading plan and soil and geology report must be submitted and approved prior to approval of the final map. The grading plans must show and call out the construction of at least all the drainage devices and details, the paved driveways, the elevation and drainage of all pads, and the SUSMP devices. The applicant is required to show and call out all existing easements on the grading plans and obtain the easement holder approvals prior to the grading plans approval.

Name _____ Date 05/23/06 Phone (626) 458-4921
ZACH HARTJES

County of Los Angeles Department of Public Works
GEOTECHNICAL AND MATERIALS ENGINEERING DIVISION
GEOLOGIC AND SOILS ENGINEERING REVIEW SHEET
900 So. Fremont Ave., Alhambra, CA 91803
TEL. (626) 458-4925

DISTRIBUTION
1 Geologist
1 Soils Engineer
1 GMED File
1 Subdivision

TENTATIVE TRACT 52419
SUBDIVIDER Beautiful City Holdings Co.
ENGINEER Wagner Halladay, Inc.
GEOLOGIST Pacific Soils Engineering, Inc.
SOILS ENGINEER Pacific Soils Engineering, Inc.

TENTATIVE MAP DATED 5/08/06 (revised & Exhibit A)
LOCATION Agoura

REPORT DATE 11/9/05, 6/1/04, 6/30/03, 9/25/00, 5/15/00
REPORT DATE 11/9/05, 6/1/04, 6/30/03, 9/20/00, 5/15/00

[X] **TENTATIVE MAP FEASIBILITY IS RECOMMENDED FOR APPROVAL. PRIOR TO FILING THE FINAL LAND DIVISION MAP, THE FOLLOWING CONDITIONS MUST BE FULFILLED:**

[X] The final map must be approved by the Geology and Soils Sections to assure that all geotechnical (geology and soils) factors have been properly evaluated.

[X] A grading plan must be geotechnically approved by the Geology and Soils Sections. This grading plan must be based on a detailed engineering geology report and/or soils engineering report and show all recommendations submitted by them. It must also agree with the tentative map and conditions as approved by the Planning Commission. If the subdivision is to be recorded prior to the completion and acceptance of grading, corrective geologic bonds will be required.

[X] All geologic hazards associated with this proposed development must be eliminated,

or

delineate restricted use areas, approved by the consultant geologist and/or soils engineer, to the satisfaction of the Geology and Soils Sections, and dedicate to the County the right to prohibit the erection of buildings or other structures within the restricted use areas.

[X] The Soils Engineering review dated 6/5/06 is attached.

X] **TENTATIVE MAP IS APPROVED FOR FEASIBILITY. THE FOLLOWING INFORMATION IS APPLICABLE TO THIS DIVISION OF LAND:**

[X] The subdivider is advised that approval of this division of land is contingent upon the installation and use of a sewer system.

[X] A geology and soils engineering report will be required prior to approval of building or grading plans.

[X] Geotechnical Recordation Map verification deposit estimate 6 hours.

epared by Karin Burger Reviewed by Date June 2, 2006

Gmepub\Geology Review\Forms\Form02.doc
/03

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
GEOTECHNICAL AND MATERIALS ENGINEERING DIVISION

SOILS ENGINEERING REVIEW SHEET

Address: 900 S. Fremont Ave., Alhambra, CA 91803
Telephone: (626) 458-4925
Fax: (626) 458-4913

District Office 9.1
Job Number LX001129 & GMTR
Sheet 1 of 1

Tentative Tract Map 52419

DISTRIBUTION:
___ Grading/ Drainage
___ Geo/Soils Central File
___ District Engineer
___ Geologist
___ Soils Engineer
___ Engineer/Architect

Location	Kanan Road and Cornell Road, Agoura
Developer/Owner	Beautiful City Holdings Co.
Engineer/Architect	Wagner Halliday, Inc.
Soils Engineer	Pacific Soils Engineering (101568-MP)
Geologist	Same as above

Review of:
Revised Tract Tentative Map and Exhibit A Dated By Regional Planning **5/8/06**
Soils Engineering and Geologic Reports Dated 11/9/05, 6/1/04, 9/25/00, and 5/15/00
Previous review sheet dated 11/22/05

ACTION:
Tentative Map feasibility is recommended for approval, subject to conditions below:

REMARKS:
1. At the grading plan review stage, provide information, analyses, and/or recommendations for the following:
   a. *Soils parameters.* Provide additional shear strength test results of various materials (in particular, shear strength parameters of the along bedding materials, fill material for proposed keystone walls, etc.) required for additional stability analyses as indicated below.
   b. *Slope stability analyses.* Provide additional stability analyses for slopes based on a 40 scale to substantiate those performed at a 100 scale. Also, provide global stability analyses of the relatively high retaining walls proposed (the tentative map shows walls of up to 28 feet are proposed), analyses of backcut required for the construction of these walls, and walls that will be subject to the potential surcharge due to adverse beddings. Indicate the various shear strength parameters used in the analyses, in the appropriate segments of each failure plane. Recommend mitigation if factors of safety are below County minimum standards.
   c. *Retaining walls.* Indicate the types of walls are proposed (e.g., keystone walls, crib walls, impact walls in areas with potential debris hazards, standard retaining walls, etc.) and provide additional analyses as indicated below.
   d. *Debris Impact walls.* If debris containment walls are proposed, the containment areas must be designed for 100 percent of the predicted debris flow volume. Therefore, provide data and analyses (e.g., areas to be mitigated, volume calculations of anticipated debris flow volume and containment volume, etc.) in support of the recommended mitigation measures.
   e. *Walls higher than 12 feet.* For walls in which the retained height is higher than 12 feet, the walls must be designed to resist the additional earth pressure due to seismic ground shaking. Therefore, provide seismic surcharge pressure distribution for retaining wall in which the retained height is higher than 12 feet as necessary.
   f. *Keystone walls or similar.* If Keystone walls or similar are proposed, then provide internal analyses (sliding, overturning, pull-out, etc.) of these walls. Indicate the various shear strength and seismic parameters used in the analyses. Also indicate and show on the plans the locations of Restriction Use Areas (RUA's) for all areas with geogrid reinforcement. Per County policy, all areas with geogrid reinforcement plus 10 feet beyond the geogrid reinforcement areas shall be designated as RUA's.
   g. *Rock fences.* Provide rockfall analyses to determine the kinetic energy of the falling rocks for use in the structural design of the proposed fences and the anticipated trajectory path of the falling rocks for use in the designed heights and locations of the proposed fences.
   h. *Debris basins.* Provide slope stability analyses considering rapid drawdown conditions for any debris basins with slopes steeper than 3:1 gradient and designed with outlet structures. Recommend mitigation if the factor of safety is below the minimum standard.
   i. *Grading adjacent to Kanan Road.* Provide additional recommendations for proposed grading adjacent to Kanan Road as stated in the 5/15/00 report.

2. At the grading plan review stage, submit two sets of grading plans to the Soils Section for verification of compliance with County codes and policies.

NOTE(S) TO THE PLAN CHECKER/BUILDING AND SAFETY ENGINEER:
ON-SITE SOILS ARE CORROSIVE TO FERROUS METALS AND HAVE A LOW TO HIGH EXPANSION POTENTIAL.

REGISTERED PROFESSIONAL ENGINEER
NO. 2328
EXP. 6/30/07
GEOTECHNICAL
STATE OF CALIFORNIA

Prepared by Gan Lem Date 6/5/06

NOTICE: Public safety, relative to geotechnical subsurface exploration, shall be provided in accordance with current codes for excavations, inclusive of the Los Angeles County Code, Chapter 11.48, and the State of California, Title 8, Construction Safety Orders.
Gan:tract-52419x

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. A minimum centerline curve length of 100 feet shall be maintained on all local streets. A minimum centerline curve radius of 100 feet shall be maintained on all cul-de-sac streets. Reversing curves of local streets need not exceed a radius of 1,500 feet, and any curve need not exceed a radius of 3,000 feet.

2. The minimum centerline radius is 350 feet on all local streets with 64 feet of right of way and on all the streets where grades exceed 10 percent.

3. Compound curves are preferred over broken-back curves. Broken-back curves must be separated by a minimum of 200 feet of tangent (1,000 feet for multi-lane highways). If compound curves are used, the radius of the smaller curve shall not be less than two-thirds of the larger curve. The curve length of compound curves shall be adjusted to exceed a minimum curve length of 100 feet, when appropriate.

4. Curves through intersections should be avoided when possible. If unavoidable, the alignment shall be adjusted so that the proposed BC and EC of the curve through the intersection are set back a minimum of 100 feet away from the BCR's of the intersection.

5. Reversing curves and compound curves through intersections should be avoided when possible. If unavoidable, the minimum centerline radius of reversing curves and compound curves through intersections shall comply with design speeds per the Subdivision Plan Checking Section's "Requirements for Street Plans" and sight distances.

6. The minimum centerline radius on a local street with an intersection street on the concave side shall comply with design speeds per the Subdivision Plan Checking Section's "Requirements for Street Plans" and sight distances.

7. The centerline of all local streets shall be aligned without creating jogs of less than 150 feet. A one-foot jog may be used where a street changes width from 60 feet to 58 feet of right of way.

8. The central angles of the right of way radius returns shall not differ by more than 10 degrees on local streets.

9. Driveways will not be permitted within 25 feet upstream of any catch basins when street grades exceed 6 percent.

10. Provide minimum landing area of 100 feet for local collectors, 50 feet for local access roads, and 25 feet for cul-de-sacs at a maximum 3 percent grade on all "tee" intersections to the satisfaction of Public Works.

11. Provide property line return radii of 13 feet at all local street intersections.

12. Provide property line return radii of 27 feet or to the satisfaction of Public Works at the intersections of all local streets with Kanan Road and Cornell Road.

13. Provide intersection sight distance for a design speed at the following intersections to the satisfaction of Public Works:

    a. 55 mph (585 feet) on Cornell Road from Caleta Road (northerly direction); and

    b. 30 mph (310 feet) on "A" Street from "B" Street (northeasterly direction).

    Line of sight shall be within right of way or dedicate airspace easements to the satisfaction of Public Works. Additional on-site grading may be required. With respect to the position of the vehicle at the minor road, the driver of the vehicle is presumed to be located 4 feet right of centerline and 10 feet back the top of curb (TC) or flow line (FL) prolongation. When looking left, we consider the target to be located at the center of the lane nearest to the parkway curb. When looking right, the target is 6 feet from the centerline.

14. Dedicate right of way 40 feet from the latest IEC approved centerline on Cornell Road per C.S.B. 1099-1. Permission is granted to vacate right of way in excess of 40 feet from centerline on Cornell Road in the vicinity of Lot 71. Easement shall be provided for all utility companies that have facilities remaining within the vacated area.

15. Dedicate right of way 32 feet from centerline on Street "A" from Kanan Road to Street "B", Street D from Kanan Road to the knuckle, and Street E from Kanan Road to the knuckle to the satisfaction of Public Works. Dedicate additional right of way for a modified knuckle on Street "D" and Street "E" from Kanan Road to the knuckle to the satisfaction of Public Works. Design details for the knuckles as shown on the tentative map are not necessarily approved.

16. Dedicate right of way 30 feet from centerline on Street "A" from Street "B" to Street "C", Street "C" (plus additional right of way for a standard cul-de-sac bulb and knuckle), Street D south of the knuckle, and Street E south of the knuckle.

17. The extended length of Streets "D" and "E" over 700 feet must be approved by the Fire Department.

18. Dedicate right of way 29 feet from centerline plus additional right of way for a standard cul-de-sac bulb and knuckle on Street "B".

19. Dedicate slope easements along the property frontage on Kanan Road, Cornell Road, and Caleta Road to the satisfaction of Public Works.

20. Dedicate vehicular access rights on Kanan Road, Cornell Road, and Caleta Road, unless the Department of Regional Planning requires the construction of a wall. In such cases, complete access rights shall be dedicated.

21. Make an offer of private and future right of way 30 feet from centerline on Street "F" plus additional right of way for a standard knuckle and a standard cul-de-sac bulb to the satisfaction of Public Works.

22. Make an offer of additional private and future right of way in the vicinity of the gated entrance on Street "F" to the satisfaction of Public Works.

23. Make an offer of future right of way 32 feet from centerline on Caleta Road. Road improvements are not required on Caleta Road.

24. Whenever there is an offer of a future street or private and future street, provide a drainage statement/letter.

25. Repair any broken or damaged pavement along the property frontage on Kanan Road and Cornell Road to the satisfaction of Public Works.

26. Construct additional pavement (both on-site and off-site) on partially improved Kanan Road and Cornell Road to provide a striped left-turn lane, striped right-turn lane, and transition pavement for a 65 mph design speed on Kanan Road at Street "A"/Street "D"/ Street "E" and for a 55 mph design speed on Cornell Road at Street "F" to the satisfaction of Public Works. The minimum length of a left turn lane and right-turn lane on Kanan Road is 200 feet. Design details for the turning lanes and transitions as shown on the tentative map are not necessarily approved.

27. Construct curb, gutter, base, pavement, and sidewalk (adjacent to the property line) on all interior streets off Kanan Road. Permission to use the alternate street section (sidewalk adjacent to the curb) is denied. Also, alternative cross sections for Streets "A", "B", "C", "D", "E" with rural improvements are not approved by Public Works.

28. Construct parkway improvements (sidewalk, driveway, landings, etc.) that either serve or form a part of a Pedestrian Access Route to meet current ADA (Americans with Disabilities Act) requirements to the satisfaction of Public Works.

29. Construct inverted shoulder pavement 14 feet (lane width) and 4 feet (shoulder width) with concrete flow lines on Street "F" to the satisfaction of Public Works. Grade remaining parkway/shoulder at 2 percent cross-slope to the right of way to the satisfaction of Public Works.

30. Construct drainage improvements and offer easements needed for street drainage or slopes to the satisfaction of Public Works. Construct adequate embankment protection, including a service road if required, along those portions of Cornell Road, Kanan Road, and all interior streets except Caleta Road located within flood plain boundaries or subject to inundation. Adequate freeboard shall also be provided.

31. Plant street trees on all interior streets off Kanan Road to the satisfaction of Public Works.

32. Comply with the following street lighting requirements:

    a. Provide street lights on concrete poles with underground wiring along the property frontage on Kanan Road, and at the intersections of Kanan Road and Street A/Street D, Kanan Road and Street E, and Cornell Road and "F" Street with fixtures acceptable to Southern California Edison to the satisfaction of Public Works. Submit street lighting plans as soon as possible for review and approval to the Street Lighting Section of the Traffic and Lighting Division. For additional information, please contact the Street Lighting Section at (626) 300-4726.

    b. The operation and maintenance of the street lights on the private and future street shall remain the responsibility of the Developer / Property Owner / Home Owners Association until such time as the street(s) are accepted for maintenance by the County. Assessments will be imposed on portions of the development served by gated private and future streets (if any) as a result of benefits derived from existing or future street lights on adjacent public roadways.

c. The proposed development, or portions thereof, are not within an existing Lighting District. Annexation and assessment balloting are required. Upon tentative map approval, the applicant shall comply with conditions listed below in order for the Lighting District to pay for the future operation and maintenance of the street lights. The Board of Supervisors must approve the annexation and levy of assessment (should assessment balloting favor levy of assessment) prior to filing of the final subdivision maps for each area with the Registrar-Recorder/County Clerk.

(1) Request the Street Lighting Section to commence annexation and levy of assessment proceedings.

(2) Provide business/property owner's name(s), mailing address(es), site address, Assessor Parcel Number(s), and Parcel Boundaries in either Microstation or Auto CADD format of territory to be developed to the Street Lighting Section.

(3) Submit a map of the proposed development including any roadways conditioned for street lights that are outside the proposed project area to Street Lighting Section. Contact the Street Lighting Section for map requirements and with any questions at (626) 300-4726.

d. The annexation and assessment balloting process takes approximately ten to twelve months to complete once the above information is received and approved. Therefore, untimely compliance with the above will result in a delay in receiving approval of the street lighting plans or in filing the final subdivision map for recordation. Information on the annexation and the assessment balloting process can be obtained by contacting Street Lighting Section at (626) 300-4726.

e. For acceptance of street light transfer of billing, the area must be annexed into the Lighting District and all street lights in the development, or the current phase of the development, must be constructed according to Public Works approved plans. The contractor shall submit one complete set of "as-built" plans. Provided the above conditions are met, all street lights in the development, or the current phase of the development, have been energized, and the developer has requested a transfer of billing at least by January 1 of the previous year, the Lighting District can assume responsibility for the operation and maintenance of the street lights by July 1 of any given year. The transfer of billing could be delayed one or more years if the above conditions are not met. The Lighting District cannot pay for the operation and maintenance of street lights on gated private and future street(s).

33. Provide and install street name signs prior to occupancy of buildings.

34. Install postal delivery receptacles in groups to serve two or more residential units.

35. Locate the entry gate (or key pad if one is provided) a minimum of 50 feet beyond the right of way of Cornell Road and construct a turnaround with a minimum radius of 32 feet preceding the gated entrance on Street "F" to the satisfaction of Public Works.

36. Underground all existing service lines and distribution lines that are less than 50 KV and new utility lines to the satisfaction of Public Works and Southern California Edison. Please contact Construction Division at (626) 458-3129 for new location of any above ground utility structure in the parkway.

37. Prior to final map approval, enter into an agreement with the County franchised cable TV operator (if an area is served) to permit the installation of cable in a common utility trench to the satisfaction of Public Works, or provide documentation that steps to provide cable TV to the proposed subdivision have been initiated to the satisfaction of Public Works.

38. Provide detailed Signing and Striping Plans (scale 1:40) on Kanan Road and Cornell Road along the property frontage and in the vicinity of the tract boundaries to the satisfaction of Public Works.

39. Comply with the mitigation measures identified in the attached memoranda/letters dated December 13, 2004; November 22, 2004; and March 24, 2004 from our Traffic and Lighting Division to the satisfaction of Public Works.

December 13, 2004

TO: Tom Hoagland
Land Development Division

FROM: Bill Winter
Traffic and Lighting Division

TRIANGLE RANCH
TENTATIVE TRACT NO. 52419
CONDITIONAL USE PERMIT 97178
SCREENCHECK ENVIRONMENTAL IMPACT REPORT
AGOURA HILLS AREA

As requested, we have reviewed the above-mentioned document. The project site is generally located southwest and southeast of Kanan Road and Cornell Road, approximately one-third mile south of the Ventura Freeway in the unincorporated County area of Agoura Hills.

The proposed project consists of the construction of 81 single-family homes on approximately 320 acres. The proposed project is estimated to generate approximately 854 vehicle trips daily, with 67 and 89 vehicle trips during the a.m. and p.m. peak hours, respectively.

We generally agree with the report that the traffic generated by the project alone will not have a significant impact to any County or City roadways or intersections. However, the cumulative traffic generated by the project and other related projects will significantly impact the following City of Agoura Hills intersections. The proposed mitigation measures are subject to the approval of the City of Agoura Hills. The project will participate in a Traffic Improvement Fee program through the City of Agoura Hills Benefit Assessment Fee.

Kanan Road at Canwood Street

North approach: One left-turn lane, four through lanes, and one shared through/right-turn lane instead of one left-turn lane, three through lanes, and one shared through/right-turn lane (add a through lane).

South approach: One left-turn lane, two through lanes, and one shared through/right-turn lane instead of one left-turn lane, one through lane, and one shared through/right-turn lane (add a through lane).

KN

Kanan Road at Agoura Road

North approach: Two left-turn lanes, one through lane, and one exclusive right-turn lane instead of one left-turn lane, one through lane, and one exclusive right-turn lane (add a left-turn lane).

East approach: One left-turn lane, two through lanes, and one exclusive right-turn lane instead of one left-turn lane, one through lane, and one exclusive right-turn lane (add a through lane).

West approach: One left-turn lane, two through lanes, and one exclusive right-turn lane instead of one left-turn lane and one shared through/right-turn lane (add a through lane and an exclusive right-turn lane).

It is our understanding that the project traffic consultant, Kimley-Horn and Associates, Inc., has been in contact with the Agoura Hills City Engineer in order to determine if the City has adopted an improvement plan for the Kanan Road at Agoura Road intersection. The project shall also consult with the City of Agoura Hills regarding the feasibility of all of the proposed mitigation measures and shall pay its pro-rata share of the intersection improvements once they are identified.

We also agree with the mitigation proposed for the intersection of Kanan Road at Roadside Drive. This intersection will be integrated into the US 101/Kanan Road Interchange improvement project, and will no longer function as a stand-alone intersection. We generally agree with the study that the interchange improvement project addresses an existing need and that the project traffic does not represent a significant portion of the total traffic served by the interchange. Therefore, it will not be necessary to withhold building permits for the project until the interchange is in place.

We also agree with the study that the project will not have a significant impact on any Congestion Management Program monitored intersections, arterial, or freeway segment in the area.

The project shall continue to coordinate with the City of Agoura Hills and shall consult with Caltrans to determine whether they concur with the study's findings of the potential California Environmental Quality Act impacts within their jurisdiction.

If you have any questions regarding the review of the document, please contact Kristin Norman of our Traffic Studies Section at Extension 4766.

KN:cn
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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
www.ladpw.org

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

IN REPLY PLEASE
REFER TO FILE: T-4

November 22, 2004

Ms. Serine Ciandella
Kimley-Horn and Associates, Inc.
2100 West Orangewood Avenue, Suite 140
Orange, CA 92868

Dear Ms. Ciandella:

TRIANGLE RANCH
TENTATIVE TRACT NO. 52419
CONDITIONAL USE PERMIT 97178
TRAFFIC IMPACT ANALYSIS (MARCH 2004)
AGOURA HILLS AREA

As requested, we have reviewed the above-mentioned document. The project site is generally located southwest and southeast of Kanan Road and Cornell Road, approximately one-third mile south of the Ventura Freeway in the unincorporated County of Los Angeles area of Agoura Hills.

The proposed project consists of the construction of 81 single-family homes on approximately 320 acres. The proposed project is estimated to generate approximately 854 vehicle trips daily, with 67 and 89 vehicle trips during the a.m. and p.m. peak hours, respectively. Fifty-four lots will take access from Kanan Road and 27 lots through a gated entrance on Cornell Road.

We generally agree with the study that the interchange improvement project addresses an existing need and that the project traffic does not represent a significant portion of the total traffic served by the interchange. Therefore, it will not be necessary to withhold building permits for the project until the interchange is in place as mentioned in our March 24, 2004, memo.

The project shall participate in a Traffic Impact Fee as required by the City of Agoura Hills Benefit Assessment Fee for the proposed improvements at the intersections of Kanan Road at Canwood Street and Kanan Road at Agoura Road.

We also agree with the study that the project will not have any significant impact to the Congestion Management Program monitored locations.

We recommend that the City of Agoura Hills review this document to determine the potential California Environmental Quality Act (CEQA) impacts within their jurisdiction. Caltrans shall also be consulted to determine whether the project has a significant CEQA impact on the adjacent Ventura Freeway.

In order to complete our review, a 40-foot-scale site plan showing site access locations in relationship to adjacent intersections and driveways, and driveways opposite project frontage, shall be prepared and submitted to Traffic and Lighting Division for review and approval. Generally, site access should be designed to eliminate any potential conflicts between vehicles entering the site and parked vehicles on-site and/or on-site facilities, such as a trash pick-up area.

If you have any questions, please contact Ms. Kristin Norman of our Traffic Studies Section, Traffic and Lighting Division, at (626) 300-4766.

Very truly yours,

DONALD L. WOLFE
Interim Director of Public Works

WILLIAM J. WINTER
Assistant Deputy Director
Traffic and Lighting Division

KN:cn
EIR04264.doc

cc: City of Agoura Hills

bc: Land Development (Wong)

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

JAMES A. NOYES, Director

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
www.ladpw.org

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

IN REPLY PLEASE
REFER TO FILE: T-4

March 24, 2004

Ms. Serine Ciandella
Kimley-Horn and Associates, Inc.
2100 West Orangewood Avenue, Suite 140
Orange, CA 92868

Dear Ms. Ciandella:

TRIANGLE RANCH
TENTATIVE TRACT NO. 52419
CONDITIONAL USE PERMIT 97178
TRAFFIC IMPACT ANALYSIS (SEPTEMBER 2003)
AGOURA HILLS AREA

As requested, we have reviewed the above-mentioned document. The project site is generally located southwest and southeast of Kanan Road and Cornell Road, approximately one-third mile south of the Ventura Freeway in the unincorporated County area of Los Angeles.

The proposed project consists of the construction of 81 single-family homes on about 320 acres. The proposed project is estimated to generate approximately 854 vehicle trips daily, with 67 and 89 vehicle trips during the a.m. and p.m. peak hours, respectively. Fifty-four lots will take access from Kanan Road and 27 lots through a gated entrance on Cornell Road.

The traffic study shall be revised to include the following.

- The study assumes the completion of the Kanan Road interchange project. It should be noted that the issuance of a building permit for the project will be withheld until this interchange project is in place.

- A diagram showing proposed mitigation measures and future lane configurations for each intersection analyzed.

FILE COPY

- A traffic signal warrant analysis for the unsignalized intersections.
- Details for the proposed gated access ("H" Street-TT 52419) shall be provided. The gate shall be designed to handle anticipated queing and turn movement for a typical United Parcel Service delivery truck. Intercom location and lane configurations shall also be provided.
- The study shall be stamped and signed by a registered Professional Engineer in the State of California in the field of Civil or Traffic Engineering.

We recommend that the City of Agoura Hills review this document to determine the potential California Environmental Quality Act (CEQA) impacts within their jurisdiction. Caltrans shall also be consulted to determine whether the project has a significant CEQA impact on the adjacent Ventura Freeway.

If you have any questions, please contact Ms. Marian Guirguis of our Traffic Studies Section at (626) 300-4848.

Very truly yours,

JAMES A. NOYES
Director of Public Works

WILLIAM J. WINTER
Assistant Deputy Director
Traffic and Lighting Division

MG:cn
EIR03355

cc: Department of Regional Planning (Koutnik)

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - SEWER
TRACT NO. 52419 (Rev)

TENTATIVE MAP DATED 05-08-2006

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. The subdivider shall install and dedicate main line sewers and serve each lot with a separate house lateral or have approved and bonded sewer plans on file with Public Works.

2. Install off-site sewer mainlines to serve this subdivision to the satisfaction of Public Works.

3. A sewer area study for the proposed subdivision (PC 11843as, dated 02-22-2005) was reviewed and approved. No additional mitigation measures are required. The approved sewer area study shall remain valid for two years after initial approval of the tentative map. After this period of time, an update of the area study shall be submitted by the applicant if determined to be warranted by Public Works.

4. The subdivider shall determine from the Las Virgenes Municipal Water District where the connection to the trunk sewer system and disposal facilities of the District shall be made, and shall meet the requirements of the Water District for the use of the sewerage facilities. Acceptance by the District must be assured in writing.

5. Easements are required, subject to review by Public Works to determine the final locations and requirements.

HW

Prepared by Gregory Sommer Phone (626) 458-4921 Date 06-19-2006

tr52419s-rev11.doc

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - WATER
TRACT NO.052419 (Rev.)

TENTATIVE MAP DATED 05-08-2006
EXHIBIT MAP DATED 05-08-2006

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. A water system maintained by the water purveyor, with appurtenant facilities to serve all lots in the land division, must be provided. The system shall include fire hydrants of the type and location (both on-site and off-site) as determined by the Fire Department. The water mains shall be sized to accommodate the total domestic and fire flows.

2. There shall be filed with Public Works a statement from the water purveyor indicating that the water system will be operated by the purveyor, and that under normal conditions, the system will meet the requirements for the land division, and that water service will be provided to each lot.

3. If necessary, install off-site sewer mainline to serve this subdivision to the satisfaction of Public Works.

4. Easements shall be granted to the County, appropriate agency or entity for the purpose of ingress, egress, construction, and maintenance of all infrastructures constructed for this land division to the satisfaction of Public Works.

5. Submit landscape and irrigation plans for each open space and landscape lot in the land division, with landscape area greater than 2,500 square feet, in accordance with the Water Efficient Landscape Ordinance.

6. If necessary, depict all line of sight easements on the landscape and irrigation plans.

HCJ

Prepared by Massie Munroe Phone (626) 458-4921 Date 06-19-2006

RP

COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

WATER SYSTEM REQUIREMENTS - UNINCORPORATED

Subdivision No. TR 52419 Tentative Map Date 8-MAY-06

Revised Report yes

☐ The County Forester and Fire Warden is prohibited from setting requirements for water mains, fire hydrants and fire flows as a condition of approval for this division of land as presently zoned and/or submitted. However, water requirements may be necessary at the time of building permit issuance.

☒ The required fire flow for public fire hydrants at this location is **1250** gallons per minute at 20 psi for a duration of 2 hours, over and above maximum daily domestic demand. 1 Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.

☐ The required fire flow for private on-site hydrants is ____ gallons per minute at 20 psi. Each private on-site hydrant must be capable of flowing ____ gallons per minute at 20 psi with two hydrants flowing simultaneously, one of which must be the furthest from the public water source.

☒ Fire hydrant requirements are as follows:

Install 12 public fire hydrant(s). Verify / Upgrade existing ____ public fire hydrant(s).

Install ____ private on-site fire hydrant(s).

☒ All hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal. All on-site hydrants shall be installed a minimum of 25' feet from a structure or protected by a two (2) hour rated firewall.
- ☒ Location: As per map on file with the office.
- ☐ Other location: ____

☒ All required fire hydrants shall be installed, tested and accepted or bonded for prior to Final Map approval. Vehicular access shall be provided and maintained serviceable throughout construction.

☐ The County of Los Angeles Fire Department is not setting requirements for water mains, fire hydrants and fire flows as a condition of approval for this division of land as presently zoned and/or submitted.

☐ Additional water system requirements will be required when this land is further subdivided and/or during the building permit process.

☐ Hydrants and fire flows are adequate to meet current Fire Department requirements.

☐ Upgrade not necessary, if existing hydrant(s) meet(s) fire flow requirements. Submit original water availability form to our office.

Comments: **The proposed development shall comply with Fire Code section 1003.2.11 regarding Occupancies in Very High Fire Hazard Severity Zones and in the Malibu-Santa Monica Mountains or San Gabriel South face areas.If a water tank is installed a minimum paved access of 20' wide shall be provided. The exisitng fire hydrant located on the Northside of the fire station shll be relocated outside of the proposed street location ("F" street)**

All hydrants shall be installed in conformance with Title 20, County of Los Angeles Government Code and County of Los Angeles Fire Code, or appropriate city regulations. This shall include minimum six-inch diameter mains. Arrangements to meet these requirements must be made with the water purveyor serving the area.

By Inspector Janna Masi Date 6-JUNE-06

COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

CONDITIONS OF APPROVAL FOR SUBDIVISION - UNINCORPORATED

Subdivision: TR 52419 Map Date 8-MAY-06

C.U.P. _____ Vicinity Malibu - 324A4

☐ **FIRE DEPARTMENT HOLD** on the tentative map shall remain until verification from the Los Angeles County Fire Dept. Planning Section is received, stating adequacy of service. Contact (323) 881-2404.

☒ Access shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 902 of the Fire Code, which requires all weather access. All weather access may require paving.

☒ Fire Department access shall be extended to within 150 feet distance of any exterior portion of all structures.

☐ Where driveways extend further than 300 feet and are of single access design, turnarounds suitable for fire protection equipment use shall be provided and shown on the final map. Turnarounds shall be designed, constructed and maintained to insure their integrity for Fire Department use. Where topography dictates, turnarounds shall be provided for driveways that extend over 150 feet in length.

☒ The private driveways shall be indicated on the final map as "Private Driveway and Firelane" with the widths clearly depicted. Driveways shall be maintained in accordance with the Fire Code.

☐ Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested and accepted prior to construction.

☒ This property is located within the area described by the Fire Department as "Very High Fire Hazard Severity Zone" (formerly Fire Zone 4). A "Fuel Modification Plan" shall be submitted and approved prior to final map clearance. (Contact: Fuel Modification Unit, Fire Station #32, 605 North Angeleno Avenue, Azusa, CA 91702-2904, Phone (626) 969-5205 for details).

☒ Provide Fire Department or City approved street signs and building access numbers prior to occupancy.

☐ Additional fire protection systems shall be installed in lieu of suitable access and/or fire protection water.

☐ The final concept map, which has been submitted to this department for review, has fulfilled the conditions of approval recommended by this department for access only.

☐ These conditions must be secured by a C.U.P. and/or Covenant and Agreement approved by the County of Los Angeles Fire Department prior to final map clearance.

☐ The Fire Department has no additional requirements for this division of land.

Comments: **Access as shown on the tentative map is approved at this time, therefore the tentative map is cleared for public hearing.**
Provide a gate detail for review and approval prior to the clearance of the final map. The gate design shall include the following criteria;
1. The keypad shall be setback from the right of way a minimum of distance of 50'.
2. Provide a minimum gate width of 20' for each, egress and ingress.
3. Prior to the gate provide a minimum turning radii of 32'.

By Inspector: *Janna Masi* Date 6-JUNE-06

LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION

PARK OBLIGATION REPORT

Tentative Map # **52419**	DRP Map Date: **05/08/2006**	SCM Date: **06/19/2006**	Report Date: **06/15/2006**
Park Planning Area # **33B**	**AGOURA / CALABASAS**		Map Type: **REV. (REV RECD)**

Total Units **66** = Proposed Units **66** + Exempt Units **0**

Sections 21.24.340, 21.24.350, 21.28.120, 21.28.130, and 21.28.140, the County of Los Angeles Code, Title 21, Subdivision Ordinance provide that the County will determine whether the development's park obligation is to be met by:

1) the dedication of land for public or private park purpose or,
2) the payment of in-lieu fees or,
3) the provision of amenities or any combination of the above.

The specific determination of how the park obligation will be satisfied will be based on the conditions of approval by the advisory agency as recommended by the Department of Parks and Recreation.

Park land obligation in acres or in-lieu fees:

ACRES:	**0.58**
IN-LIEU FEES:	**$172,729**

Conditions of the map approval:

The park obligation for this development will be met by:

The payment of $172,729 in-lieu fees.

Trails:

See also attached Trail Report. ZUMA RIDGE TRAIL - For trail requirements, please contact trail coordinator, Ken Slu at (213)351-5135

Contact Patrocenia T. Sobrepeña, Departmental Facilities Planner I, Department of Parks and Recreation, 510 South Vermont Avenue, Los Angeles, California, 90020 at (213) 351-5120 for further information or an appointment to make an in-lieu fee payment.

For information on Hiking and Equestrian Trail requirements contact Trail Coordinator at (213) 351-5135.

By: _____
James Barber, Advanced Planning Section Head

Supv D 3rd
June 13, 2006 15:26:53
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LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION

PARK OBLIGATION WORKSHEET

Tentative Map #	**52419**	DRP Map Date: **05/08/2006**	SMC Date: **06/19/2006**	Report Date: **06/15/2006**
Park Planning Area #	**33B**	**AGOURA / CALABASAS**		Map Type: **REV. (REV RECD)**

The formula for calculating the acreage obligation and or In-lieu fee is as follows:

(P)eople x (0.003) Goal x (U)nits = (X) acres obligation

(X) acres obligation x RLV/Acre = In-Lieu Base Fee

Where:

P = Estimate of number of People per dwelling unit according to the type of dwelling unit as determined by the 2000 U.S. Census*. Assume * people for detached single-family residences; Assume * people for attached single-family (townhouse) residences, two-family residences, and apartment houses containing fewer than five dwelling units; Assume * people for apartment houses containing five or more dwelling units; Assume * people for mobile homes.

Goal = The subdivision ordinance allows for the goal of 3.0 acres of park land for each 1,000 people generated by the development. This goal is calculated as "0.0030" in the formula.

U = Total approved number of Dwelling Units.

X = Local park space obligation expressed in terms of acres.

RLV/Acre = Representative Land Value per Acre by Park Planning Area.

Total Units **66** = Proposed Units **66** + Exempt Units **0**

	People*	Goal 3.0 Acres / 1000 People	Number of Units	Acre Obligation
Detached S.F. Units	**2.91**	**0.0030**	**66**	**0.58**
M.F. < 5 Units	2.39	0.0030	0	0.00
M.F. >= 5 Units	2.17	0.0030	0	0.00
Mobile Units	2.50	0.0030	0	0.00
Exempt Units			0	
			Total Acre Obligation =	**0.58**

Park Planning Area = **33B AGOURA / CALABASAS**

Goal	Acre Obligation	RLV / Acre	In-Lieu Base Fee
@(0.0030)	0.58	$297,808	**$172,729**

Lot #	Provided Space	Provided Acres	Credit (%)	Acre Credit	Land
None					
			Total Provided Acre Credit:	**0.00**	

Acre Obligation	Public Land Crdt.	Priv. Land Crdt.	Net Obligation	RLV / Acre	In-Lieu Fee Due
0.58	0.00	0.00	0.58	$297,808	**$172,729**

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

June 19, 2006

NOTICE OF TRAIL REQUIREMENT FOR TRACT MAPS AND PARCEL MAPS

Map #: TR - 52419 Date on Map: May 8, 2006

Provide a **20** foot easement for **Zuma Ridge Trail** to the satisfaction of the Department of Parks and Recreations' Standards. Because of the necessity to show the trail alignment as it pertains to topographical lines, all information pertaining to trail requirements must be shown on the Tentative Parcel Map.

X MAP ON HOLD PENDING CLARIFICATION AND COORDINATION ON STARTING AND ENDING CONNECTION POINTS OF ZUMA RIDGE TRAIL WITHIN TR-52419.

The exact following language must be shown for trail dedications on the final map.

Title Page: We hereby dedicate to the County of Los Angeles a **20** foot easement for Riding and Hiking purposes for the **Zuma Ridge Trail**.

Map Sheets: A **20** foot wide easement to the County of Los Angeles for Riding and Hiking purposes for the **Zuma Ridge Trail**.

X IF A WAIVER IS FILED, A PLAT MAP DEPICTING THE TRAIL MUST ACCOMPANY THE WAIVER.

For any questions concerning trail alignment or other trail requirements, please contact Ken Slu at 213-351-5135.

Ken Slu

Ken Slu, Trails Coordinator

COUNTY OF LOS ANGELES
DEPARTMENT OF HEALTH SERVICES
Public Health

BRUCE A. CHERNOF, M.D.
Acting Director and Chief Medical Officer

FRED LEAF
CHIEF OPERATING OFFICER

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

Environmental Health
ARTURO AGUIRRE, Director

Bureau of Environmental Protection
Mountain & Rural/Water, Sewage & Subdivision Program
5050 Commerce Drive, Baldwin Park, CA 91706-1423
TEL (626)430-5380 · FAX (626)813-3016
www.lapublichealth.org/eh/progs/envirp.htm

BOARD OF SUPERVISORS

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June 15, 2006

RFS No. 06-0013076

Tract No. 52419

Vicinity: Agoura

Vesting Tentative Tract Map Date: May 8, 2006 (11th Revision)

The Los Angeles County Department of Health Services has no objection to this subdivision and **Vesting Tentative Tract Map 52419** has been cleared for public hearing. The following conditions still apply and are in force:

1. Potable water will be supplied by the **Las Virgenes Municipal Water District**, a public water system, which guarantees water connection and service to all lots.

2. Sewage disposal will be provided through the public sewer and wastewater treatment facilities of the **Las Virgenes Municipal Water District** as proposed.

If you have any questions or need additional information, please contact me at (626) 430-5380.

Respectfully,

Becky J. Valenti

Becky Valenti, E.H.S. IV
Mountain and Rural/Water, Sewage, and Subdivision Program

Santa Monica Mountains North Area Plan

The following is an excerpt of selected goals and policies from the North Area Plan:

GUIDING PRINCIPLES AND GENERAL GOALS

"Preservation and enhancement of the natural environments and scenic beauty of the area" (Goal II, Page II-11).

"Preservation of the area's natural terrain, with minimal alterations to existing undisturbed areas" (Goal III, Page II-12).

CONSERVATION AND OPEN SPACE ELEMENT

"The guiding principle for managing the natural environment is: 'resource protection has priority over development'" (Page IV-17).

Biological Resources:

"When determining which portions of a development site should be retained in open space, first priority should be the preservation of viable, sensitive habitat areas and linkages. Preserving open space for its aesthetic qualitites is also essential..." (Policy IV-2, Page IV-19).

"Require development designs that protect and preserve significant, viable habitat areas and habitat linkages/wildlife corridors in their natural condition.

a. Require buffer or other measures adequate to protect such areas.
b. Within designated habitat areas of rare, threatened or endangered species, prohibit disturbance of protected biotic resources.
c. Within the following areas, preserve plant communities which contribute to animal reproduction (including plant diversity, faunal resting areas, foraging areas and food sources), or when unavoidable, require the replacement of such plant communities so as not to result in a measurable reduction in the reproductive capacity of sensitive plant and animal communities:
   - riparian areas and wetlands subject to state and federal regulations (such as blue line streams on USGS quadrangles);
   - riparian woodlands, Sycamore-adler riparian woodlands, Southern and Valley oak woodlands and California walnut woodlands; and
   - animal habitat linkages/wildlife corridors.
d. Where plants listed as 'special' or 'of concern' by the California Natural Diversity Database...are present, require that new development not result in a net reduction in the number of these plants..." (Policy IV-3, Pages IV-19-20).

"Buffer zones shall be established adjacent to areas of important preserved biological resources, including natural streams and drainages. Such buffer zones shall be of an adequate width so as to protect biological resources from grading and construction activities, as well as from long-term use of adjacent lands, the need for extensive lighting, and increased erosion and runoff, including winter stream flows...The land uses and design of development adjacent to the vegetative preservation areas, as well as activities within the designated buffer area, shall not disturb natural drainage patterns to the point that preserved vegetative resources receive too much or too little water to permit their ongoing health" (Policy IV-6, Page IV-20).

Hillside Management:

"New development projects shall be designed to protect significant natural features, and to minimize the amount of grading" (Policy IV-9, Page IV-21).

"In areas over 25% slope, use special architectural and design techniques to ensure that development conforms to the natural land form, such as split level foundations, variable setbacks, and structures which blend with the natural environment in shape, materials and colors" (Policy IV-10, Page IV-21).

"Grading in areas over 50% slope shall be severly limited to those circumstances where clustering is not possible and when demonstrated safety hazards and environmental degradation—including increased erosion, runoff and watershed impacts and aesthetic features—will be avoided" (Policy IV-11, Page IV-21).

"Discourage the use of manufactured slopes in excess of ten vertical feet (10'), and require that any such slopes be land-form graded" (Policy IV-12, Page IV-21).

"Ensure that the overall project design/layout of hillside developments adapts to the natural hillside topography and protects ridgelines and natural-appearing views from surrounding vantage points such as highways, parklands and overlooks. Overall, emphasize fitting the project into its hillside setting rather than altering the hillside to fit the project" (Policy IV-13, Page IV-21).

"Encourage clustering of dwellings in hillside areas as a means of decreasing the overall need for grading, thereby preserving the natural appearance of the hillside and maximizing the amount of open space. Do not, however, permit clustering of dwellings to result in urban character subdivisions within rural areas. Require that steep lands that are preserved in open space be permanently protected through, preferably, open space dedications to a public agency which has the authority to manage, preserve or enhance park and open space lands, where appropriate or, secondarily, effective easements" (Policy IV-16, Page IV-22).

Scenic Resources:

"Ensure that any alteration of the natural landscape from earth-moving activity, as well as new development, blends with the existing terrain of the site and surroundings" (Policy IV-32).

"Limit the extent of vegetation clearance to that required for fire safety, and where possible, site structures so that no vegetation clearance encroaches on adjacent properties; consider the size and siting of development to reduce the level of vegetation clearance needed" (Policy IV-33, Page IV-26).

Open Space:

"Preserve open space that protects streams and watersheds, prevents vegetation clearance or grading of steep areas and helps reduce development-induced runoff" (Policy IV-45, Page IV-28).

SAFETY AND NOISE ELEMENT

Seismic Hazards:

"When creating an engineered slope, use land-form grading techniques to recreate a natural hillside appearance, to the extent feasible" (Policy V-2, Page V-37).

Flood Hazards:

"Retain stream courses in their natural state, along with development designs that respect natural flows" (Policy V-4, Page V-38).

Fire Hazards:

"Minimize potential biological impacts of fuel modification activities by limiting modification areas to those necessary to protect existing development, whenever feasible, and by emphasizing the planting of fire resistant vegetation that is compatible with the area's natural vegetative habitats, rather than the use of open fuel breaks" (Policy V-11, Page V-40).

Geologic Hazards:

"...Limit grading of slopes in excess of 25 percent" (Policy V-18, Page V-41).

LAND USE AND HOUSING ELEMENT

Pattern and Character of Development:

"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:

- Retention of the natural terrain and vegetation in hillside areas, rather than creation of large, flat pads with non-native landscaping;
- Natural features and streams which are protected by adequate development setbacks;...
- Rural road sections without curbs, gutters, or sidewalks;...
- 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;
- Hillside residential development designs which feature natural, rather than manmade forms, and which emphasize the use of custom foundations in place of slab construction;
- Size and height of houses and flat pads in hillside settings to those which are consistent with character of the natural setting; limit such features as tennis courts and paved areas; and
- Protection of hilltops and ridgelines by prohibition of grading in those areas, unless required to provide or improve safety access to existing improvements" (Policy VI-13, Pages VI-50-51).

"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-14, Page VI-51).

"Require that new development use architectural and siting features which are compatible with adjacent existing and planned developments, and include the following:

- Compatibility with prominent design features existing in the immediate area...
- Compatibility with existing structures; and
- The natural environment (i.e., hillsides, washes, native vegetation, community landscaping)" (Policy VI-15, Page VI-51).

"Require that new development provide a transition to surrounding development, for example:

- The bulk of new structures should relate to the area's environment and to the adjacent developments;

- Setbacks from streets and adjacent properties should relate to the scale of the structure...; and
- Multi-story residential structures should be made less imposing by using exterior profile designs that complement the contours of the land..." (Policy VI-15, Page VI-51).

"Require that new development respect viewsheds and view corridors from public parks and trails, and scenic highways to the greatest extent possible:

- Preserve and enhance, where applicable, view corridors from public roadways, which are oriented toward existing or proposed community amenities, such as parks, open space, or natural features;
- Encourage variations in architectural and landscape components which provide visual interest..." (Policy VI-15, Page VI-51).

"Encourage the clustering of development, particularly within lands designated... Mountain Lands... for the primary purpose of preserving significant environmental features; clustered development should meet the following criteria:

- The resulting design shall provide public amenities beyond basic County requirements-such as improved circulation for the surrounding area, additional dedicated public open space, additional protection of environmentally sensitive lands and/or the construction/maintenance of public facilities such as trails;
- The resulting intensity and character of the developed areas which results from clustering is compatible with—although not necessarily identical in appearance to—the surrounding environment;
- Lot coverage and pad grading should not result in an urban appearance, and side yard setbacks should prevent an urban-subdivision appearance;
- The result of clustering development shall yield a more desirable and environmentally sensitive development plan and preserve significant environmental features; and
- Areas preserved in open space as the result of clustering are to be restricted to open space in perpetuity" (Policy VI-18, Pages VI-51-52).

"Limit structure heights in suburban and rural areas to ensure compatibility of new development with the respective characteristics of the surrounding environment" (Policy VI-20, Page VI-52).

SMT:st
6/22/06

Burden of Proof for Requested Conditional Use Permit
Project No. 97-178-(3)
Vesting Tentative Tract No. 52419
Triangle Ranch Project

As required by County Code Section 22.56.040(A)(1), the requested use at the location will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area because:

1. **The project will provide the community with a substantial open space amenity.**

   - The project will preserve 280.50 acres as undisturbed permanent open space.

   - Areas to be preserved as open space include more than 90 percent of the onsite portion of Significant Ecological Area No. 6; 96 percent of the onsite Lyon's pentachaeta population (including the largest stand; with potential indirect impacts to 0.41 acres due to fuel modification); the majority of the Santa Monica Mountains dudleya population (with potential indirect impacts to 0.36 acres due to fuel modification); and the significant ridgelines on the property, including Ladyface Mountain.

2. **The project will be compatible with surrounding neighborhoods.**

   - The project proposes lot sizes, landscaping, lighting and architectural standards similar to and compatible with surrounding residential development and proposed commercial and multi-family development in the adjacent Agoura Village.

   - The project maintains the continuation of existing settlement patterns, as the project site is located between existing residential development, located further into the Santa Monica Mountains, and existing and proposed commercial and multi-family residential development located adjacent to the U.S. 101 Freeway.

   - The project site is located a quarter mile from the U.S. 101 Freeway.

   - The City of Agoura Hills is planning significant commercial and residential development for 135 acres located adjacent to the project site, as part of its proposed Agoura Village Specific Plan; full buildout of the Specific Plan would result in development of between 235 and 293 residential units and a total of up to 576,458 square feet of new office, retail, restaurant, movie theater complex, riding and equestrian center, community center and hotel building area, and redevelopment of the existing 372,042 square feet of office and retail space with a higher density development within the same footprint.

- Large lots with the ambiance of privacy and solitude are proposed, to avoid the common tract appearance of large houses squeezed onto smaller lots.

- Rural standards will be applied to development east of Cornell Road: no sidewalks, curbs or gutters will be provided, and street lighting will be kept at the minimum required for safety purposes.

- The applicant is requesting a waiver from standard Los Angeles County Subdivision Code requirements for the remaining homes located in enclaves west of Cornell Road, so that rural standards can also be maintained.

- The development east of Cornell Road is proposed to be a private and gated community. Proposed residences will be on large and custom lots (35,500 to 89,646 square feet lots).

- Proposed lots west of Cornell Road will range in size from 10,062 to 30,230 square feet.

- The project will construct curvilinear roads that follow the lay of the land, rather than rectilinear roads that are forced onto it.

3. The project will provide the community with a dedicated trail easement.

- The project will provide the community with a dedicated easement for riding and hiking purposes for the County's master planned Zuma Ridge Trail.

4. The project will provide enhanced landscaping along Kanan and Cornell Roads.

- The project will plant native species around existing roadways, to enhance the aesthetics of this largely unmaintained stretch of Kanan and Cornell roads.

- All retaining walls are proposed to be crib walls, which will be vegetated and attractive.

- The project's landscaping plan will be approved by the County biologist and SEATAC, and will be incorporated into the project's CC&Rs.

5. The project proposes grading that will simulate natural contours.

- Variable slope grades and undulating "daylight" elevations are used to minimize the alteration of natural landforms and to smoothly transition manufactured slopes back into the natural contours of adjacent undisturbed areas.

- Grading is proposed on the gentler slopes and in undisturbed areas; grading is proposed only on 0.4 acres within the greater than 50 percent slope category.

As required by County Code Section 22.56.040(A)(2), the requested use at the location will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site because:

1. **The project will be similar to and compatible with surrounding neighborhoods.**

   - The project maintains the continuation of existing settlement patterns.

   - The project proposes lot sizes compatible with surrounding development, with large and custom lots proposed near Cornell Road. Slightly smaller lots between 10,062 square feet and 30,230 square feet are proposed on Kanan Road, which is adjacent to the City's proposed high-density Agoura Village Specific Plan.

   - Rural standards will be applied to development east of Cornell Road: no sidewalks, curbs or gutters will be provided, and street lighting will be kept at the minimum required for safety purposes. The project proponent is requesting a waiver from standard Los Angeles County Subdivision Code requirements for the proposed residences located in enclaves west of Cornell Road, so that rural standards can be maintained.

   - The project offers large lots with the ambiance of privacy and solitude in a rural setting.

2. **The project will provide significant permanent open space for the community.**

   - The project clusters residential development on approximately 11 percent of the project site, thereby preserving 280.50 acres as permanent undisturbed open space. An additional 2.99 acres will be preserved in landscape lots and maintained by the homeowner's association and an additional 3.52 acres of natural terrain will be located within private backyards.

   - Open space preserved by the project will be dedicated to an appropriate conservation agency or will be maintained by the homeowner's association.

3. **The project will provide the community with substantial public amenities.**

   - The project will provide substantial public amenities for the community, including additional dedicated open space, additional protection of environmentally sensitive lands and the provision of a dedicated easement for riding and hiking purposes for the Zuma Ridge Trail.

As required by County Code Section 22.56.040(A)(3), the requested use at the location will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare because:

1. **No structures will be located in geologically unstable areas and proposed grading will insure public safety.**

   - Proposed structures will not be located in areas characterized by unstable geologic conditions.
   - The project generally limits development to the gentler slopes, with very limited grading occuring in the greater than 50 percent category (0.4 acres, or 1 percent of the graded area).
   - The project site is not within any Alquist-Priolo Special Studies Zone.
   - No active or potentially active faults have been mapped on or near the project site.
   - Portions of the project site are susceptible to seismically-induced landslides; however, implementation of the recommendations contained in the project's geotechnical reports and compliance with the Los Angeles County Building Code would reduce slope stability impacts to a less than significant level.
   - The project will employ contour grading techniques to smoothly transition manufactured slopes back into the natural contours of adjacent undisturbed areas.

2. **The project will employ water quality and flood control measures.**

   - The project will construct on-site storm drains, terrace drains and swales, debris basins and a separate storm drain system to convey 50-year storm runoff from the developed areas of the project to proposed urban storm water runoff basins or clarifiers, where first flush cleansing of urban runoff can be achieved. All storm water flows will be returned to natural drainage courses before discharging from the project site.
   - The project will increase the amount of flat surface area, which creates more opportunities for groundwater infiltration, and will construct a debris and detention basin that is designed to release a controlled flow of runoff during peak storm conditions.
   - Best Management Practices (BMPs) to reduce runoff and erosion will be employed.
   - The project will reduce natural and barren land, thus reducing the amount of debris siltation reaching Medea Creek.

- Erosion control devises will be installed around all construction areas to insure that sediment is trapped and properly removed. Thus, the project will include provisions to prevent sediments and silts from entering and impacting storm drains and waterways.

- The project will prohibit the non-emergency storage of construction or landslide materials on the shoulders of roads adjacent to stream banks.

- Most proposed residential lots are sufficiently large to accommodate horse keeping. The project will locate livestock, including horses, in a manner that is protective of streams and natural drainages and the quality of water runoff and ground water.

- No buildings will be constructed within a 50-foot flood hazard from the Medea Creek capital flood plain boundary.

3. **The project will insure fire safety.**

- The project site is located approximately one-quarter mile south of the U.S. 101 Freeway, and along Kanan and Cornell roads.

- A County Fire Station is located adjacent to the project site, on Cornell Road.

- The project site is concentrated low on slopes, near existing roadways and in previously disturbed areas, and is accessible to emergency vehicles.

- All structures will be located along paved, all-weather, and accessible roads.

- The residential enclave to the east of Cornell Road will be private and gated, but will be accessible to emergency service personnel.

As required by County Code Section 22.56.040(B), 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 the Zoning Ordinance, or as is otherwise required in order to integrate the proposed use with the uses in the surrounding area because:

1. **The project will comply with County development standards.**

- The project will comply with the requirements of the Zoning Ordinance relating to yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in the Zoning Ordinance.

2. **The project site is sufficiently large.**

- The project proposed 66 lots on 320 acres.

- The project site is large enough to support large and some custom lots, while still preserving 89 percent of the property as open space and meeting County development standards.

As required by County Code Section 22.56.040(C)(1), the proposed site is adequately served by highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate because:

1. **The project is located along a County-designated major highway and proximate to the U.S. 101 Freeway.**

   - The project site is located approximately one-quarter mile south of the U.S. 101 Freeway, and along Kanan Road, a County-designated major highway (100-foot right-of-way), and Cornell Road, a County-designated secondary highway (80-foot right-of-way).

   - The project site is situated between existing residential development, located further into the Santa Monica Mountains, existing commercial development located along the U.S. 101 Freeway corridor. The City is proposing substantial mixed-use development for the area located adjacent to the project site, including up to 293 residential units and a total of up to 576,458 square feet of new office, retail, restaurant, community center, movie theater complex, riding and equestrian center, and hotel building area, and redevelopment of the existing 372,042 square feet of office and retail space with a higher density development within the same footprint.

   - All structures will be located along paved, all-weather, and accessible roads.

As required by County Code Section 22.56.040(C)(2), the proposed site is adequately served public or private service facilities as are required because:

1. **The project site is surrounded by existing and planned commercial and residential development.**

   - The project site is located approximately one-quarter mile south of the U.S. 101 Freeway, and along Kanan Road and Cornell Road.

   - The project site is located between existing residential development, located further into the Santa Monica Mountains, and existing commercial development located in the City of Agoura Hills, between the project site and the U.S. 101 Freeway. The adjacent 135 acres located in the City is planned for the City's Agoura Village Specific Plan, which proposes development of between 235 and 293 residential units and a total of up to 576,458 square feet of new office, retail, restaurant, community center, movie theater complex, equestrian riding center, and hotel building area, and redevelopment of the existing 372,042 square feet of

office and retail space with a higher density development within the same footprint.

- The project maintains the continuation of existing settlement patterns and proposes lot sizes compatible with surrounding development.

- Commercial development is located nearby, approximately one-third mile north of the site, with businesses including gas stations, government facilities, recycling centers, small businesses, restaurants and office buildings.

- The project site is located approximately 12 miles southwest of Warner Center (a major retail and commercial center in the western San Fernando Valley) and approximately 6 miles east of the Cities of Thousand Oaks and Westlake Village.

2. The project can be provided with public services.

- The project can be provided with fire protection, police protection, schools, libraries, parks and recreation, water, sewers and other utilities. The project's impacts to all agencies providing these services will be less than significant with the implementation of mitigation measures.

Burden of Proof for Requested Conditional Use Permit for Development in a Significant Ecological Area
Project No. 97-178-(3)
Vesting Tentative Tract No. 52419
Triangle Ranch Project

As required by County Code Section 22.56.215(F)(2)(a), the requested development is designed to be highly compatible with the biotic resources present, including the setting aside of appropriate and sufficient undisturbed areas because:

1. **The project preserves 280.50 acres, nearly 90 percent of the project site, as permanent undisturbed open space.**

   - The project clusters residential development on 11 percent of the project site, thereby preserving 280.50 acres as permanent undisturbed open space.
   - An additional 2.99 acres will be preserved in landscape lots and will be maintained by the homeowner's association.
   - An additional 3.52 acres of natural terrain will be located within private backyards.

2. **The development footprint preserves biotic resources.**

   - The development footprint is comprised of the least environmentally sensitive portions of the property, including previously disturbed land.
   - The project will preserve more than 90 percent of the onsite portion of the significant ecological area.
   - The project will directly impact only 0.36 acres of the 8.8 acres of Lyon's pentachaeta, with possible indirect impacts due to fuel modification of an additional 0.41 acres
   - The project will preserve the majority of the Santa Monica Mountains dudleya population (with potential indirect impacts to 0.23 acres due to fuel modification).
   - The project will preserve the significant ridgelines on the property, including Ladyface Mountain.
   - Open space preserved by the project will be dedicated to an appropriate conservation agency or will be maintained by the homeowner's association.
   - The project will not result in direct impacts to eleven of the fourteen sensitive plant species known to be present on the project site.

- Where County of Los Angeles Fire Department-required fuel modification zones may conflict with sensitive resources, individual lots have been sited to minimize impacts to nearby sensitive plant species.

- The project will limit clearing and grading of native vegetation to the minimum amount needed to create a building pad, allow access and provide fire protection.

- The project will preserve the majority of on-site oak woodland and riparian habitat, and any impact will be mitigated, including replacement.

- No direct impacts are anticipated to Medea Creek, to the willow riparian forest in Medea Creek or to wetlands.

- No buildings will be constructed within a 50-foot flood hazard setback from the Medea Creek capital flood plain boundary.

- The project will comply with all state and federal agency regulations, including on-site or off-site restoration.

- The project will not affect the existing habitat connections to open space south of the subject property and will not directly impact the Liberty Canyon wildlife movement corridor to the east.

- With the exception of fuel modification areas, the project will use exclusively native plant species to blend the development area with the natural character of the site and the surrounding environment.

- The project will use local building materials (e.g. local stone for entrance monuments, etc.) in order to blend the development area with the natural character of the site and the surrounding environment.

As required by County Code Section 22.56.215(F)(2)(b), the requested development is designed to maintain water bodies, water courses, and their tributaries in a natural state because:

1. **The project will employ measures to protect water courses and tributaries in their natural state.**

   - A total of 20,055 linear feet of drainages, contained in 12 jurisdictional drainages as determined by the Army Corp of Engineers and the California Department of Fish and Game, are located on the project site.

   - The project impacts less than 0.11 acres of the total 7.8 acres on the project site within the jurisdiction of the California Department of Fish and Game and 4.54 acres within the jurisdiction of the Army Corp of Engineers, resulting in impacts

to less than 2.4 percent of the Corps jurisdiction and less than 1.4 percent of the Fish and Game jurisdiction.

- The project maintains setbacks from water courses.

- No buildings will be constructed within a 50-foot flood hazard from the Medea Creek capital flood plain boundary. Thus, the project will provide setbacks from natural streams and drainages that are adequate to protect them from development impacts in high storm flows and open space will be preserved to protect streams and watersheds, to prevent vegetation clearance or grading of steep areas and to help reduce development-induced runoff.

- The project will not impact drainages "A," "B," "D," "G," "H," "I," "J," "K," "L," and "M."

- Both direct and indirect impacts to waters of the United States are less than significant.

2. The project will employ measures to protect water quality.

- The project will construct on-site storm drains, terrace drains and swales, debris basins and a separate storm drain system to convey 50-year storm runoff from the developed areas of the project to proposed urban storm water runoff basins or clarifiers, where first flush cleansing of urban runoff can be achieved.

- All storm water flows will be returned to natural drainage courses before discharging from the project site.

- The project will increase the amount of flat surface area, which creates more opportunities for groundwater infiltration, and will construct a debris and detention basin designed to release a controlled flow of runoff during peak storm conditions.

- Best Management Practices (BMPs) to reduce runoff and erosion will be employed.

- The project will reduce natural and barren land, thus reducing the amount of debris siltation reaching Medea Creek.

- The project is in accordance with the recommendations of the TMDLs for nutrients for the Malibu Creek Watershed and would be consistent with Section 303(d) of the Clean Water Act. The major non-point sources of nutrients are septic systems (40.4 percent for nitrogen; 53.9 percent for phosphorus), runoff and erosion from undeveloped areas (17.5 percent for nitrogen; 14.8 percent for phosphorus), runoff associated with agriculture and livestock, golf course

irrigation and fertilization, effluent irrigation, rising groundwater and atmospheric deposition, and runoff from residential and commercial areas. Only 0.2 percent of the average annual total nitrogen and phosphorus loadings into the Lower Medea Creek come from low density residential land uses. Lower Medea Creek carries approximately 5.4 percent of the Malibu Creek Watershed nitrogen load and 3.5 percent of the total watershed phosphorus load.

- The project proposes to be served by sewers and will not utilize septic systems.

- Erosion control devises will be installed around all construction areas to insure that sediment is trapped and properly removed. Thus, the project will include provisions to prevent sediments and silts from entering and impacting storm drains and waterways.

- The project will prohibit the non-emergency storage of construction or landslide materials on the shoulders of roads adjacent to stream banks.

As required by County Code Section 22.56.215(F)(2)(c), the requested development is designed so that wildlife movement corridors (migratory paths) are left in an undisturbed and natural state because:

1. **The project preserves substantial open space for wildlife movement and will not interfere with existing wildlife corridors.**

   - The project clusters residential development on 11 percent of the project site, near existing roadways and existing impediments to wildlife movement.

   - The project preserves 280.50 acres as permanent undisturbed open space, which will be utilized by area wildlife.

   - An additional 2.99 acres will be preserved in landscape lots and an additional 3.52 acres of natural terrain will be located in private backyards.

   - Existing onsite habitat linkages are located mainly along the ridgelines and in valleys. The project does not propose grading along ridgelines or in valleys, and will not impact these existing habitat linkages.

   - Wildlife movement across the site is already impeded by Kanan and Cornell roads and residential development along Medea Creek. Development is sited adjacent to these existing impediments.

   - Existing habitat connections to open space located southerly of the project, where most of the onsite wildlife movement is concentrated due to development to the north and the U.S. 101 Freeway, would remain largely unaffected by the project.

- The project will not develop within 50 feet of Medea Creek and will therefore not impede wildlife movement through the creek.

As required by County Code Section 22.56.215(F)(2)(d), the requested development retains sufficient natural vegetative cover and/or open spaces to buffer critical resource areas from said requested development because:

1. **The project preserves substantial open space in its natural state.**

   - The project clusters residential development on 11 percent of the project site, near existing roadways and on previously disturbed land.

   - The project preserves 280.50 acres in as undisturbed permanent open space.

   - An additional 3.52 acres of natural terrain will be located in private backyards.

   - Areas to be preserved as open space include more than 90 percent of the onsite portion of the significant ecological area; 96 percent of the onsite Lyon's pentachaeta population (including the largest stand; with potential indirect impacts to 0.41 acres due to fuel modification); the majority of the Santa Monica Mountains dudleya population (with potential indirect impacts to 0.36 acres due to fuel modification); and the significant ridgelines on the property, including Ladyface Mountain.

2. **The project preserves sensitive plants and the majority of the onsite portion of Significant Ecological Area No. 6.**

   - The project preserves more than 90 percent of the onsite portion of Significant Ecological Area No. 6.

   - The project will not directly impact the largest stand of the federally and state endangered Lyon's pentachaeta. The project will directly impact only 0.36 acres of the 8.8 acres of onsite Lyon's pentachaeta, with possible indirect impacts due to fuel modification of an additional 0.41 acres.

   - The project will directly impact only .09 acres of the Santa Monica Mountains dudleya, with possible indirect impacts due to fuel modification of 0.23 acres.

   - The project will not directly impact eleven of the fourteen sensitive plant species known to be present on the project site

   - Where County of Los Angeles Fire Department-required fuel modification zones may conflict with sensitive resources, individual lots have been sited to minimize impacts to nearby sensitive plant species.

- The project will limit clearing and grading of native vegetation to the minimum amount needed to create a building pad, allow access and provide fire protection.

- The project will preserve the majority of on-site oak woodland and riparian habitat, and any impact will be mitigated, including replacement.

- The project will comply with all state and federal agency regulations, including on-site or off-site restoration.

- With the exception of fuel modification areas, the proposed project will use exclusively native plant species to blend the development area with the natural character of the site and the surrounding environment.

3. **The project preserves Medea Creek.**

- No direct impacts are anticipated to Medea Creek, to the willow riparian forest in Medea Creek or to wetlands.

- No buildings will be constructed within a 50-foot flood hazard setback from the Medea Creek capital flood plain boundary.

As required by County Code Section 22.56.215(F)(2)(e), where necessary, fences or walls are provided to buffer important habitat areas from development because:

1. **Development will be sited to minimize impacts to important habitat areas and, where necessary, fences or walls will be provided to buffer important habitat areas from development.**

- Development has been sited to avoid direct impacts to the largest stand of the federally and state endangered Lyon's pentachaeta. The project will directly impact only 0.36 acres of Lyon's pentachaeta, with possible indirect impacts due to fuel modification of an additional 0.41 acres.

- The project will directly impact only 0.09 acres of the Santa Monica Mountains dudleya, with possible indirect impacts due to fuel modification of 0.36 acres.

- Where necessary, the project will use fences or walls to buffer these important habitat areas from development.

- The project will comply with all state and federal agency regulations, including on-site or off-site restoration.

As required by County Code Section 22.56.215(F)(2)(f), roads and utilities serving the proposed development are located and designed so as not to conflict with critical resources, habitat areas or migratory paths because:

1. **The project is clustered along existing highways and proposes minimal intrusion into the vast open space areas to be preserved by the project.**

   - The project clusters residential development on 11 percent of the project site, located along existing Kanan and Cornell Roads.

   - Clustering development along existing highways limits intrusion into the critical resources and habitat areas located within the onsite significant ecological area, within Medea Creek and at the ridgeline of Ladyface Mountain.

   - Proposed roads extend only so far as necessary to serve the proposed residences.

   - The project will preserve 280.50 acres, including more than 90 percent of the onsite portion of Significant Ecological Area No. 6, the largest stand of onsite Lyon's pentachaeta and the majority of Santa Monica Mountains dudleya, Medea Creek and the ridgeline of Ladyface Mountain, as permanent open space.

   - The project will limit clearing and grading of native vegetation to the minimum amount needed to create a building pad, allow access, and provide fire protection.

Burden of Proof for Requested Conditional Use Permit for Hillside Development
Project No. 97-178-(3)
Vesting Tentative Tract No. 52419
Triangle Ranch Project

As required by County Code Section 22.56.215(F)(1)(a), the proposed project is located and designed so as to protect the safety of current and future community residents, and will not create significant threats to life and/or property due to the presence of geologic, seismic, slope instability, fire, flood, mud flow, or erosion hazard because:

1. **No structures will be located in geologically unstable areas and proposed grading will insure public safety.**

   - Proposed structures will not be located in areas characterized by unstable geologic conditions. The project generally limits development to the gentler slopes, but limited slopes in excess of 25 percent will be graded.

   - The project site is not within any Alquist-Priolo Special Studies Zone.

   - No active or potentially active faults have been mapped on or near the project site.

   - Portions of the project site are susceptible to seismically-induced landslides; however, implementation of the recommendations contained in the project's geotechnical reports and compliance with the Los Angeles County Building Code would reduce slope stability impacts to a less than significant level.

   - Whenever possible, retaining walls will be crib walls, planted with evergreen vines to help minimize visual impacts. Manufactured slopes will be land-form graded.

   - Using retaining walls helps retain natural contours and minimize grading.

   - The project will employ contour grading techniques to smoothly transition manufactured slopes back into the natural contours of adjacent undisturbed areas.

2. **The project will employ water quality and flood control measures.**

   - The project will construct on-site storm drains, terrace drains and swales, debris basins and a separate storm drain system to convey 50-year storm runoff from the developed areas of the project to proposed urban storm water runoff basins or clarifiers, where first flush cleansing of urban runoff can be achieved. All storm water flows will be returned to natural drainage courses before discharging from the project site.

- The project will increase the amount of flat surface area, which creates more opportunities for groundwater infiltration, and will construct a debris and detention basin that is designed to release a controlled flow of runoff during peak storm conditions.

- Best Management Practices (BMPs) to reduce runoff and erosion will be employed.

- The project will reduce natural and barren land, thus reducing the amount of debris siltation reaching Medea Creek.

- Erosion control devises will be installed around all construction areas to insure that sediment is trapped and properly removed. Thus, the project will include provisions to prevent sediments and silts from entering and impacting storm drains and waterways.

- The project will prohibit the non-emergency storage of construction or landslide materials on the shoulders of roads adjacent to stream banks.

- Most proposed residential lots are sufficiently large to accommodate horse keeping. The project will locate livestock, including horses, in a manner that is protective of streams and natural drainages and the quality of water runoff and ground water.

- No buildings will be constructed within a 50-foot flood hazard from the Medea Creek capital flood plain boundary.

3. The project will insure fire safety.

- The project site is located approximately one-quarter mile south of the U.S. 101 Freeway, along the Kanan Road and Cornell Road.

- A County fire station is located adjacent to the project site, on Cornell Road.

- The project site is concentrated low on slopes, in previously disturbed areas, and is accessible to emergency vehicles.

- All structures will be located along paved, all-weather, and accessible roads.

- The residential enclave to the east of Cornell Road will be private and gated, but will be accessible to emergency service personnel.

As required by County Code Section 22.56.215(F)(1)(b), the proposed project is compatible with the natural, biotic, cultural, scenic and open space resources of the area because:

1. **The project preserves substantial open space.**

   - The project clusters residential development on 11 percent of the project site, thereby preserving 280.50 acres as permanent undisturbed open space. An additional 2.99 acres will be preserved in landscape lots and an additional 3.52 acres of natural terrain will be located in private backyards.

   - The most valuable biological resources are included within the open space area preserved by the project, including more than 90 percent of the onsite portion of Significant Ecological Area No. 6, the largest stand of Lyon's pentachaeta located on the project site, the majority of Santa Monica Mountains dudleya, and prominent ridgelines including Ladyface Mountain.

2. **The development footprint is located on the least environmentally sensitive portions of the property.**

   - The development footprint is comprised of the least environmentally sensitive portions of the property, including previously disturbed land.

   - All three enclaves are located in areas of prior disturbance, including grading and woodcutting activities near Cornell Road, a major fill site on Kanan Road, bee keeping operations and a smaller fill site near Medea Creek. Approximately 1 to 2 acres, located between Cornell and Kanan roads, approximately 800 feet south of Cornell Way was previously used as a dumpster storage yard.

3. **The project limits grading.**

   - Grading will be minimized by concentrating development on the gentler slopes.

   - The project limits grading in areas over 50 percent slope; only 0.4 acres (1 percent of the graded area) will be graded in the greater than 50 percent category.

   - Contour grading techniques will be used to minimize the alteration of natural landforms and to smoothly transition manufactured slopes back into natural contours of adjacent land.

   - The project uses special architectural and design techniques to ensure that development conforms to the natural land form in areas over 25 percent slope.

4. **The project preserves significant biological resources.**

- The project will not directly impact twelve of the fourteen sensitive plant species known to be present on the project site.
- Development has been sited to avoid direct impacts to the largest stand of the federally and state endangered Lyon's pentachaeta. The project will directly impact only 0.36 acres of Lyon's pentachaeta, with possible indirect impacts due to fuel modification of an additional 0.41 acres.
- The project will directly impact only 0.09 acres of the Santa Monica Mountains dudleya, with possible indirect impacts due to fuel modification of 0.36 acres.
- Where County of Los Angeles Fire Department-required fuel modification zones may conflict with sensitive resources, individual lots have been sited to minimize impacts to nearby sensitive plant species.
- The project will limit clearing and grading of native vegetation to the minimum amount needed to create a building pad, allow access and provide fire protection.
- The project will preserve the majority of on-site oak woodland and riparian habitat, and any impact will be mitigated, including replacement.
- No direct impacts are anticipated to Medea Creek, to the willow riparian forest in Medea Creek or to wetlands.
- No buildings will be constructed within a 50-foot flood hazard setback from the Medea Creek capital flood plain boundary.
- The project will comply with all state and federal agency regulations, including on-site or off-site restoration.

5. **The project protects existing habitat linkages.**

- The project will not affect the existing habitat connections to open space south of the subject property and will not directly impact the Liberty Canyon wildlife movement corridor to the east.

6. **The project design will be compatible with the area's natural resources.**

- With the exception of fuel modification areas, the proposed project will use exclusively native plant species to blend the development area with the natural character of the site and the surrounding environment.

- The project will use local building materials (e.g. local stone for entrance monuments, etc.) in order to blend the development area with the natural character of the site and the surrounding environment.

7. The project protects views.

- The project takes steps to preserve views: it places development in enclaves to maximize undisturbed areas; it locates development on gentler slopes to minimize grading; it uses contour grading to keep natural contours and make graded areas blend into the adjacent natural open space areas; it provides landscaping to buffer views of proposed development; it provides setbacks from existing highways; it undergrounds all utilities; and it sites lots to avoid breaking ridgeline views.

- Where retaining walls are used to minimize grading, the walls are generally located in backyards and not visible from roadways. The project has reduced the heights of the few walls that may be visible from roadways, so that the maximum height of the wall along Kanan Road is now at ten feet and no walls are visible from Cornell Road. The wall behind Lots 1 through 4 remains 17 feet tall, but this wall has only limited visibility along Kanan Road. Where retaining walls are used, crib walls are proposed, which will be vegetated and attractive.

- The project has reduced building pad elevations by 5 to 23 feet along Kanan Road, and by 6 to 11 feet along Cornell Road.

- The project has reduced the height of manufactured slopes, so that the height of the largest fill slope is now at 29 feet.

8. The project will preserve the onsite archaeological site.

- No development will occur in the small midden deposit/habitation site containing scientific information useful for the understanding of the prehistory of this portion of Southern California. This archaeological site will be preserved as open space.

9. The project is compatible with surrounding neighborhoods.

- Large building pads and lots are proposed similar to existing surrounding neighborhoods.

- The project will provide large lots offering the ambiance of privacy and solitude in a rural setting. The development east of Cornell Road is proposed to be a private and gated community. Proposed residences will be on large and custom lots (35,500 to 89,646 square feet lots). Rural standards will be applied: no sidewalks, curbs or gutters would be provided, and street lighting would be kept at the minimum required for safety purposes.

- Proposed residences located in enclaves west of Cornell Road will range in size from 10,062 to 30,230 square foot lots. The project proponent will request a waiver from standard Los Angeles County Subdivision Code requirements for these residential enclaves, so that rural standards will be maintained.

- The project maintains the continuation of existing settlement patterns, as the project site is located between existing residential development, located further into the Santa Monica Mountains, and existing commercial development located adjacent to the U.S. 101 Freeway.

- The project site is located a quarter mile from the U.S. 101 Freeway.

- The City of Agoura Hills is planning significant commercial and residential development for 135 acres located adjacent to the project site, as part of its proposed Agoura Village Specific Plan; full buildout of the Specific Plan would result in development of between 235 and 293 residential units and a total of up to 576,458 square feet of new office, retail, restaurant, movie theater complex, riding and equestrian center, community center and hotel building area, and redevelopment of the existing 372,042 square feet of office and retail space with a higher density development within the same footprint.

As required by County Code Section 22.56.215(F)(1)(d), the proposed development demonstrates creative and imaginative design, resulting in a visual quality that will complement community character and benefit current and future community residents because:

1. **The project will complement and be compatible with surrounding neighborhoods.**

   - The project maintains the continuation of existing settlement patterns, as the project site is located between existing residential development, located further into the Santa Monica Mountains, and existing commercial development located adjacent to the U.S. 101 Freeway.

   - The project will provide large lots and building pads, similar to existing surrounding development.

   - The development east of Cornell Road is proposed to be a private and gated community. Proposed residences will be on large and custom lots (35,500 to 89,646 square feet lots). Rural standards will be applied: no sidewalks, curbs or gutters would be provided, and street lighting would be kept at the minimum required for safety purposes.

   - Proposed residences located in enclaves west of Cornell Road will range in size from 10,062 to 30,230 square foot lots. The project proponent will request a

waiver from standard Los Angeles County Subdivision Code requirements for these residential enclaves, so that rural standards will be maintained.

- The project will construct curvilinear roads that follow the lay of the land, rather than rectilinear roads that are forced onto it.

- To avoid the appearance of mass grading, the project site has been designed to avoid the site's steeper slopes, in most instances.

- The City of Agoura Hills is planning significant commercial and residential development for 135 acres located adjacent to the project site, as part of its proposed Agoura Village Specific Plan; full buildout of the Specific Plan would result in development of between 235 and 293 residential units and a total of up to 576,458 square feet of new office, retail, restaurant, movie theater complex, riding and equestrian center, community center and hotel building area, and redevelopment of the existing 372,042 square feet of office and retail space with a higher density development within the same footprint.

As required by County Code Section 22.56.215(F)(1)(c), the proposed project is conveniently served by neighborhood shopping and commercial facilities because:

1. **The project site is located proximate to existing and planned commercial land uses.**

- The project site is located approximately one-quarter mile south of the U.S. 101 Freeway.

- Commercial development is located nearby, approximately one-third mile north of the site, with businesses including gas stations, government facilities, recycling centers, small businesses, restaurants and office buildings.

- The project site is located approximately 12 miles southwest of Warner Center (a major retail and commercial center in the western San Fernando Valley) and approximately 6 miles east of the Cities of Thousand Oaks and Westlake Village.

- The City of Agoura Hills is planning significant commercial and residential development for 135 acres located adjacent to the project site, as part of its proposed Agoura Village Specific Plan; full buildout of the Specific Plan would result in development of between 235 and 293 residential units and a total of up to 576,458 square feet of new office, retail, restaurant, movie theater complex, riding and equestrian center, community center and hotel building area, and redevelopment of the existing 372,042 square feet of office and retail space with a higher density development within the same footprint..

As required by County Code Section 22.56.215(F)(1)(c), the proposed project can be provided with essential public services without imposing undue costs on the total community because:

1. **The project is located proximate to development and can be provided with public services without imposing undue costs on the community.**

   - The project can be provided with fire protection, police protection, schools, libraries, parks and recreation, water, sewers and other utilities. The project's impacts to all agencies providing these services will be less than significant with the implementation of mitigation measures.

   - The project site is located proximate to development, between existing residences located further into the Santa Monica Mountains and existing commercial development located along the U.S. 101 Freeway corridor. Therefore, the project does not represent leapfrog development and can be provided with adequate infrastructure without imposing undue costs on the community.

As required by County Code Section 22.56.215(F)(1)(c), the proposed project is consistent with the objectives and policies of the General Plan and the Santa Monica Mountains North Area Plan (the "Plan") because:

1. **The project's proposed density is consistent with the land use designations depicted for the property in the North Area Plan.**

   - After substantial study and extensive hearings before the Regional Planning Commission and the Board of Supervisors in connection with the Santa Monica Mountains North Area Plan, the project site was depicted within the Residential Planned Development zoning category and the Mountain Lands 5 and Mountain Lands 2 land use designations of the recently adopted North Area Plan.

   - These designations were precisely applied to the property in contemplation of this project and the density proposed by the current design is consistent with the carefully selected designations.

2. **The project promotes Plan goals and policies relating to environmental preservation.**

   - The project clusters residential development on 11 percent of the project site, thereby preserving 280.50 acres as permanent undisturbed open space.

   - An additional 2.99 acres will be preserved in landscape lots and an additional 3.52 acres of natural terrain will be located in private backyards.

- The development footprint is located along existing highways and is comprised of the least environmentally sensitive portions of the property, including previously disturbed land.

- Areas to be preserved as open space include more than 90 percent of the onsite portion of the significant ecological area; 96 percent of the onsite Lyon's pentachaeta population (including the largest stand; with potential indirect impacts to 0.41 acres due to fuel modification); the majority of the Santa Monica Mountains dudleya population (with potential indirect impacts to 0.36 acres due to fuel modification); and the significant ridgelines on the property, including Ladyface Mountain.

- Preserving 89 percent of the subject property as open space limits ridgeline development (Policies IV-5, IV-13 and IV-31); limits grading (Policies IV-9, IV-16, IV-11 and IV-16); preserves natural environments and scenic beauty (Policies IV-16 and IV-31); maximizes the amount of open space (Policy IV-16); and preserves open space corridors and significant natural features (Policies VI-6, IV-9 and IV-8).

- The proposed concentration of residential development maximizes open space and avoids, to the extent feasible, development of sensitive environmental resources, on-site wildlife corridors and habitat linkages with adjacent open space (Policies IV-5, IV-13, IV-31, IV-9, IV-16, IV-11, IV-16, IV-31, IV-16, VI-6, IV-9, IV-8 and VI-24).

- Siting the development footprint in the least environmentally sensitive portions of the property limits ridgeline development (Policies IV-5, IV-10, IV-13, IV-31); limits grading (Policies IV-9, IV-16, IV-11); preserves natural environments and scenic beauty (Policies IV-16, IV-31); preserves open space corridors and significant natural features (Policies VI-6, IV-9, IV-8); protects ridgelines and natural-appearing views from surrounding vantage points (Policy IV-13); preserves topographic features of high scenic value such as Ladyface Mountain, preserves the area's hillside backdrop to the extent feasible (Policy IV-31); sites buildings so as to be compatible and harmonious with the surrounding environment (Policy IV-34); and structures development so that the pattern and character of planned development is compatible with and complementary to open space resources (Policy IV-42).

- Dedicating open space preserved by the project to an appropriate conservation agency or providing for maintenance by the homeowner's association promotes Plan goals encouraging the preservation of open space in perpetuity. (Policies IV-8 and IV-44).

3. The project promotes Plan goals and policies relating to biological resources.

- The project will not impact directly eleven of the fourteen sensitive plant species known to be present on the project site.

- The project preserves the largest stand of the federally and state endangered Lyon's pentachaeta. The project will directly impact only 0.36 acres of Lyon's pentachaeta, with possible indirect impacts due to fuel modification of an additional 0.41 acres.

- The project will directly impact only 0.09 acres of the Santa Monica Mountains dudleya, with possible indirect impacts due to fuel modification of 0.36 acres.

- The project will preserve the majority of on-site oak woodland and riparian habitat, and any impact will be mitigated, including replacement.

- The project will preserve Medea Creek, the willow riparian forest in Medea Creek, and onsite wetlands.

- No buildings will be constructed within a 50-foot flood hazard setback from the Medea Creek capital flood plain boundary.

- The project will comply with all state and federal agency regulations, including on-site or off-site restoration.

- The project will not affect the existing habitat connections to open space south of the subject property and will not directly impact the Liberty Canyon wildlife movement corridor to the east.

- With the exception of fuel modification areas, the project will use exclusively native plant species to blend the development area with the natural character of the site and the surrounding environment.

- The project will use local building materials (e.g. local stone for entrance monuments, etc.) in order to blend the development area with the natural character of the site and the surrounding environment.

- Siting development to avoid direct impacts to eleven sensitive plant species and to minimize impacts to the Lyon's pentachaeta preserves plant communities (Policies IV-3c and d); limits disturbance of protected biotic resources within designated habitat areas of rare, threatened or endangered species (Policy IV-3b); establishes, where possible, buffer zones adjacent to areas of important preserved biological resources (Policy IV-6); sites, where possible, structures so that no vegetation clearance encroaches on adjacent properties (Policy IV-33); and limits clearing

and grading of native vegetation to the minimum amount needed to create a building pad, allow access and provide fire protection (Policy IV-24).

- Preserving oak woodland, riparian habitat and Medea Creek preserves plant communities (Policies IV-3c and d); establishes buffer zones adjacent to areas of important preserved biological resources (Policy IV-6); and limits the extent of vegetation clearance to that required for fire safety and sites, where possible, structures so that no vegetation clearance encroaches on adjacent properties (Policy IV-33).

- Emphasizing native species and local building materials promotes Plan goals and policies encouraging the use of native plant species (Policies IV-7, IV-25 and VI-27).

4. The project promotes Plan goals and policies relating to visual resources.

- The project takes steps to preserve views: it places development in enclaves to maximize undisturbed areas; it locates development on gentler slopes to minimize grading; it uses contour grading to keep natural contours and make graded areas blend into the adjacent natural open space areas; it provides landscaping to buffer views of proposed development; it provides setbacks from existing highways; it undergrounds all utilities; and it sites lots to avoid breaking ridgeline views.

- Siting lots and roadways to avoid breaking ridgeline views, by concentrating development on gentler slopes and in disturbed areas and using landscaping and setbacks to buffer views promotes Plan goals relating to view preservation (Policies IV-29 and VI-17).

5. The project promotes Plan goals and policies relating to noise.

- Off-site noise impacts derived from traffic pattern changes will be less than significant.

- On-site noise impacts from vehicle noise on Kanan Road would be reduced to less than significant levels with mitigation. Short-term construction-related noise impacts will be significant.

- By reducing on-site noise impacts to a less than significant level and by avoiding significant impacts from traffic pattern changes, the project substantially conforms to Plan policies requiring development projects to demonstrate that no adverse noise effects on the adjacent uses will occur from the project and that no adverse noise effects will occur on the project from adjacent influences, if the project is proposed within a 60dBS or greater CNEL noise contour and would create or impact noise sensitive land uses (Policy V-24).

6. **The project promotes Plan goals and policies relating to the preservation of rural character.**

- The project offers large lots offering the ambiance of privacy and solitude in a rural setting. The development east of Cornell Road is proposed to be a private and gated community. Proposed residences will be on large and custom lots (35,500 to 89,646 square feet lots). Rural standards will be applied: no sidewalks, curbs or gutters would be provided, and street lighting would be kept at the minimum required for safety purposes.

- Proposed residences located in enclaves west of Cornell Road will range in size from 10,062 to 30,230 square foot lots. The project proponent will request a waiver from standard Los Angeles County Subdivision Code requirements for these residential enclaves, so that rural standards will be maintained.

- The project will construct curvilinear roads that follow the lay of the land, rather than rectilinear roads that are forced onto it.

- To avoid the appearance of mass grading, the proposed project site has been designed to avoid the site's steeper slopes, in most instances.

- Large building pads and lots are proposed to avoid the common tract appearance of large houses squeezed onto smaller lots.

- The project proposes no commercial development.

- Providing large and custom lots, applying rural standards and maintaining substantial setbacks from roads, the project is consistent with Plan goals and policies encouraging the provision and protection of features that contribute to rural character and rural lifestyles, in addition to maintaining low densities within rural areas (Policy VI-13).

7. **The project is compatible with existing development patterns.**

- The project is consistent with Plan goals and policies encouraging development compatible with existing development patterns.

- The project maintains the continuation of existing settlement patterns.

- The project site is located a quarter mile from the 101 Freeway and is surrounded by residential development on both its northerly and southerly boundaries.

- The project site is situated along major highways, between existing residential and commercial development, including an area proposed for substantial mixed use development as part of the City's proposed Agoura Village Specific Plan.

- The project proposes lot sizes compatible with surrounding development.

- Rural standards will be applied to development east of Cornell Road: no sidewalks, curbs or gutters would be provided, and street lighting would be kept at the minimum required for safety purposes. The project proponent is requesting a waiver from standard Los Angeles County Subdivision Code requirements for the proposed residences located in enclaves west of Cornell Road, so that rural standards will be maintained.

- The project site's proximity to the US 101 Freeway and existing nearby residential and commercial development, as well as the application of rural standards and the development of lot sizes compatible with neighboring developments, promotes Plan policies encouraging development compatible with existing development patters. The project uses architectural and siting features that are compatible with adjacent existing and planned developments (Policy VI-15); limits requirements for curb, gutters, sidewalks, and streetlights to urban/suburban areas, unless required by public safety considerations (Policy VII-5); and limits the intensity of development in rural and mountainous areas to that which can be provided with adequate access that does not create significant adverse impacts (Policy VII-15).

8. The project promotes Plan goals and policies relating to wildlife movement.

- Approximately 89 percent of the project site will be preserved as open space and utilized by area wildlife.

- Existing onsite habitat linkages are located mainly along the ridgelines and in valleys. The project does not propose grading along ridgelines or in valleys, and will not impact these existing habitat linkages.

- Wildlife movement across the site is already impeded by Kanan and Cornell roads and residential development along Medea Creek. Development is sited adjacent to these existing impediments.

- Existing habitat connections to open space located southerly of the project, where most of the onsite wildlife movement is concentrated due to development to the north and the U.S. 101 Freeway, would remain largely unaffected by the project.

- The project will not develop within 50 feet of Medea Creek and will therefore not impede wildlife movement through the creek.

- By preserving approximately 89 percent of the project site as permanent open space and avoiding impacts to existing habitat connections, the project places emphasis on the preservation of large, unbroken blocks of natural open space and wildlife habitat areas and protects the integrity of habitat linkages (Policy IV-1).

9. The project promotes Plan goals and policies relating to grading and geology.

- The project proposes grading on 35.7 acres, or 11 percent of the project site.
- Grading is proposed on the gentler slopes and in undisturbed areas; grading is proposed on only 0.4 acres within the greater than 50 percent slope category.
- The project will employ contour grading techniques to smoothly transition manufactured slopes back into the natural contours of adjacent undisturbed areas.
- Variable slope grades and undulating "daylight" elevations are used to minimize the alteration of natural landforms and to smoothly transition manufactured slopes back into the natural contours of adjacent undisturbed areas.
- Proposed structures will not be located in areas characterized by unstable geologic conditions.
- The project site is not within any Alquist-Priolo Special Studies Zone.
- No active or potentially active faults have been mapped on or near the project site.
- Portions of the project site are susceptible to seismically-induced landslides; however, implementation of the recommendations contained in the project's geotechnical reports and compliance with the Los Angeles County Building Code would reduce slope stability impacts to a less than significant level.
- Utilizing land-form and contour grading techniques promotes Plan policies requiring that manufactured slopes in excess of ten vertical feet be land-form graded (Policy IV-12) and other policies encouraging use of land-form grading techniques to recreate a natural hillside appearance (Policies V-2 and IV-32).
- Avoiding development in areas characterized by unstable geologic conditions and limiting grading of slopes in excess of 25 percent promotes Plan policies restricting structures for human occupation in areas characterized by unstable geologic conditions, and limiting grading of slopes in excess of 25 percent (Policy V-18); and Plan policies providing that, in areas susceptible to potential seismically induced landslides, avoidance of development over the implementation of engineering solutions should be emphasized (Policy V-1).

10. The project promotes Plan goals and policies relating to fire protection.

- The project site is located approximately one-quarter mile south of U.S. 101 (Ventura Freeway), along the Kanan Road and Cornell Road.
- A fire station is located adjacent to the project site, on Cornell Road.

- The project site is concentrated low on slopes, along existing highways, and is accessible to emergency vehicles.

- The project will provide County of Los Angeles Fire Department-required fuel modification zones.

- All structures will be located along paved, all-weather, and accessible roads.

- The residential enclave to the east of Cornell Road will be private and gated, but will be accessible to emergency service personnel.

- The project's location near the U.S. 101 Freeway and along a major freeway, the concentration of development low on slopes and the siting of development to minimize impact to nearby sensitive plant species minimizes the threat of loss from wildland fires while avoiding the need for massive vegetation clearance (Policy V-12); places a higher priority on avoiding development than on designing mitigation measures that would require intrusive fuel breaks and fuel modification areas (Policy V-10); and locates structures along a paved, all-weather, and publicly accessible road in a manner which avoids the need for firefighters to move equipment on to private properties without adequate turnaround space (Policy V-16).

11. The project promotes Plan goals and policies encouraging the expansion of the trail system.

- The project will implement the Los Angeles County Department of Park and Recreation's proposed trail system by dedicating an on-site 20-foot trail easement in the general vicinity of Medea Creek/Caleta Road for riding and hiking purposes for the Zuma Ridge Trail. No other recreational facilities are proposed.

- Dedicating an on-site 20-foot trail easement encourages the expansion of trail systems (Policies IV-4 and IV-48c and e).

12. The project promotes Plan goals and policies relating to clustering or development.

- The project will cluster residential development to preserve 281.42 acres of permanent open space, substantial coast live oaks and largest stand of on-site Lyon's pentachaeta, the majority of the Santa Monica Mountains dudleya, prominent ridgelines , including Ladyface Mountain, and more than 90 percent of the onsite portion of Significant Ecological Area No. 6, which results in a more desirable and environmentally sensitive development plan that preserves significant environmental features.

- The project concentrates residential development on the least environmentally sensitive portions of the property, including previously disturbed land, in order to maximize open space and to avoid, to the extent feasible, sensitive environmental resources, on-site wildlife corridors and habitat linkages with adjacent open space.

- Areas preserved as open space will be restricted to open space in perpetuity.

- The project maintains the continuation of existing settlement patterns, as it is located a quarter mile from the 101 Freeway and is surrounded by residential development on both its northerly and southerly boundaries.

- The project proposes lot sizes compatible with surrounding residential development.

- The project preserves the area's semi-rural ambiance by maintaining development setbacks from public roadways, minimizing or avoiding street lighting, and avoiding construction of sidewalks, curbs and gutters.

- By preserving substantial open space and the area's semi-rural appearance through the maintenance of rural development standards and the development of large and custom lots similar to the surrounding development, the resulting intensity and character of the developed area is compatible with the surrounding environment; and lot coverage and pad grading will not result in an urban-subdivision appearance.

- In addition, by providing substantial public amenities such as the preservation of 88 percent of the project site as permanent open space, additional protection of environmentally sensitive lands and the provision of a dedicated easement for riding and hiking purposes for the Zuma Ridge Trail, the project complies with Plan criteria for clustered development proposals (Policy VI-18).

13. The project promotes Plan goals and policies relating to water quality.

- The project will construct on-site storm drains, terrace drains and swales, debris basins and a separate storm drain system to convey 50-year storm runoff from the developed areas of the project to proposed urban storm water runoff basins or clarifiers, where first flush cleansing of urban runoff can be achieved. All storm water flows will be returned to natural drainage courses before discharging from the project site.

- The proposed project increases the amount of flat surface area, which creates more opportunities for groundwater infiltration, and constructs a debris and detention basin that is designed to release a controlled flow of runoff during peak storm conditions (Policy IV-28).

- Best Management Practices (BMPs) to reduce runoff and erosion will be employed.

- The project will reduce natural and barren land, thus reducing the amount of debris siltation reaching Medea Creek.

- Erosion control devises will be installed around all construction areas to insure that sediment is trapped and properly removed. Thus, the project will include provisions to prevent sediments and silts from entering and impacting storm drains and waterways (Policy IV-22);

- The project will prohibit the non-emergency storage of construction or landslide materials on the shoulders of roads adjacent to stream banks (Policy IV-23).

- Most proposed residential lots are sufficiently large to accommodate horse keeping. Thus, the project will locate livestock, including horses, in a manner that is protective of streams and natural drainages and the quality of water runoff and ground water (Policy IV-26).

- No buildings will be constructed within a 50-foot flood hazard from the Medea Creek capital flood plain boundary. Thus, the project will provide setbacks from natural streams and drainages that are adequate to protect them from development impacts in high storm flows (Policy IV-27) and open space will be preserved to protect streams and watersheds, to prevent vegetation clearance or grading of steep areas and to help reduce development-induced runoff (Policy IV-45).

- By constructing on-site storm drains, terrace drains and swales, debris basins and a separate storm drain system, by creating more opportunities for groundwater infiltration, by employing Best Management Practices (BMPs) to reduce runoff and erosion, by reducing the amount of debris siltation reaching Medea Creek, by installing erosion control devices and by avoiding development in the Medea Creek floodplain, the project promotes Plan policies relating to the protection of Malibu Creek and other key watersheds, and the prevention of negative impacts of urban and stormwater runoff in streams, to Santa Monica Bay and to beaches (Policies IV-1 and IV-19).

14. The project promotes Plan goals and policies relating to agency interaction.

- The project is consistent with the Plan goal of harmony between the differing missions of the individual agencies involved in the planning area.

- The project will comply with the applicable regulations of all local, state and federal agencies involved in the planning process.

15. The project is consistent with Figure 1 of the Plan relating to location and intensity of development.

- The project's location and intensity conforms to the environmental threshold carrying capacities as outlined in Figure 1 ~ 'Environmental Thresholds and Appropriate Levels of Development' (Plan Policy VI-2).

- In areas with significant environmental features where a certain degree of development may be tolerated without significant environmental impacts (provided that development is appropriately clustered), where those areas have either (1) hillsides with a slope between 25 and 50 percent; (2) high water runoff; (3) habitat areas of "candidate" species, riparian and wetland vegetative communities, woodland areas, and areas that provide connectivity between core wildlife habitats where few linkage options are available; or (4) lands mapped as part of a County Significant Ecological Area (SEA) or a SEA buffer area (although development may be clustered into the least sensitive portions of the site in order to preserve and protect natural features), land use should be limited to undeveloped and developed recreation and low intensity rural use.

- The project clusters residential development on gentler slopes in the least environmentally sensitive portions of the property, including previously disturbed land, in order to maximize open space and to avoid, to the extent feasible, sensitive environmental resources, on-site wildlife corridors and habitat linkages with adjacent open space.

- 280.50 acres of the more environmentally sensitive portions of the project sitewill be preserved as permanent undisturbed open space. An additional 2.99 acres will be preserved in landscape lots and an additional 3.52 acres of natural terrain will be located in private backyards.

- Development has been sited to avoid direct impacts to the largest stand of on-site populations of the federally and state endangered Lyon's pentachaeta.

- The project sites and designs the proposed development to protect significant vistas and features.

- The project seeks to preserve views of Ladyface Mountain and major ridgelines by siting lots and roadways to avoid breaking ridgeline views and by concentrating development in disturbed areas. There will be a loss of views of Ladyface Mountain from Kanan Road.

- Contour grading techniques will be used to minimize the alteration of natural landforms and to smoothly transition manufactured slopes back into natural contours of adjacent land.

16. The project appropriately balances competing Plan policies.

- When reviewing a project for consistency with a general plan, it is important to always keep in mind that strict consistency with a plan is not required. See *Families Unafraid to Uphold Rural Etc. County v. Board of Supervisors*, 62 Cal.App.4th 1332, 1336 (1998).

- Perfect conformity with each and every Plan policy is not required and is an impossible and inappropriate task given the wide range of competing interests that the Plan attempts to promote.

- Because the various policies promoted by a general plan attempt to balance a range of competing interests, the governmental decisionmaker must be allowed to weigh and balance a plan's policies when applying them, and it has broad discretion to construe its policies in light of the plan's purposes. See *Families Unafraid*, 62 Cal.App.4th at 1336. It follows that it impossible for a project to be in perfect conformity with each and every policy set forth in the plan. See *Families Unafraid*, 62 Cal.App.4th at 719-20 and *Defend the Bay v. City of Irvine*, 119 Cal.App.4th 1261 (2004).

- Consequently, the law provides that a proposed project is consistent with a general plan if it is in overall harmony with the plan, furthers one or more plan policies and does not conflict with mandatory plan policies. See *Sequoyah Hills Homeowners Ass'n v. City of Oakland*, 23 Cal.App.4th 704 (1993).

- The planning commission can rely on a substantial body of factual evidence to conclude that the Triangle Ranch project is consistent with the North Area Plan.

- The project is in perfect conformity with the vast majority of the applicable goals and policies and there is substantial evidence that the project advances, in most respects, the remaining applicable goals and policies.

HALLADAY & MIM MACK Incorporated

Civil Engineers
Surveyors

June 20, 2006 Job No. 210-01-98

Ms. Susie Tae
Department of Regional Planning
County of Los Angeles
320 W. Temple Street
Los Angeles, CA 90012

RE: Tentative Tract Map 52419
Development Schedule Pursuant to County Code Section 22.20.46(B)(3)(f)(8)

Dear Susie:

This purpose of this letter is to provide the development schedule required by County Code Section 22.20.46(B)(3)(f)(8).

The proposed development of Tract 52419 is anticipated to be a two-phase development. The two phases are separated by Cornell Road, with Phase 1 being defined as west of Cornell Road, on both sides of Kanan Road, and Phase 2 is located east of Cornell.

Phase 1, consisting of 60 single family lots, is proposed as a somewhat typical residential subdivision with full roadway improvements, sidewalks and street lighting. Phase 1 is proposed to be sold to a single merchant home builder.

Construction of Phase 1 is anticipated to be 6 to 8 months for grading and infrastructure with home construction expected to be complete in 18 months.

Phase 2, which may be developed concurrently with Phase 1, will consist of 6 "custom" home sites. Roadway improvements shall be rural in design and won't include sidewalk or street lights.

Home sites in phase 2 are expected to be developed either individually, or in small groups, but by "custom" home builders.

The time frame for construction of the infrastructure is anticipated to be 6 to 9 months, while the build-out of the 6 home sites may be up to three years due to the construction of custom homes.

Hopefully this information is useful to you. Please call me if you have any questions.

Sincerely,

HALLADAY & MIM MACK, INC.

Dana S. Halladay
President

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Burden of Proof for Requested Oak Tree Permit
Project No. 97-178-(3)
Vesting Tentative Tract No. 52419
Triangle Ranch Project

As required by County Code Section 22.56.2100(A)(1), construction of the project will be accomplished without endangering the health of the remaining oak trees on the subject property because:

- Residential building pads are designed to avoid impacts to remaining trees.
- Proposed roads are located to avoid impacts to remaining oak trees.
- The project will permanently preserve more than 280 acres (89 percent of the subject property) as habitat and open space, which will protect the health of the remaining oak trees.
- The oak trees that will not be impacted by the project will be fenced during construction to ensure their protection from possible equipment damage.

As required by County Code Section 22.56.2100(A)(2), the removal or relocation of the oak trees will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated because:

- Of the 136 oak trees on or adjacent to the project site, the project proposes to remove only 21 trees and will retain 115 trees, or 85 percent.
- Oak trees proposed for removal do not currently provide significant erosion control to the area.
- The project incorporates appropriate erosion control measures to protect the health and safety of future and current residents in the area.

As required by County Code Section 22.56.2100(A)(3), at least one of the following findings apply:

1. **The removal or relocation of oak trees proposed is necessary as continued existence at present locations frustrates the use of the property to such an extent that (i) alternative development plans cannot achieve the same permitted density or the cost of such alternative would be prohibitive or (ii) placement of such trees precludes the reasonable and efficient use of the property for a use otherwise authorized.**

- The 21 oak trees proposed for removal are located within the project footprint and are thus unavoidable and necessary for the project to be constructed.

- The project appropriately clusters development on 35.7 acres of the 320-acre project site (of which 10.2 acres are previously disturbed), which precludes siting development so as to avoid removal and encroachment into the protected zone of a limited number of oak trees.

- The project will preserve the vast majority of the on-site oak trees within 280 acres of permanently preserved open space, and the limited impacts to oak trees allow for development of the site that promotes the Santa Monica Mountains North Area Plan.

2. **That the oak trees proposed for removal or relocation interfere with utility services or streets and highways, either within or outside of the subject property, and no reasonable alternative to such interference exists other than removal of the trees.**

- A portion of the 21 proposed oak trees removals are necessitated by road construction, drain installation and construction.

As required by County Code Section 22.56.2100(A)(4), the removal of oak trees proposed will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure because:

- The 320-acre project site, including 280 acres of open space, is sufficiently large to provide adequate land for the planting of replacement oak tress in areas with favorable conditions for their preservation and propagation while at the same time enhancing the character of the site and surrounding area.

- The project mitigation plan proposes to plant replacement oak trees throughout the project site.

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JUN 21 2006

June 16, 2006

Harold V. Helsley, Commissioner
Los Angeles Regional Planning Commission
320 West Temple Street, Room 1390
County of Los Angeles
Los Angeles, CA 90012

Subject - Tentative Tract Map # 52419

Dear Commissioner Helsley,

I am writing to you to urge your approval of the above tract map, the CUP #97-178-(3) and the Oak Tree Permit on June 28, 2006 when your commission hears this project for the third time.

The project fits with the North Area Plan, the hillside ordinance and the surrounding community. We have waited years for approvals, and we feel the plan is now at a point where we can be proud to leave 85% of the land for public use.

Triangle Ranch demonstrates that the need for new housing and the values we hold for preserving the environment and open space can be successfully integrated.

The planned housing is now far from the two hundred (200) considered many years ago. Under the leadership of the Moran and Whizin families, the majority of the land will remain untouched.

We want to move this forward, and we urge your approval on June 28th.

Cordially,

Sidney S. Guthman

Rabbi Sidney S. Guthman

5224 Riviera Circle
Long Beach, Cal. 90815

RECEIVED
JUN 2 1 2006

Mr. Harold V. Helsley
LA Regional Planning Commission
320 W Temple St., Room 1390
County of Los Angeles
Los Angeles, Ca.90012

Dear Commissioner Helsley:

Regarding – Tentative tract map # 52419

I have attended all of the previous meetings concerning this property, but I may be out of town on June 28,2006 when your commission hears about this project again. I have been an investor in this project since 1959 and have waited 47 years for something to be developed on this property.

This project preserves 85% of the land for public use. The current proposed 66 sites is not the 200 sites originally considered by Mr. Whizin.

Please approve the Triangle Ranch Project on June 28.

Sincerely,
Harry Shragg M.D
Dr. and Mrs. Harry Shragg
2115 Ridge Dr.
LA, Ca. 90049
June 19, 2006

RECEIVED
JUN 21 2006

June 16, 2006

Harold V. Helsley, Commissioner
Los Angeles Regional Planning Commission
320 West Temple Street, Room 1390
County of Los Angeles
Los Angeles, CA 90012

Subject - Tentative Tract Map # 52419

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We want to move this forward, and we urge your approval on June 28th.

Cordially,

RECEIVED
JUN 21 2006

June17, 2006

Mr. Harold V. Helsley
Los Angeles Regional Planning Commission
320 West Temple Street, Room 1390
County of Los Angeles
Los Angeles, CA 90012

Regarding - Tentative Tract Map # 52419

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Please approve the Triangle Ranch Project on June 28, 2006.

Sincerely,

Lorraine M. Berlin

RECEIVED
JUN 21 2006

June17, 2006

Mr. Harold V. Helsley
Los Angeles Regional Planning Commission
320 West Temple Street, Room 1390
County of Los Angeles
Los Angeles, CA 90012

Regarding - Tentative Tract Map # 52419

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Please approve the Triangle Ranch Project on June 28, 2006.

Sincerely,

Vanessa Moran
PRESIDENT
BEAUTIFUL CITY COALITION

RECEIVED
JUN 19 2006

June17, 2006

Mr. Harold V. Helsley
Los Angeles Regional Planning Commission
320 West Temple Street, Room 1390
County of Los Angeles
Los Angeles, CA 90012

Regarding - Tentative Tract Map # 52419

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Please approve the Triangle Ranch Project on June 28, 2006.

Sincerely,

Jane E. Nuccio

RECEIVED
JUN 19 2006

June 15, 2006

Harold V. Helsley, Commissioner
Los Angeles Regional Planning Commission
320 West Temple Street, Room 1390
County of Los Angeles
Los Angeles, CA 90012

Subject - Tentative Tract Map # 52419

Dear Commissioner Helsley,

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We want to move this forward, and we urge your approval on June 28th.

Cordially,

Elaine Baum
Stockdale Triangle Ranch
and Beautiful City

CANYON MANAGEMENT COMPANY

9401 Wilshire Boulevard, Suite 1122, Beverly Hills, California 90212, (310) 273-9339

RECEIVED
JUN 19 2006

June 16, 2006

Mr. Hal. Helsley
L.A. Regional Planning Commission
320 West Temple Street, Room 1346
Los Angeles, CA 90012

Re: Tentative Tract Map #52419

Dear Commissioner Helsley:

I am writing to you to urge your approval of the above tract map, the CUP #97-178-(3) and the Oak Tree Permit on June 28, 2006 when your commission hears this project for the third time.

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We want to move this forward, and we urge your approval on June 28th.

Very truly yours,

Sheldon M. Wolk
Chairman

SMW/dkc

THE CORNELL PRESERVATION ORGANIZATION
P.O. Box 1875, Agoura Hills, CA 91376-1875
818 734-0775

June 19, 2006

Susan Tae AICP
County of Los Angeles
Departmeent of Regional Planning
320 West Temple St
Los Angeles CA 90012

Via fax 213 626 0434

RE:Triangle Ranch Project hearing.

We would like to request a postponement of the June 28th 2006 planning Commission hearing on the Triangle project.

The tract map reached us only last Thursday the 15th. Other materials promised have not appeared to date. A design Guidelines document given us is woefully incomplete and appears to apply to some other project where a golf course and extremely large houses are involved.

As we have to circulate these materials widely to interested persons in our community and to make arrangements for them to attend the hearing downtown on a weekday, we do not have time to properly prepare for the hearing.

Alternatively could a more convenient date be scheduled for public comment on this project?

Any questions please do contact me at the following numbers 818 597-9788 (H) and 597 4810 (W). Many thanks for your help on this.

Colleen Holmes
C Holmes.
President – CPO

Cc Ben Saltsman
Rosie Ruiz

CITY OF

AGOURA HILLS

"Gateway to the Santa Monica Mountains National Recreation Area"

February 14, 2006

County of Los Angeles
Regional Planning Commission
320 West Temple Street
Los Angeles, CA 90012

SUBJECT: COUNTY PROJECT NO. 97-178, CUP NO. 97-178, OTP NO. 97-178, TTM 52419, SCH NO. 1998111091; TRIANGLE RANCH PROJECT DEIR AND REVISED PROJECT DESIGN SUMMARY

Dear Chairman Wayne Rew and Commissioners:

The purpose of this letter is to convey the position of the Agoura Hills City Council on the proposed Triangle Ranch Project, which is scheduled for consideration by the Regional Planning Commission on February 22, 2006. As you are aware, the approximately 320-acre project site is located within unincorporated Los Angeles County, just south of Agoura Road, along Kanan and Cornell Roads. The site is near the southern boundary of the City of Agoura Hills, and would essentially serve as a gateway into the City.

On February 8, 2006, the City Council held a meeting regarding the proposed project, at which City staff presented a brief summary of the project, including the most recently proposed reduction of residential units from 81 to 71. The City Council discussed the project and Draft Environmental Impact Report, and, on a 5-0 vote, directed staff to submit a letter to the Regional Planning Commission conveying the City's formal position on the project that:

1. The City Council opposes the project as it is currently proposed with 71 homes. A project significantly closer to Alternative No. 4, as found in the Draft Environmental Impact Report (DEIR), would be preferable.

2. The City's comments, as outlined in letters prepared by City staff dated May 11, 2005 and January 19, 2006 (attached), are expressly adopted and approved by the City Council, and should be incorporated into the project.

3. The City should be consulted and coordinated with regarding the project.

30001 Ladyface Court, Agoura Hills, CA 91301 • Telephone (818) 597-7300 • Fax (818) 597-7352
e-mail: ci.agoura-hills.ca.us

If you should have any questions, please contact either me at (818) 597-7311 or Mike Kamino, Planning and Community Development Director, at (818) 597-7321.

Sincerely,

Greg Ramirez
City Manager

Cc: Honorable Zev Yaroslavsky – 500 W. Temple St., Los Angeles, CA 90012

Attachments:

A. City Planning and Community Development Dept. letter, dated May 11, 2005
B. City Planning and Community Development Dept. letter, dated January 19, 2006

Cindy Goodman
12648 Byron Ave.
Granada Hills, CA 91324
Phone: (818) 831-3327

RECEIVED
FEB 14 2006

February 11, 2006

Dr. Mr. Helsley

I am urging you to vote yes on approving the Triangle Ranch development for 71 lots. Refer to Tentative Track Map #52419 set for hearing on February 22. Housing is desperately needed.

Thank you.

Cindy Goodman

Kenneth J. Goodman, L.C.S.W.
LCS15866
18546 Roscoe Blvd. Suite 210
Northridge, CA 91324
Phone: (818) 542-7925 Fax (818) 831-9427

RECEIVED
FEB 13 2006

February 8, 2006

Dr. Mr. Helsley

I am urging you to vote yes on approving the Triangle Ranch development for 71 lots. Housing is badly needed. Refer to Tentative Track Map #52419 set for hearing on February 22.

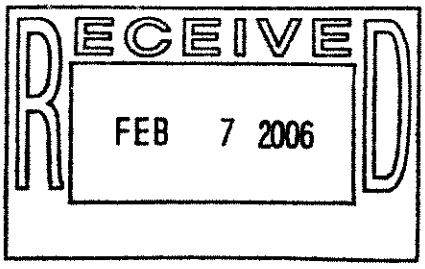
Thank you.

Ken Goodman

TEMPLE ISRAEL

Richard B. Silverman
Cantor

14 Coleytown Rd.
Westport, CT 06880
(203) 227-1293



February 3, 2006

Mr. Hal Helsley, L.A. Regional Planning Commission
320 West Temple Street, Room 1346
Los Angeles, CA 90012

I am writing to support the Beautiful City Holding Company's request for support for the 71 lots in the Tentative Tract Map #52419. I hope that you will vote yes on behalf of the Shareholders.

Obviously, living in Connecticut, I am unable to attend the meeting on February 22. My father died in 1976 and my mother died at age 99. Both of my sisters who are in their late 60's probably will not be able to attend because of their physical disabilities. My familie's contribution has lasted over 3 decades waiting to receive adequate compensation for our investment. The years of our lives are limited as I suffer from Diabetes. Your support for this project is most important and I encourage you to influence those who will make the final decision to allow the remaining members of our family the ability to reap the benefits of our investment.

Sincerely,

Richard B. Silverman

RECEIVED
FEB 7 2006

Martin Frank
2581 Greenvalley Rd.
Los Angeles, Ca. 90046
323 656 9799

2/6/06

Mr. Hal Helsley, L.A. Regional Planning Commission
320 West Temple St. Room 1346
Los Angeles, CA 90012
REF:
Tentative tract map: #52419

Dear Mr. Helsley:

I am an investor in the above referenced property. I am by education an economist (UCLA class of '49) and by vocation an entrepreneur, now retired. Forty years ago I invested in this project. As I approach eighty and see the property unrealized, I cannot but think, "what a waste". Why is it a waste? Let me list some of the ways.

1) The share of the permit fees dedicated to the school system will be substantial and badly needed.

2) When built out the property tax income stream will exceed one million dollars per year.

3) The new resident population will have a very positive impact on the business community in the area.

4) Sales tax revenue will increase as a consequence of more than one hundred million of construction material purchases.

5) New home owners always spend a lot to enhance their new home purchases.

Is the density reasonable? By any measure seventy one lots implanted in acreage of this size is reasonable. A tour of the area shows how reasonable it really is,

It is time to quiet the clamor of those who wish to impose absurd demands on the assets of others. It is time to recognize the value of the major donation of open space (Ladyface Mountain) to the community. It is time to move on.

Respectfully,

Martin Frank

RECEIVED
JUL 6 2005

Mr. Rew
Chairperson Regional Planning Commission
Los Angeles County
320 West Temple St.
LA, Ca. 90012

July 2, 2005

Dear Mr. Rew:

I attended the last meeting of June 22. I was initially disappointed that the Triangle Ranch application was not first on the agenda as originally promised at the previous meeting. But the more I listened to the presentation about the desperate need for low cost housing, the more I became interested in their proposal.
Considering why I was there, I couldn't believe what I was hearing; it seemed like a surreal experience to me. I was embarrassed for us, the proponents of the Triangle Ranch Project, as well as the opponents, with their wealth, acres of property, horses etc. which represents the ultimate in "low density housing".
It is ironic that when I invested in Beautiful City, in 1959, Art Whizin was hoping to develop a place for senior citizens, like the Leisure World or Camarillo complex. This would have provided a higher density housing for the elderly. This was years before the multimillion dollar homes were on the horizon.
In the discussion about the low cost housing, there was some concern about the impact that that would have on the more affluent neighborhoods. It certainly is something to consider. But I was pleased with Commisioner Belamy's concerns. He raised the question of why it is that society always seem to worry about the presence of the less fortunate near the more affluent neighborhood, without at the same time expressing a greater concern for those who need decent housing and better neighborhoods.
The role and obligation of society is to help make available housing for low income "citizens". This high density issue for low income people is a higher priority than whether low income housing adversely affects a more affluent neighborhood. I accept the problem, and understand the question, and agree that it must be integrated properly and in as positive manner as possible.
Your staff indicated that the need is a serious problem in urban as well as in Suburban areas. I submit that the Triangle Ranch area could be considered as such an area, and perhaps should be considered for higher density housing, which would provide more than the 81 units being projected. The environment and beauty of that area could be an ideal place to have a little more upscale higher density with lower cost housing project.
I am not so naïve to believe that the opposition party would have a higher moral attitude toward such a proposal. I could accept this personally, and I would forego any profit if this dream could be realized. In this case I am speaking only for myself, and not representing anyone else. It would be the right thing to do for our citizens as a whole.
If the EIR problems are what the opposition claims it is, including the "horse excrement" contamination concerns that was mentioned several times in their various presentations, then they should restrict horses from their own properties, which of course would impact their lifestyles which is all they really care about. Otherwise they are simply hypocrites, because their horses add to the contamination as well. If a higher density development

should become a reality, the opposition will be guaranteed, that the people living there would not have any horses to worry about

Sincerely,

Harry Shragg M.D.
2115 Ridge Dr.
LA, Ca. 90049

Cc: Supervisor Zev Yaroslavsky
Commissioners: Mr. Modugno, Vice Chair, Mr. Helsley, Ms. Valadez, Mr. Bellamy

REGIONAL PLANNING COMMISSION
JUNE 28, 2006
AGENDA ITEM NO. 7 a, b, c

ADDITIONAL

CORRESPONDENCE

- DRAFT EIR -

ANGEL LAW Law Offices of Frank P. Angel

3250 Ocean Park Blvd., Suite 300
Santa Monica, CA 90405-3219
Tel: (310) 314-6433
Fax: (310) 314-6434

June 21, 2006

Ms. Susan Tae, AICP
County of Los Angeles
Department of Regional Planning
Lands Division Section
320 West Temple Street
Los Angeles, CA 90012

Re: DEIR for Vesting Tentative Tract Map No. 52419 (Triangle Ranch); Conditional Use Permit No. 97-178/Oak Tree Permit 97-178; Los Angeles County Regional Planning Commission Hearing on June 28, 2006

Dear Ms. Tae,

Our firm represents residents of the Santa Monica Mountains who are concerned about the adverse environmental effects of a proposed residential subdivision known as the "Triangle Ranch" project. We understand that the revised project description reduces the size of the original proposed project from 81 lots over 49 acres to 71 lots over approximately 38 acres. While we note that there have been changes in the project design, a number of issues must still be resolved. The following are our comments on the suitability of the project and the adequacy of the draft Environmental Impact Report ("DEIR").

As an initial matter, we note that at the June 22, 2005 hearing before the Los Angeles County Regional Planning Commission ("RPC"), County staff recommended that the project be redesigned to conform to the parameters of Alternative 4, as outlined in the DEIR. Alternative 4 calls for the development of 44 homes over approximately 30 acres, reduces the project's footprint in the Las Virgenes Significant Ecological Area (SEA No. 6), and largely reduces project impacts to the federally endangered Lyon's Pentachaeta. The Revised Project Description does not conform to the DEIR's Alternative 4. We urge the RPC to require the project applicant to re-design the project to comply with the recommendation of staff.

In general, there are several points at which the DEIR is lacking in detailed analysis of project impacts and mitigation measures. The California Environmental Quality Act (Public Res. Code, §§ 21000 et seq., hereinafter "CEQA") requires that an EIR be prepared "with a sufficient degree of analysis to provide decisionmakers with information

which enables them to make a decision which intelligently takes account of environmental consequences." (Cal. Code Regs., tit. 14 (hereinafter "CEQA Guidelines"), § 15151.) In assessing the sufficiency of an EIR, courts will look for "adequacy, completeness, and a good faith effort at disclosure." (*Id.*) While this DEIR does explain many of the impacts the Triangle Ranch project will have on the environment, the DEIR still fails to analyze several potential impacts and incompletely analyzes others. The DEIR also fails to include adequate facts and analysis regarding the efficacy of proposed mitigation measures.

Pursuant to CEQA, the RPC cannot rely on conclusions that are unsupported by substantial evidence. (See CEQA §§ 21168, 21168.5.) The DEIR's failure to provide a thorough analysis of project impacts and mitigation measures leaves the RPC uninformed and unable to make a decision based on substantial evidence. In order for the RPC to have a document upon which it legally can rely in making a decision regarding the project, the RPC should require that the DEIR be revised so that it fully discloses all project impacts and analyzes all potential effects of the project, direct and cumulative. The DEIR should also be revised so that it fully explains the mechanisms behind the mitigation measures proposed and the basis for conclusions regarding the efficacy of such mitigation measures.

PROJECT ALTERNATIVES

The DEIR should consider additional alternatives that reduce the project's environmental impacts. According to CEQA, an EIR must consider and analyze a reasonable range of alternatives. (See 14 Cal. Code Regs. § 15126.6, subd. (a).) "A reasonable range of alternatives" means that the alternatives considered: (1) must offer substantial environmental advantages over the project proposal, and (2) may be feasibly accomplished in a successful manner. (See *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 566.)

Several of the alternatives discussed in the DEIR for the Triangle Ranch project do not offer "substantial environmental advantages" over the project as proposed. Alternative 2, the "large lot alternative," is not environmentally superior to the proposed project; it is environmentally *inferior*. Compared to the proposed project, Alternative 2 would: require 48 more acres of grading, develop land that the proposed project leaves as open space, create the possibility of large landscaped areas with concomitant pollution from fertilizers and pesticides, create an "exclusive equestrian community" accommodating at least 106 horses with concomitant water quality degradation from horse manure and urine, eliminate 48 more acres of native habitat, completely develop SEA No. 6, and create more disruption to wildlife movement. Alternative 2 does not seem to offer a substantial environmental advantage over the proposed project.

Similarly, Alternative 3 would have essentially the same environmental impacts as the proposed project. Aside from the relocation of development from the area between Cornell and Kanan roads to the west of Kanan road, Alternative 3 is not substantially

different from the proposed project, as far as environmental impacts are concerned. The number of residences proposed to be built is the same, and the design of the layout of the residences is essentially the same. This Alternative still encroaches on SEA No. 6 and still eliminates portions of the Lyon's pentachaeta population. Water quality impacts are "essentially the same." (DEIR at page V-25.) Biological resources impacts would be "the same as those associated with the proposed project" and would still impede wildlife movement between the SEA and the undisturbed environment west of Kanan Road. (DEIR at page V-25.) The project would entail comparable levels of night lighting, and land use impacts would be similar to those associated with the proposed project.

Alternative 4 offers the environmental advantage of developing only 44 residences and thus requiring grading of 11.23 acres less of SEA No. 6. This alternative also eliminates impacts to drainages. Alternative 5 offers the environmental advantage of elimination of direct impacts to sensitive and endangered species. However, Alternative 5 still requires grading on over 20 acres of SEA No. 6. Furthermore, this alternative would require an overall increase in the amount of grading required on the project site.

The DEIR's alternatives analysis thus offers only two alternatives that would result in a reduction of environmental impacts. In order for the DEIR to consider a range of alternatives that will foster informed decision-making, the DEIR should consider additional alternatives that offer substantial environmental advantages. Example of such additional alternatives could be a design with greater reduction in the number of residences and size of project foot-print than Alternative 4. The DEIR could also consider an alternative design that offers a greater number of residences than Alternative 4 but still considerably less than the proposed project and less than Alternative 3. The alternatives analysis should not confine itself to consideration of only a large reduction in the number of residences and no reduction at all.

At its June 22, 2005 hearing, the RPC expressed an interest that the project applicant redesign the project to conform more to the design of Alternative 4, as outlined in the DEIR. The DEIR states that Alternative 4 would frustrate the project objective of building 81 homes. However, the project objective of building 81 homes is artificially narrow. A project applicant may not limit its ability to implement the project in a way that artificially confines the range of available alternatives. (See *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 736.)

Alternative 4 is a feasible alternative that would create the substantially less significant environmental effects than the proposed project. CEQA requires that the RPC not approve a project to which there are feasible alternatives which would substantially lessen the significant environmental effects of the project. (See CEQA § 21002.) In light of this mandate, the RPC would be abusing its discretion if it approved a project that created substantially more significant environmental effects than Alternative 4.

CUMULATIVE IMPACTS

The DEIR's analyses of the cumulative impacts of the proposed project and other related projects is inadequate. As an general matter, the DEIR mischaracterizes the nature of cumulative impacts analysis at several points. The DEIR repeatedly refers to the cumulative effects of the proposed project and "related projects." However, whether different *projects* are related is irrelevant to cumulative impact analysis under CEQA. The relevant question is whether there are cumulatively significant, related *impacts* from the project and other nearby, past, present, and future projects. (See *Citizens to Preserve the Ojai v. County of Ventura* (1985) 176 Cal.App.3d 421, 429.) Thus the DEIR for this project should discuss the cumulative impacts of all past, present and reasonably foreseeable projects that may create, along with the proposed project, significant impacts on the environment.

Furthermore, as a basis for discounting cumulative effects of the project and other projects, the DEIR at several points cites mitigation measures that will be implemented for other nearby projects. (See, e.g. DEIR at pages III.A-18, III.E-30.) This kind of reasoning misses the point of cumulative analysis under CEQA. The result of future mitigation of impacts of other projects is not a relevant factor in the analysis of cumulative impacts for the proposed project. The DEIR should not discount the cumulative effects of the proposed project based on mitigation measures that may or may not be implemented for other, future projects. Such reasoning results in improper, misleading assessment of cumulative impacts.

The DEIR's analysis of cumulative impacts from grading/land form alteration is inadequate. The cumulative impacts analysis does not consider the potential for combined impacts from the proposed project and nearby projects on soil erosion or the loss of topsoil. At page III.A-8, the DEIR states that soil erosion and loss of topsoil is a threshold of significance. But this threshold is completely ignored in the cumulative impacts analysis at page III.A-18.

The DEIR's analysis of cumulative water quality impacts is inadequate. First, the DEIR has not demonstrated its conclusion at page III.E-30 that the project will not violate water quality standards set for Medea Creek and Malibou Lake. Therefore, the cumulative impact analysis' conclusion that the project will not contribute to cumulative impacts on water quality is unsupported. Second, the cumulative impacts analysis's reasoning that the project will not contribute to cumulative impacts because the project "makes up such a relatively small portion of all the sources of water degradation" is unsubstantiated. CEQA requires that an EIR "identify facts and analysis supporting its conclusion that the contribution [to significant impacts] will be rendered less than cumulatively considerable." (CEQA, § 15130, subd. (a)(3).)

The mathematical calculations in the cumulative water quality impacts analysis are questionable. The DEIR states at page III.E-1 that the Medea Creek subwatershed has an area of 17,520 acres. This is the number upon which the cumulative impacts analysis

bases its conclusion that the developed project area comprises approximately 0.3 percent of the "entire Medea Creek watershed above Malibou Lake." (DEIR at page III.E-30.) However, the Los Angeles Regional Water Quality Control Board's TMDL analysis of the Malibu Creek Watershed refers to a 15,900-acre area for the *combined* subwatersheds of Lindero Creek, Palo Comado Creek, Cheeseboro Creek *and* Medea Creek. (See Technical Appendix G-2, page 4.) The DEIR should clarify how large the Medea Creek watershed actually is, and state where this information comes from.

Furthermore, the cumulative impacts analysis's statement that the project will not have cumulatively considerable impacts because the project area comprises a relatively small portion of the Malibu Creek Watershed is misleading. The relative size of the project area to the entire area of the Malibu Creek Watershed is not a relevant question for cumulative impacts analysis here. Much of the Malibu Creek watershed is comprised of undeveloped open space. The relevant question is how much more water pollution the project will add relative to existing and foreseeable water pollution. Pollutants such as bacteria and nutrients come from commercial, residential and agricultural development, not open space. Therefore, for the purposes of cumulative impacts analysis, the DEIR should disclose the relative size of the project's residential development to existing and future residential development. The DEIR should also analyze the project's potential to contribute to pollution already created by agricultural and commercial/industrial sources. Furthermore, this analysis should be conducted individually for Medea Creek *and* Malibu Creek. The project's impact relative to existing and future development and pollution will be different for each water body.

Again, the DEIR erroneously relies on unimplemented mitigation measures of future projects for its conclusion that such future projects would not combine with the proposed project to create significant impacts to water quality. The DEIR offers no analysis of such future mitigation measures and thus has no basis for this conclusion. The DEIR should discuss the potential impacts of future projects and their cumulative interaction with the potential impacts of the proposed project.

The DEIR's analysis of cumulative impacts to visual qualities erroneously omits analysis of the cumulative visual impacts based on the misplaced reasoning that "there are no related projects near enough to the project site to have a measurable, direct cumulative visual quality impact at the project site." (DEIR at pages II-17, III.I-35.) Scenic resources of an area are not confined to the line-of-sight at a fixed point on the ground. This project is proposed to be built along a major thoroughfare between the Pacific Coast Highway and the 101 Freeway. Motorists will experience the impact to the viewshed as they drive to or from the direction of Agoura Hills. The DEIR should fully explain the cumulative visual impacts of the Triangle Ranch project and nearby, reasonably foreseeable developments to the north and south. Furthermore, scenic resources are also enjoyed in the form of long-distance views from nearby hillsides and mountaintops. The view of natural surroundings from atop Ladyface mountain will be impacted by the proposed project and other development projects that are proposed for the north Santa Monica Mountains and Agoura Hills.

The analysis of cumulative biological resources impacts is inadequate. The analysis does not mention the potential biological resources impacts any of the other nearby future or past projects. Nearby projects will also fragment open space and thus affect wildlife movement. The DEIR should discuss potential cumulative impacts to sensitive and endangered plant species caused by the projects listed in table II-1.

The analysis of cumulative impacts to light and glare should substantiate its conclusion that there are no projects near enough to the project site to cumulatively create a significant impact. The nighttime sky is already aglow from nearby development, as stated by the DEIR at page III.J-1. However, the cumulative impacts analysis does not discuss the project's potential to contribute to this nighttime glow. Significant impacts from light and glare do not only include direct line-of-sight increase in lighting. An increase in night-sky glow should be considered a significant impact and the project's potential to contribute to this impact should be analyzed.

The analysis of cumulative impacts to land use compatibility is misleading. The analysis states that the project would not conflict with any applicable land use plan, policy or regulation. (DEIR at page III.K-45.) However, in Table III.K-1, the DEIR identifies *several* land use policies with which the project would be inconsistent.

The cumulative impacts analysis is also flawed because it fails to analyze the combined impacts of the project and the water tower that will be built on the project site, described at page I-18. An EIR's cumulative analysis must include future projects that are reasonably foreseeable consequences of the project approval. (See *Del Mar Terrace Conservancy, Inc. v. City Council* (1992) 10 Cal.App. 712, 738.) The dedication of a fee parcel of land to the water district for purposes of a water tank is sufficient to require that the EIR analyze all potential impacts that may result from construction of the water tank.

WATER QUALITY

Medea Creek and Malibu Creek are listed under the section 303(d) of the Federal Clean Water Act as impaired for several pollutants, including nutrients and bacteria. Nutrients such as nitrogen and phosphorous are a prime cause of algae buildup. Bacteria pollution can cause illness to humans who come in contact with bacteria-polluted water.

In an effort to clean up Medea Creek and Malibu Creek, the Environmental Protection Agency ("EPA") and the Los Angeles Regional Water Quality Control Board ("RWQCB") have issued Total Maximum Daily Loads ("TMDLs") for various pollutants in Medea Creek and Malibu Creek. (See Appendix G-1 and G-2.) These TMDLs establish numerical targets for the amount of pollution that the Creeks can receive and still reduce pollution to acceptable levels. The EPA's TMDLs require a 90% reduction in the amount of nutrients discharged from residential storm runoff to surface waters in the Malibu Creek Watershed. (See Appendix G-1 at page 40.) The RWQCB's TMDLs require a reduction in bacteria pollution by 92% and 99% in Lower Medea Creek and

Upper Medea Creek, respectively. (See Appendix G-2, page 29.) 80% of this reduction in bacteria must be accomplished at the low-density residential level in order to meet the TMDLs goals. (See Appendix G-2, page 31.) It is with these stringent federal and state requirements in mind that the Regional Planning Commission should consider the adequacy of the DEIR's analysis of the project's potential impacts to water quality.

The DEIR's description of the Malibu Creek Watershed TMDLs is inadequate. At page III.E-6, the DEIR discloses the summer TMDLs for nitrogen and phosphorous. The DEIR should also disclose the winter TMDL for nitrogen. The DEIR should also disclose the TMDL for bacteria. Furthermore, the DEIR should disclose the numeric water quality objectives for nutrients and bacteria and examine project impacts in light of these objectives. The DEIR's description further clouds the import of the TMDLs by stating: "For the Lower Medea Creek watershed, the TMDL establishes a 92 percent overall reduction in bacteria loading; for Low Density Residential uses within this area, the TMDL would result in a 99 percent reduction in fecal coliform loadings." This cryptic explanation shrouds the fact that the Clean Water Act TMDLs *require* a 99% reduction in the amount of bacteria that Low Density Residential uses contribute to the Lower Medea Creek watershed (80% of this reduction must come from low-density residential uses). The DEIR should be very clear about the baseline water quality conditions because such conditions are so poor in the Medea Creek and the Malibu Creek watershed.

The DEIR's description of water quality impact mitigation by the Stormwater Pollution Prevention Plan ("SWPPP") and BMPs is inadequate. The conclusion that implementation of the SWPPP and BMPs would ensure that the construction activities will not degrade water quality is unsupported. No meaningful analysis is offered to substantiate this conclusion. Without explanatory and science-based evidence supporting this conclusion, the Regional Planning Commission cannot legally make a decision regarding the project's impacts on water quality.

The DEIR's conclusion that the project's impacts to water quality will be insignificant is unsubstantiated and difficult to accept. The DEIR lists as a threshold of significance a "violation of any water quality standard." (DEIR, page III.E-13.) However, the bacteria TMDLs require that bacteria loading be *reduced by 80%* from low-density residential uses. The DEIR does not offer any evidence to support a conclusion that the proposed mitigation measures will reduce pollution by 80% from present levels.

For the project to avoid violation of water quality standards, discharge of pollutants must be completely eliminated. The DEIR's significance threshold for water quality includes "violation of any water quality standards or waste discharge requirements." (DEIR page III.E-13.) Given that the DEIR does not offer evidence to suggest that pollutants will be completely eliminated by the SWPPP and BMPs and other mitigation, the DEIR's conclusion that water quality impacts will be less than significant is unsupported.

The DEIR does not explain how nutrient and bacteria discharges will be completely eliminated. Thus the DEIR's conclusion that the project will not surpass its threshold of

significance, i.e., violation of any water quality standards or waste discharge requirements, is unsubstantiated. Based on this DEIR, the Regional Planning Commission cannot know that the project will not contribute to the existing exceedence of water quality standards.

There is no basis for the DEIR's assumption that the threshold for TDS is the same as for TSS. (DEIR, page III.E-19.) Indeed, it would be expected that the threshold for TSS is *lower* than that for TDS because the TDS threshold is used for drinking water. Drinking water would be expected to accommodate more dissolved solids than suspended solids. In any case, this assumption cannot form the basis for the DEIR's conclusion that the project will contribute less TSS to storm flow than would be allowed by the plan. The DEIR must use actual, existing standards to determine the project's impacts to water quality.

The DEIR states that the storm drain system is designed to remove 85 percent of hydrocarbon storm water pollutants. (DEIR, page III.E-20.) However, the DEIR offers no further facts or analysis to prove this contention. What exactly is the mechanism that will filter the hydrocarbons from the runoff? The DEIR must provide a detailed description of this mitigation measure to support its conclusion that the project's water quality impacts will be less than significant.

The DEIR states that storm drain clarifiers "can remove up to 90% of dissolved nitrogen and phosphorous from runoff water." (DEIR, page III.E-22.) The DEIR should provide evidence supporting this conclusion. Furthermore, because Medea Creek is listed as impaired for algae, any contribution of nutrients will add to this impairment and a finding of less than significant impact will be improper.

The Thresholds of Significance listed by the DEIR are not adequate under the CEQA Guidelines. The DEIR lists only two Thresholds of Significance, i.e., violation of water quality standards or waste discharge requirements and otherwise substantial degradation of water quality. However, CEQA Guidelines Appendix G lists *five* categories of water quality impacts that would be considered potentially significant. Of particular relevance is Appendix G's potential impact "c)" -- substantial alteration of the existing drainage pattern of the site in a manner that would result in erosion or siltation. The project significantly alters the drainage pattern on site but the DEIR does not discuss this drainage alteration's impact on erosion and siltation. By setting artificially lenient significance thresholds, the DEIR masks the project's true impact on water quality.

NOTE: We have attached to our comment letter a June 2004 Orange County Superior Court decision that discusses the impropriety of deferral in an EIR of analysis of water quality mitigation measures. The decision holds, on page 2, that under CEQA, project applicants must identify specific mitigation measures that will be implemented pursuant to a SWPPP, and must discuss those mitigation measures' efficacy and their own potential for environmental impacts. The Triangle Ranch DEIR has not described, much

less analyzed, the project's SWPPP. The DEIR thus presents an incomplete picture of the projects' water quality impacts.

MITIGATION MEASURES

The DEIR states that the debris basin located near the cul-de-sac of Street "C" will intercept approximately 2,000 cubic yards of debris. (DEIR, page III.E-19.) However, this conclusion is based on the assumption of proper maintenance by the Homeowner's Association. What measures will the project impose to ensure proper maintenance by the Homeowner's Association of this and other water quality mitigation measures? How effective will the debris basin be if it is not properly maintained?

PROJECT DESCRIPTION

The DEIR states that 271.7 acres of the project site will remain open space and will be maintained by the homeowner's association or a public agency. (DEIR, page I-8.) In order to ensure the proper maintenance of the remaining open space on the project site, it is necessary for the DEIR to specify how and by whom the open space will be maintained. (See Pub. Resources Code, § 21081.6, subds. (a), (b).)

The DEIR's description of the scope of grading for the project is inadequate. (See DEIR, page I-13; Revised Project Description, page 6.) The revised project description identifies the maximum height of cut slopes and fill slopes. However, it is unclear how many of the cut slopes and fill slopes will reach or approach this maximum height. The DEIR states that the grading plan has been designed to concentrate grading on gentler slopes and minimize the alteration of natural landforms. But the DEIR does not specify how the plan accomplishes these goals. In order for the Regional Planning Commission to make an informed decision on the project, the DEIR should disclose more detail about the extent and specific locations of grading.

The DEIR states that a key component of the proposed project is the master landscape plan that would guide landscaping for the entire project. (DEIR, pages I-14-15.) However, the DEIR makes clear that the landscape plan has not yet been developed. The public and other concerned municipalities and agencies are thus deprived of the opportunity to review the master landscape plan, a "key component" of the project. A more definite description of the components of the landscape plan should be provided in the DEIR. How much acreage will the landscape plan cover? The landscape plan may impact the environment by altering natural habitat, impacting storm runoff, or affecting wildlife. It is impossible for the Planning Commission to review the environmental impacts of the landscape plan if no description of the landscape plan is provided.

The DEIR should include a description of the extent and the impact of the grading that will be required for the construction of the intersections at A Street/D Street/Kanan Road, and in the eastern portion of the property on the east side of Cornell Road.

The DEIR states that the tentative tract map for this project has selected a site for a future 3 million-gallon water tank. (DEIR, page I-18.) The potential impacts of construction of this water tank should be analyzed now. The California Environmental Quality Act ("CEQA") requires that a project's impacts on future development be assessed when the project opens the way for future development and strongly influences the type of development that is possible. *City of Antioch v. City Council of the City of Pittsburg* (1986) 187 Cal.App.3d 1325, 1335. The tentative tract map's choice of the water tank site and easement for the road to the tank will commit the Las Virgenes Municipal Water District to a particular location for development. The impacts of tank and road construction on the environment, including scenic resources, open space, and wildlife resources should be analyzed now.

GRADING

The DEIR gives an insufficient analysis of the impacts from soil erosion during grading. (DEIR, page III.A-15.) The DEIR does not identify what type of best management practices ("BMPs") will be used to mitigate erosion during grading or to what degree the erosion will be mitigated. This issue is all the more significant in light of the EPA-promulgated Malibu Creek Watershed Nutrient Total Maximum Daily Load ("TMDL"). No data is offered regarding the amounts of erosion that may occur, how erosion will effect water quality, and how much of this erosion will be mitigated by the BMPs. It is impossible to make an informed decision on the project without more definite information about the potential impacts of erosion from grading and the mitigation measures that will reduce these impacts.

AIR QUALITY

The DEIR offers an inadequate description of the impacts of ROG (reactive organic gases). The DEIR first mentions ROG on page III.C-9, but mislabels this pollutant as ROC, which confuses the reader. Nowhere does the DEIR describe the harmful impacts of ROG emissions. ROG is a precursor pollutant to ozone. Los Angeles County is in *extreme non-attainment* for federal ozone standards and in non-attainment for state ozone standards. The Air Quality section on ozone should describe that ozone is a consequence of high ROG concentration. ROG emissions are listed at page C-13 as being *more than three times the daily limit* during construction. The DEIR states that a longer painting schedule will be used to spread out ROG emissions at Mitigation Measure C-18. However, the DEIR does not state what level of ROG emissions will result from this and other mitigation measures. Therefore, it is impossible to tell whether ROG emissions will exceed the SCAQMD thresholds, or the extent of mitigation.

SURFACE WATER RUNOFF/HYDROLOGY

The project will implement a storm drain system for flows generated in open space. (DEIR, page III.D-8.) The open space system will consist of system inlets and catch basins. However, the DEIR does not clarify whether construction of the open space

drainage system will have impacts to the environment separately from the construction of the residential development itself. (See CEQA Guidelines, § 15126.4, subd. (a)(1)(D).)

The DEIR inadequately describes the project's impact on flood hazards. (DEIR, page III.D-8.) CEQA Guidelines, Appendix G, section VIII states that placing housing in 100-year flood hazard area is a significant impact. The DEIR at D-8 and D-11 states that the 50-year inundation area has been delineated and a 50-foot flood hazard setback area beyond the area has been established. This setback is based on 50 yr flood and not 100 yr flood. Thus the project may be placing housing in the 100 yr flood zone, a significant impact.

BIOLOGICAL RESOURCES

The DEIR offers an insufficient analysis of impacts to waters of the United States. (DEIR, page III.F-41.) The DEIR offers no explanation for its conclusion that grading and filling portions of federal waters is less than significant. The revised project description notes that impacts to drainages D and M have been eliminated. However, the DEIR still identifies impacts to federal waters in drainages B and E, and waters in drainage F. On what basis is the conclusion made that filling these jurisdictional drainages will inflict a less than significant impact? What thresholds of significance have been used for direct and for cumulative impacts?

Over three-quarters of an acre of federally endangered Lyon's Pentachaeta will be destroyed. This is a significant impact. Moreover, it is inconsistent with the Santa Monica Mountains North Area Plan ("SMMNAP"). Policy IV-3d requires that new development not result in a net reduction in the number of listed plants. The only mitigation measure listed for this impact is the preservation of the remaining populations of Lyon's Pentachaeta, at III.F-45. The DEIR and Revised Project Description do not state why the project could not entirely avoid impacts to the Lyon's Pentachaeta.

The DEIR provides an insufficient analysis of impact to wildlife corridors, which are required to be preserved in a natural, undisturbed state. The section on Wildlife Movement states that the project could interrupt east-west movement via Medea Creek and drainage B and could "potentially alter the behavior of wildlife now using the site for movement. This would be considered a significant impact." (DEIR, page III.F-40.) However, SEA Compatibility Criterion 3, at page III.F-43, states that wildlife corridors will be substantially retained in a natural, undisturbed state. The DEIR should be clear about the project's impacts on wildlife.

Mitigation measure F-6 is not a mitigation measure for wildlife -- it is a potentially significant impact. The potential impacts to wildlife from the use of chain-link fencing throughout the project should be analyzed in the DEIR. Furthermore, the use of chain-link fencing throughout the project does not seem to be compatible with the area's Rural Residential designation in the SMMNAP.

VISUAL QUALITIES

As designed, the project has more of a suburban feel than rural, as is required by the SMMNAP. A project with street lights, sidewalks, curbs and gutters is inappropriate for a SMMNAP-designated rural area.

Again, the landscape master plan should be described in the DEIR. The landscape plan will comprise a significant amount of the project area and will thus comprise a large part of the visual aspects of the project. It is not possible to evaluate the visual impacts of the project if significant portions of the project such as the landscape master plan are not described in detail and visualized in the DEIR.

The DEIR states that grading "would transform the complex terrain of the hillsides into more regular ordered patterns of horizontal planes." (DEIR, III.I-33.) To avoid such impacts to the valuable visual resources unique to the Santa Monica Mountains, the project should reduce the number of houses to be built, and avoid the proposed landform alteration as much as feasible.

LIGHT AND GLARE

Lack of nighttime illumination is one of the most valuable resources in the Santa Monica Mountains. Every effort should be made to ensure that the project does not contribute to night sky illumination.

The DEIR partially bases its conclusion that vehicle headlights impacts will be less than significant on its conclusion, at item 3), that the project consists of clusters of development with multiple roadways and entrances, hence vehicle movement would be disbursed rather than concentrated. (DEIR, page III.J-6.) However, the project does not, in fact, consist of multiple entrances. Each residential cluster will have only one entrance from the main roads. Furthermore, each cluster is served primarily by one road. The DEIR should be revised to accurately reflect the impacts of vehicle headlights.

The DEIR states that the project lighting will not make any material contribution to the already-present sky glow. (DEIR, page III.J-9.) However, the DEIR offers no evidence to support this conclusion. The project as proposed will add significant amounts of street lighting to the area. Additionally, each residence will have its own, individual illumination. To assert that the project will make no material contribution to night sky illumination, without any evidence, deprives the Regional Planning Commission of the opportunity for meaningful evaluation of the project's impacts. Furthermore, by the logic of the DEIR, innumerable projects the size of the Triangle Ranch project could be developed without any impact to nighttime illumination. This is obviously false.

The DEIR's conclusion that there will be no significant impact to nocturnal wildlife associated with the introduction of night lighting needs to be further substantiated. (See

DEIR, page III.J-10.) The DEIR bases this conclusion partially on its statement that the project's preservation of approximately 271.1 (with the Revised Project Description, 282) acres would provide substantial remaining habitat for light-sensitive species. By doing so, the DEIR ignores the effect of loss of habitat due to lighting. The DEIR's apparent conclusion that the remaining acreage will be enough for nocturnal wildlife is unsatisfactory and should be substantiated with actual studies and evidence relevant to affected species.

LAND USE CONSISTENCY

The DEIR notes the Los Angeles County General Plan's policy regarding Significant Ecological Areas (SEAs): "to preserve and enhance, to the extent possible, SEAs for the benefit of present and future County residents;" "More intensive uses may be permitted within SEAs where it can be demonstrated by a detailed biotic survey and project analysis that the proposed development is highly compatible with the resource values present." (DEIR, page III.K-3.) The DEIR does not establish that the project is highly compatible with the resource values present, specifically the federally endangered Lyons Pentachaeta. The revised project description still indicates a loss of .77 acres of Lyons Pentachaeta habitat. To destroy an SEA's resources is not highly compatible with the resource values. The project must be re-designed to completely avoid any impact to this endangered species.

DEIR Table III.K-1 further notes the project is inconsistent with the SMMNAP. (DEIR, page III.K-14.) SMMNAP policy IV-3d requires that where plants listed as "special" or "of concern" are present, development shall not result in a net reduction in the number of these plants. However, the project, as revised, will eradicate .77 acres of the federally endangered Lyon's Pentacheata. No mitigation is put forth to avoid this significant adverse environmental impact. The project should be re-designed to completely avoid any impact to this endangered species.

Table III.K-1 states that the project is in "substantial conformance" with SMMNAP policy IV-9, which requires that new development projects be designed to protect significant natural features. (DEIR, page III.K-14.) Cut slopes up to 52.5 feet and fill slopes up to 40 feet are flat out inconsistent with this policy. Eliminating natural features does not protect them.

The DEIR states that the project will be in substantial conformance with SMMNAP policy IV-13, which requires that projects adapt to the natural hillside topography and protect ridgelines and natural appearing views from surrounding vantage points. (DEIR, page III.K-15.) The amount of land form alteration associated with the project does not support a finding of substantial conformance with this policy.

The DEIR states that the project is in substantial conformance with SMMNAP policy IV-18. (DEIR, page III.K-17.) However, part of the DEIR's basis for this conclusion is the implementation of the landscape master plan, which, as noted, is not described in this

DEIR. Thus, evidence for this conclusion of conformity is lacking. Furthermore, the DEIR does not indicate that the project will minimize the driveway lengths for the homes or will incorporate driveway sharing to reduce the construction of impermeable surfaces. Either the evidence for the DEIR's conclusion for this policy should be further explained, or the project's inconsistency with this policy should be stated.

The project seems to be inconsistent with SMMNAP policy VI-13. (DEIR, page III.K-29.) The project will utilize several types of suburban features, including curbs, sidewalks and gutters. Several streams will be filled or diverted. The project will add significant night lighting to the area.

The DEIR states that the project is in substantial conformance with SEA Criterion 3. (DEIR, page III.K-39.) However, this Criterion requires that wildlife corridors be preserved in a natural and *undisturbed* state. How can this be so?

The DEIR states that the project will not "conflict with any applicable land use plan, policy, regulation, etc..." (DEIR, III.K-45.) How can this be? The DEIR identifies numerous policies and plans with which the project is inconsistent. An EIR is meant to give the decision-making agency an accurate evaluation of the project's impacts on the environment. Here, the DEIR is in conflict with itself regarding one of the project's major environmental impacts. The DEIR should be corrected to reflect the true impact of the project.

The DEIR identifies many land use plans, policies and regulations with which the project is inconsistent. It seems therefore that the project, as currently designed, is inappropriate for this site. The Planning Commission should require the project to be scaled down and re-designed so that the project is more consistent with the SMMNAP and other applicable land use plans.

PUBLIC FACILITIES

The DEIR states that the LVMWD has stated that existing water facilities are adequate to serve the project. (DEIR, page III.M.1-3.) This statement needs support. The DEIR should elaborate on the existing water facilities in the LVMWD and how this project will affect those water facilities. Cumulative impacts on water supply cannot be disregarded.

It is not clear that the payment of fees pursuant to SB50 will fully mitigate impacts to schools. (DEIR, page III.M.3-5.) Though the State of California requires these fees for new developments, it does not necessarily follow that the addition of 71 new homes, per the revised project description, will not result in the need for new schools.

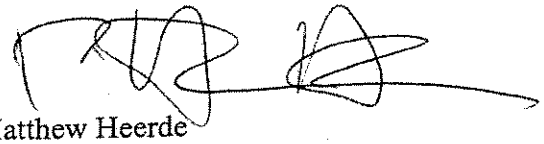
CONCLUSION

On behalf of our clients, we submit that the DEIR as currently drafted is not adequate as an informational document and cannot form the basis for a decision regarding the true environmental impacts of the project. We urge the Regional Planning Commission to require that the EIR be revised to more accurately reflect the project's impacts. We further urge the Commission to require the project applicant to redesign the project in conformance with the parameters of Alternative 4, as described in the DEIR.

Thank you for this opportunity to comment on the DEIR for the Triangle Ranch project.

Sincerely,

LAW OFFICES OF FRANK P. ANGEL



Matthew Heerde

Enc: 1

State of California – The Resources Agency ARNOLD SCHWARZENEGGER, *Governor*

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RECEIVED
FEB 28 2006

February 23, 2006

Ms. Christina Tran, Planner
Department of Regional Planning
Los Angeles County
320 West Temple Street
Los Angeles, CA 90012

Triangle Ranch Project
Revised Project Design Summary
SCH # 1998111091, Los Angeles County

Dear Ms. Tran:

The Department of Fish and Game (Department) has reviewed the above-referenced revisions to the proposed Triangle Ranch Project. The revised project describes the development of 71 single family residential lots on 320 acres located in the Santa Monica Mountains, adjacent to and south of the City of Agoura Hills. The project site straddles Kanan and Cornell roads. Medea Creek passes through the project area, as do several unnamed intermittent and ephemeral drainages. Much of the project site is a county-designated Significant Ecological Area, SEA No. 6. The site also supports critical rare plant populations, including the easternmost known population of the State - and federally-endangered Lyon's pentachaeta (*Pentachaeta* lyonii) and federally-threatened Santa Monica Mountains dudleya (*Dudleya cymosa* ssp. *ovatifolia*). he Department previously provided written comments on the draft Environmental Impact Report.

The following comments have been prepared pursuant to the Department's authority as Trustee Agency with jurisdiction over natural resources affected by the project (California Environmental Quality Act (CEQA) Section 15386) and pursuant to our authority as a Responsible Agency under CEQA Section 15381 for those aspects of the proposed project that come under the purview of the California Endangered Species Act (CESA) (Fish and Game Code Section 2050 et seq.) and Fish and Game Code Section 1600 et seq.

The Department is generally pleased with the proposed revisions outlined, which would reduce direct and indirect impacts to biological resources. Changes to the project footprint include a reduction in lots from 81 to 71 and a reconfiguration on the east side of Cornell Road. This revision will substantially improve conservation of the Lyon's pentchaeta population located on the east side of Cornell Road. The Dudleya population would also be protected from direct grading.

The Department met with the representatives for the proposed project on November 2, 2005. At that time, we identified several remaining biological resource concerns that need to be addressed. We discuss these and additional issues below:

Fuel Modification Zone Impacts to Lyon's pentachaeta and Santa Monica Mountains Dudleya-

The revised project would place all remaining Lyon's pentachaeta sub-populations on the west side of Kanan Road within designated Fuel Modification Zones. The Department is concerned about the direct and indirect impacts fuel modification work will have on the ability of these habitats to sustain rare plants over the life of the project. It has been our experience that conservation of threatened and endangered plant species directly conflicts with the goals of fuel modification proximate to residential developments. Fuel modification zones represent areas where woody and herbaceous native plant species are removed, thinned, pruned, and otherwise modified. Chronic disturbance during maintenance makes these zones prone to weed invasion and are challenging to manage in a low fuel load condition. Direct trampling of Lyon's pentachaeta seedlings and growing individuals will occur during fuel reduction, maintenance and weeding activities, and the prolonged summer bloom places the species at risk of direct impacts from the onset of winter germination through the summer months. For these reasons, we indicated at our Nov. 2, 2006 meeting with the applicant's representatives that further reductions in the project footprint may be required so that fuel modifications do not affect all the remaining Lyon's pentachaeta populations on the west side.

Fuel modifications proposed for the vicinity of the small ridgeline supporting Lyon's pentachaeta and Santa Monica Mountains dudleya are of particular concern. These populations would be relegated to a small ungraded area about 200 feet wide, with developed lots to the immediate north and south, and the entire habitat area would be subject to fuel modification. In addition to impacting Lyon's pentachaeta, the dudleya habitat here would be degraded by removal of shrubs which currently shade the occupied habitat, moderate local temperatures and reduce drying winds in the general area. The shrubs, dead and decadent woody material, and herbaceous vegetation in the vicinity of these rare plant populations contributes to overall habitat suitability by providing alternative sources of pollen for insect pollinators, general pollinator habitat and weather moderation.

For these reasons, the Department indicated at our November 2, 2005 meeting with the applicant and the United States Fish and Wildlife Service, that the dudleya ridgeline and associated Lyon's pentachaeta populations should be fully protected from any direct or indirect impacts from fuel modifications. Several lots may need to be eliminated so that fuel modifications can be scaled back and the integrity of the ridgeline habitat is conserved. Lots 26, 27 and 46 would likely be affected.

We are also concerned about proposed fuel modifications on the east side of Cornell Road. Specifically, fuel modifications to the south of the primary access road and Lot 71 would cause direct damage to buffer habitat adjacent to the largest Lyon's pentachaeta enclave and an associated stream channel. We therefore indicated that we cannot authorize fuel modifications beyond a ten foot roadside clearance zone at this location.

Offsite Project Impacts-

We noted during our current review that the northwestern portion of the project footprint abuts the property line. An unnamed drainage meanders in and out of the edge of this property line. It is unclear how drainage and stream channel values will be maintained if portions of the drainage are graded and impacted by development.

We also noted that fuel modifications extend north beyond the property line in this same general area. This means there is potential for undetected populations of Lyon's pentachaeta, or other sensitive species, to be impacted beyond the tract boundary. Previous field survey reports prepared for the project do not indicate this offsite area was surveyed for sensitive plants. Lyon's pentachaeta populations occur in close proximity to the property line and suitable habitat may extend offsite into areas proposed for fuel modifications. Impacts to the offsite area need to be more fully addressed.

Medea Creek:

Ten lots are proposed for development in the central area on a narrow piece of high ground above Medea Creek, a perennial stream. Fuel modifications proposed for lots 36-42 extend downslope through upland habitat above the stream and into the streambed and riparian area below. In order to protect the riparian area and habitat values of Medea Creek, it is essential that fuel modifications here be fully avoided. Additionally, the adjacent upland habitat needs to be protected in order to provide an effective vegetated buffer between the stream, riparian habitat and development upslope and to provide escape areas for wildlife during episodes of flooding. There remains the potential for southwestern pond turtle (*Clemmys marmorata pallida*), a California Species of Special Concern, to occur in this reach of Medea Creek and we have requested a trapping survey occur here at the appropriate time of year to detect pond turtle.

The Department recommends that the above concerns be addressed prior to lead agency approval of the proposed project.

Thank you for this opportunity to provide comment. Questions regarding this letter and further coordination on these issues should be directed to Ms. Mary Meyer, Plant Ecologist at (805) 640-8019.

Sincerely,

Larry L. Eng, Ph.D.
Regional Manager

cc: Ms. Morgan Wehtje, CDFG, Camarillo
Ms. Mary Meyer, CDFG, Ojai
Ms. Christine Hamilton, USFWS, Ventura Field Office
RM-Chron; HCP-Chron

CITY OF
AGOURA HILLS
"Gateway to the Santa Monica Mountains National Recreation Area"

RECEIVED
JAN 23 2006

January 19, 2006

Christina Tran
County of Los Angeles
Department of Regional Planning
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Los Angeles, CA 90012

SUBJECT: COUNTY PROJECT NO. 97-178, CUP NO. 97-178, OTP NO. 97-178, TTM 52419, SCH NO. 1998111091; TRIANGLE RANCH PROJECT DEIR REVISED PROJECT DESIGN SUMMARY

Dear Ms. Tran:

Thank you for the opportunity to review and provide comments on the Revised Project Design Summary associated with the Draft Environmental Impact Report (DEIR) for the Triangle Ranch Project. We understand that the proposed project on the 320.3-acre site has been reduced from a total of 81 single-family residential lots to 71 single-family residential lots, with a corresponding reduction in the amount of grading, size of cut slopes, and height of retaining walls. In some cases, lot sizes have been reduced. We also understand that the development area has been further removed from the known area of *Lyon's pentachaeta.* It appears that the reduction in number of lots has been achieved by shifting the ten lots that were originally in the residential enclave east of Cornell Road to along the western side of Kanan Road. The site layout in the area east of Cornell Road has been reconfigured and concentrated, as opposed to reaching into the small valley. The lot layout in the other enclave west of Kanan Road has been changed slightly, and is more compact, although the number of lots remains the same, while the enclave east of Kanan Road seems to be the same as originally proposed.

Although there have been some notable changes to the project description, most of the comments and questions we identified in our letter dated May 11, 2005 on the Draft EIR (attached) are still relevant, and we request that they be given consideration. We have three additional comments relating to the DEIR and the recently changed site plan, which are listed below. Also, we are requesting that certain items be considered as project mitigation measures.

Section I. PROJECT DESCRIPTION

1. We understand that the tallest cut slope has now been reduced to a maximum of 52.5 feet, while the tallest fill slope is now 40 feet. These reductions are clearly improvements over the original design (70 feet and 65 feet, respectively). However, they still appear inconsistent with the North Area Plan (NAP) Policy IV-12, as noted on page III.K-16 of the DEIR. This should be discussed in the DEIR.

Section III.F. BIOLOGICAL RESOURCES

2. The DEIR notes that SEATAC reviewed prior project iterations on several occasions. The project analyzed in the DEIR, as noted throughout this section of the DEIR, has only partially, but not fully, addressed the SEATAC's concerns. Has this latest version (reduced number of houses) been reviewed by SEATAC and if so, what has been the response? The DEIR should describe this.

3. We are pleased to see the development footprint pulled back further from the largest area of the *Lyon's pentachaeta*, however it seems that there would still be impacts to smaller areas of this species, including the currently proposed plan further encroaching into this species at the northwest corner. This change should be discussed in the DEIR. Also, impacts would continue to occur to the *Santa Monica Mountains Dudleya.*

Requested Mitigation Measures

In addition to the above comments, we respectfully request that the following items discussed in more detail in our letter of May 11, 2005 be made project conditions of approval.

a. If the required fuel modification zones cross over the northern portion of the site, into the jurisdiction of the City of Agoura Hills, then coordination with the City will be required. The City would not be in favor of any fuel modification that crosses onto City limits, as these areas were donated to the Santa Monica Mountains Conservancy for purposes of permanent open space preservation and habitat protection. For similar reasons, no grading for project construction should occur on land in the City limits. (Please note that grading in the City limits would require a CUP from the City). We request that these requirements be made conditions of approval.

b. We request that a project condition of approval be made that addresses DEIR mitigation measure F-1(2), as well as including a requirement for a monitoring and maintenance program to ensure that the revegetation is successful; a requirement that the monitoring and maintenance program be specified in the CC&Rs as being the responsibility of the Homeowners' Association or other

future owner of the land; and a requirement that these items be written into the deed.

c. One of the benefits of the proposed redesign is that there are now several smaller enclaves of residences, as opposed to fewer larger scale ones, which would seem more compatible with the semi-rural environment. However, the character of the project is still more suburban subdivision than semi-rural. We request that as conditions of approval building setbacks from Kanan and Cornell Roads be increased and the setbacks vegetated with denser landscaping (including trees and shrubs) that provide an adequate visual buffer from the homes to Kanan and Cornell Roads, and reflect a more natural, as opposed to a manicured, appearance. As shown in the photo-simulations in the DEIR, the proposed vegetation seems sporadically placed and insufficient. The landscaping should significantly obscure the buildings from vehicles and passersby on the main roadways through the area.

d. We appreciate that Lots 77, 78, 79 and 81 are proposed for landscape lots in the most recent site plan. We strongly suggest that a similar landscape lot be provided further north along the west side of Kanan Road, in the residential area closest to the City. At a minimum, we recommend that an easement be provided along the lots bordering Kanan Road in this area, with landscaping to be installed and maintained by the HOA. In this area and the various other landscape lots in the project, it may help to create a naturalistic (not manufactured looking) earthen berm with landscaping (native, naturalistic) to truly create a visual buffer from passersby on the roads to these new homes. Please consider adding these mitigation measures as conditions of approval.

e. A community with street lights, sidewalks, curb and gutter does not seem to be the appropriate type of development in this area, which is semi-rural and surrounded by valuable natural areas and mountains, much of which has been designated as SEA. To be more compatible with the surrounding natural environment, consideration should be given to eliminating curb/sidewalk or used rolled curbs; no street lights or at least no light poles, the use of flag lots instead of cul-de-sac layouts; and more split level pads. Please consider requiring these mitigation measures as conditions of approval.

f. Similarly, to ensure that the development sufficiently blends in with the surrounding natural environment, particular design characteristics, color schemes and building materials should be stipulated. Mitigations could include requiring earth-tone palettes; utilizing non-reflective and more naturalistic building materials; architecture that reflects but does not detract from the natural semi-rural surroundings through size, height, scale and style; and landscaping design that is naturalistic in placement and in types of species selected to blend in with the existing landscape.

g. DEIR mitigation measure I-4 on page III.1-35 notes that concrete drains and all other drainage devices shall be tinted with an earth tone. This would help in

minimizing aesthetic impacts. However, rather than just conceal the concrete and other man-made structures through tints, consideration should be given to minimizing the amount and size of man-made drainage structures to what is absolutely necessary. For example, where possible, natural or natural-appearing materials, such as riprap, should be utilized. We request consideration of this mitigation as a condition of approval.

h. As proposed, the project would appear to significantly add to the existing Kanan Road lighting and create new lighting along Cornell Road. We request that the project be conditioned to avoid street lights, or at least allow only low-level lighting, such as bollards. If this is not feasible, then we request that a photometric study or similar lighting evaluation be prepared that demonstrates the specific areas that would be illuminated and at what levels. This should ideally be part of the DEIR. At the least, however, we request that this requirement to conduct a photometric study or other similar evaluation, and incorporation of methods to minimize any identified adverse impacts, be made a mitigation measure.

i. Please see Comment #39 in the attached letter dated May 11, 2005. The City requests that an equitable portion of the Quimby fee for the project be provided to the City, or that the project dedicate additional funds, separate from the Quimby fee, to the City as compensation for the greater demand for parks and recreation that would need to be met by Agoura Hills. We request consideration of these mitigations as project conditions of approval.

We would also like to reiterate, from our previous letter, that the project would need to participate in the Traffic Impact Fee (TIF) program on a per PM-trip basis through the City of Agoura Hills Arterial System Development. This required contribution should be clearly discussed in the Environmental Impact Report.

Thank you again for the opportunity to comment on the Revised Project Design Summary associated with the DEIR for the Triangle Ranch Project. The City of Agoura Hills looks forward to reviewing the responses to our comments. If you have any questions, please contact Allison Cook, Senior Planner, of my staff at (818) 597-7310.

Sincerely,

Mike Kamino
Planning and Community Development Director

Attachment: Letter to County from City, dated May 11, 2005

Cc: Susan Tae – County of Los Angeles

CITY OF
AGOURA HILLS
"Gateway to the Santa Monica Mountains National Recreation Area"

May 11, 2005

Christina Tran
County of Los Angeles
Department of Regional Planning
Impact Analysis Section, Room 1348
320 West Temple Street
Los Angeles, CA 90012

SUBJECT: COUNTY PROJECT NO. 97-178, CUP NO. 97-178, OTP NO. 97-178, TTM 52419, SCH NO. 1998111091; TRIANGLE RANCH PROJECT DEIR

Dear Ms. Tran:

Thank you for the opportunity to review and provide comments on the Draft Environmental Impact Report (DEIR) for the Triangle Ranch Project. The project involves the subdivision of a roughly 320-acre project site into 81 single-family residential lots, as well as four landscape and five open space lots. The site is located south of Agoura Road along Kanan and Cornell Roads, and is within unincorporated Los Angeles County, near the southern boundary of the City of Agoura Hills. Since the project abuts the City, it would act as the City's southern gateway, and it is likely that many of the future residents of this project would utilize the various services and roadways in the City. The site is located in a sensitive environmental area with oak trees, sensitive species, hillsides and Medea Creek.

The City of Agoura Hills prepared a letter regarding the Notice of Preparation for the DEIR, dated July 27, 2004. We are pleased that many of the comments raised in that letter have been addressed in the DEIR. However, there are still a number of issues that must be addressed. The following are our comments on the content and adequacy of the DEIR.

Section I. PROJECT DESCRIPTION

1. Page I-3, Item B: The DEIR should note if any encroachment permits and/or grading permits from the City of Agoura Hills would be needed. Any work that might be necessary within City limits involving grading of building pads on the edge of the project boundary or fuel modification efforts should be considered. Grading activities over 50 cubic yards require a City grading permit.

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2. Page I-8, Item D, 1st paragraph: The text notes that the open space on the site would be maintained by the homeowners' association and/or dedicated to a public agency acceptable to the County of Los Angeles. However, the discussion of consistency with the North Area Plan's Policy IV-8 on page III.K-15 only references a "public agency." To ensure that this land is retained as open space in perpetuity and adequately protected, a conservation easement should be dedicated to a public agency or other non-profit land entity that is experienced in managing open space, not the homeowner's association. Also, an exhibit should be included in the DEIR showing the parcels or areas of the site to be dedicated as open space. Figure I-5 Tentative Tract Map identifies proposed open space lots, but it is not clear if all of these lots would be legally dedicated as open space.

3. Page I-8, Item D, 2nd paragraph: The text notes that street lighting would be kept to the minimum required for safety purposes in the area east of Cornell Road, with the area west of Cornell Road consisting of streetlights, sidewalks, curb and gutter. However, given the context of the project within a natural setting, any street lighting, sidewalks, curb and gutter would seem inappropriate and inconsistent with the natural character of the area. On page I-12, the DEIR states that the design concept is to create a semi-rural residential community. The street lighting and typically suburban tract street improvements would be out of character in this semi-rural area.

4. Page I-13: This text does not adequately describe the scope of grading. The height of cut slopes should be identified. The grading plan in the DEIR shows over 60-foot high cut slopes. This is inconsistent with the North Area Plan (NAP) Policy IV-12, as noted on page III.K-16, and therefore measures or alternatives should be identified to reduce the height of these slopes.

5. From the exhibits in the DEIR, it appears that Silver Creek Road is proposed to be extended to Cornell Road. However, the DEIR does not seem to address this improvement. Is this proposed as part of the project? In any case, the DEIR should identify this improvement. If it is to be part of the project, its potential impacts (especially wetland/riparian and drainage and upstream effects) should be assessed in the DEIR.

Section II. GENERAL DESCRIPTION OF ENVIRONMENTAL SETTING

6. Table I-1 on page II-18: This list of projects in the City of Agoura Hills is several years old and is outdated, as it contains projects that are already built, been withdrawn, or revised. Attached is an updated list that should be considered as part of the DEIR. Please contact City staff if there are questions regarding this revised information. It is important to have an adequate and up-to-date project list so that the cumulative background impacts can be included as part of the analysis of the proposed project.

Section III.A. GEOTECHNICAL HAZARDS - GRADING

7. This section does not seem to address any blasting or other form of pre-grading rock treatment that may occur due to certain underlying landforms within a portion of the project site. The DEIR should explain what methods are proposed to be utilized, along with addressing any potential impacts from the activities. The City's policy regarding blasting is that it not be permitted. Since the project is adjacent to City limits, the project should not involve blasting.

Section III.F. BIOLOGICAL RESOURCES

8. While the proposed project has been scaled back from previous versions through primarily a reduction in residential units, the project would still result in significant biological impacts to sensitive plants, animals and various habitat communities. The DEIR notes that SEATAC reviewed this project and prior iterations on several occasions. The current project, as noted throughout this section, has only partially, but not fully, addressed the SEATAC's concerns. For example, the text in the first paragraph on page III.F-39 states, "..the development has been partially redesigned in response to SEATAC comments..." Moreover, starting on page III.F-41, the DEIR outlines the many ways in which the project is not in conformance with SEA compatibility criteria. By eliminating or reconfiguring certain residential lots on the site, it appears that the project's impacts can be significantly and feasibly reduced. On page III.F-39, 1st paragraph, the DEIR states that, "Areas of the project in close proximity to the *Lyon's pentachaeta* have been pulled back to the maximum extent practicable." The DEIR does not explain why it is not practicable to eliminate or shift additional lots to avoid this endangered plant, as well as avoiding jurisdictional drainages and other sensitive biological resources described in this section, and therefore reduce or eliminate significant impacts. Support of the conclusion on page III.F-41, 1st paragraph, stating that impacts to jurisdictional waters are not considered significant, needs to be provided. This conclusion conflicts with the thresholds of significance outlined on page III.F-33. The project involves the grading and filling of 12 jurisdictional drainages and instead directing flow to a system of underground culverts. This is a significant impact, and will cause direct negative effects to the existing biological resources. The text should describe the habitat in these drainages, and reconsider the magnitude of these impacts. In summary, the impact discussion is insufficient, the mitigation measures do not go far enough in reducing impacts, and there is insufficient discussion as to why further mitigation measures, such as avoiding sensitive areas and plants, are not feasible or practicable. Given the numerous inconsistencies with the SEA compatibility criteria and the fairly extensive significant and unavoidable biological impacts associated with the project, it appears that the subject site is not a favorable location for this type and density of development.

9. Given the numerous biological impacts addressed in this DEIR that would not be mitigated to a less than significant level, this section should explain that approval of the project as proposed would require a statement of overriding considerations by the CEQA Lead Agency.

10. Page III.F, Mitigation Measure F-3: This measure briefly refers to the fuel modification plan and its components. However, this section of the DEIR also needs to include a fuller discussion of the fuel modification zones that would be required for the project. This would include a description of what the fuel modification program would entail, including types of species and plant communities that would remain and those that would be removed; a map showing the zones along with the locations of sensitive species and habitat and the proposed lots and improvements; potential biological impacts from vegetation clearing and revegetation; and any necessary additional mitigation measures. The limits of the fuel modification zones should be considered in this section, as well as other appropriate DEIR sections, as the outer boundary of the affected environment. Also, if the zones cross over the northern portion of the site, into the jurisdiction of the City of Agoura Hills, then coordination with the City will be required. The City would be opposed to any fuel modification that crosses onto City limits, as these areas were donated to the Santa Monica Mountains Conservancy for purposes of permanent open space preservation and habitat protection. For similar reasons, no grading for project construction (see Lots 3, 4, 5, 13 and 14) should occur on land in the City limits.

11. Page III.F-39, 3rd paragraph: This paragraph references the oak tree report and mitigation requirements as a result of impacts to oak trees. The DEIR should clarify if these mitigation measures have been incorporated as part of the project description. If so, these measures should be described in more detail in the text where the various project components are described. Otherwise, the impacts should be further described and the mitigation should be called out more specifically in the list of mitigation measures.

12. Page III.F-45, Mitigation Measure F-1(2): This measure should also include a requirement for a monitoring and maintenance program to ensure that the revegetation is successful. Otherwise, this measure would be useless. As in Mitigation Measure F-2(2), this measure should include a requirement that the monitoring and maintenance program be specified in the CC&Rs as being the responsibility of the Homeowners' Association or other future owner of the land. This mitigation measure should also list that this requirement be written into the deed.

13. Page III.F-43, 1st paragraph: The last sentence notes that the project is in substantial conformance with SEA Compatibility Criterion 3. However, there is no information contained in this paragraph to substantiate this conclusion. Moreover, the DEIR on page III.F-40, 2nd paragraph, notes that the project could interrupt east-west movement via Medea Creek and Drainage B, and claims that

this would be considered a significant impact. The DEIR should address these inconsistencies in level of impact.

14. Page III.F-45, Mitigation Measure F-2: Since areas containing *Lyon's pentachaeta* (an endangered species, with this particular series of locations listed in the DEIR as "one of the largest populations known to exist in the Santa Monica Mountains) would be removed for construction of the homes, replanting of this species, not simply preservation of the existing populations, should be required. The basic components of such a plan should be provided in the DEIR. If replanting is not feasible or unlikely to be effective, then the site plan should be revised to avoid these areas altogether.

15. Page III.F-48, Mitigation Measure F-9: This measure mentions a minimum habitat mitigation ratio of 1:1 onsite, and continues to state, "...and no less than 2:1 for mitigation." Please clarify if this last part of the sentence is meant to refer to offsite mitigation. In any case, these ratios are too low. A minimum ratio of 3:1 should be the goal to account for loss of habitat until full growth is established and to account for failure of a certain amount of plantings. Additionally, while a final habitat mitigation plan is not necessary to be provided at this point, the DEIR should at least propose conceptual ideas, including type of replacement habitat and potential receiver sites so that an assessment regarding adequacy and feasibility of mitigation measures can be made.

16. Page III.F-49: This paragraph states that *indirect* cumulative biological impacts would be less than significant, but does not state whether *direct* cumulative impacts to biological resources would be significant. It appears that this would be a significant impact. This discussion needs to be expanded accordingly.

17. Page III.F-46, Mitigation Measure F-5: Please refer to Comment #2 regarding open space. These comments should also be reflected in the mitigation measure.

18. Page III.F-47, Mitigation Measure F-8(2): The street lighting is not necessary or appropriate, given the site's location amidst sensitive ecological areas and the semi-rural character of the location. The mitigation measure should be revised to avoid street lighting that would adversely affect biological resources.

Section III.I VISUAL QUALITIES

19. Starting on page III.1-32, the DEIR describes the project's aesthetic impacts, with mitigation measures beginning on page III.1-34. The DEIR concludes that impacts to scenic vistas, scenic resources, and the existing visual character or quality of the project site and its surroundings, would result in unavoidable significant impacts. However, the mitigation measures listed are inadequate, and do not even address some of the particular impact areas. Additional mitigation measures should be considered in this DEIR. While they may not eliminate the stated unavoidable significant impacts, they would serve to further reduce

impacts. The suggested mitigation measures, and/or changes to the project are described below.

20. As designed, the character of the project is more suburban than semi-rural. A community with street lights, sidewalks, curb and gutter is not the appropriate type of development in this area, which is semi-rural and surrounded by valuable natural areas and mountains, much of which has been designated as SEA. It is not clear if the development would be gated; gated communities should be discouraged in this area. While the compact layout of the development has notable benefits, namely concentrating urban development in a distinct area, thereby leaving more areas for open space, it also has significant drawbacks. In this particular case, the development is too urban in appearance. To be more compatible with the surrounding natural environment, consideration should be given to reducing the number of residential lots and redesigning the site, including re-configuration of the lots and street system to be more naturalistic. Examples include the following: no curb/sidewalk; no street lights or at least no light poles, the use of flag lots instead of cul-de-sac layouts; and more split level pads.

21. Page III.1-33, 2nd paragraph, the text states, "...grading would transform the complex terrain of the hillsides into more regular ordered patterns of horizontal planes. The rugged natural forms of the project site and the surrounding Santa Monica Mountains constitute major scenic resources." The project involves substantial cut (498,421 c.y.) and fill (427,483 c.y.) quantities, along with steep cut slopes. The amount of grading could feasibly be minimized by reducing the project footprint, especially encroaching into the hillsides. The proposed lots on the steeper slopes should be avoided, and instead these slopes should be preserved in their current state. On gentler slopes, the lots should be developed such that residences can be "stepped up" or terraced, being contoured with the hillside, not graded out to create flat building pads. This would result in development that is less visually intrusive to the hillside backdrop, and would greatly minimize aesthetic impacts to the scenic mountain resources.

22. Page III.1-33, 4th paragraph: The text states that, "...the residential enclaves have been designed to create a suburban and semi-rural residential community that avoids the appearance of a 'tract' development." However, the development as proposed still conveys a sense of a suburban subdivision, as evidenced in the series of photo-simulation exhibits (III.1-7 through III.1-11). Further measures should be incorporated into the project to reduce this effect. In particular, building setbacks from Kanan and Cornell Roads should be increased, and the setbacks vegetated with denser landscaping (including trees and shrubs) that provides an adequate visual buffer from the homes to Kanan and Cornell Roads, and that reflects a more natural, as opposed to a manicured, appearance. As shown in the photo-simulations, the proposed vegetation is sporadically placed and insufficient. The landscaping should significantly obscure the buildings from vehicles and passersby on the main roadways through the area. The DEIR should describe the range of vegetative species to be used in the buffer areas and plot these areas on

an exhibit. Also, particular design characteristics, color schemes and building materials should be stipulated in the DEIR as mitigation measures. Page III.I-14, first full paragraph, states that, "...the depiction of the proposed structures is only intended to give the sense of their appearance. No architectural plans have been developed for the proposed homes; therefore, depictions of the homes are strictly generic and are not intended to suggest any specific architectural styles, color schemes or exterior building materials." While it is understandable and acceptable that the design is schematic at this point in time, the design characteristics are actually critical to considering whether the project would result in significant aesthetic impacts. Therefore, the project should either incorporate certain basic design standards/parameters to reduce potential impacts, or the standards should be included as mitigation measures. The design standards could include requiring earth-tone palettes; utilizing non-reflective and more naturalistic building materials; architecture that reflects but does not retract from the natural semi-rural surroundings through size, height, scale and style; and landscaping design that is naturalistic in placement and in types of species selected to blend in with the existing landscape. As presented, the mitigation measures do not go far enough in reducing the impacts. There are further feasible mitigation measures, such as those listed above, that should be included in the DEIR.

23. MM I-4 on page III.1-35 notes that concrete drains and all other drainage devices shall be tinted with an earth tone. This would help in minimizing aesthetic impacts. However, rather than just conceal the concrete and other man-made structures through tints, consideration should be given to minimizing the amount and size of man-made drainage structures to what is absolutely necessary. For example, where possible, natural or natural-appearing materials, such as riprap, should be utilized. As presented, the mitigation measure is insufficient, and additional feasible measures should be listed in the DEIR.

24. Page III.I-34, Mitigation Measure I-1(1): The third sentence should be revised to state, "Only non-invasive, native plant...." Not "non-native."

Section III. J LIGHT AND GLARE

25. Aside from the fact that County standards may require street lighting, the need for light poles is not made clear in the DEIR. How many street lights would be required to meet County standards and how tall would the light standards be? Could not other types of lighting, besides poles, provide adequate safety? Additionally, page III.J-3, footnote 2, states that street lighting systems may be waived if the "advisory agency finds that street lights will not be in keeping with the neighborhood pattern." Given the substantial impacts of street lighting on the general area, the DEIR needs to provide further information on the need for such lighting and consider alternative methods of providing illumination. While there is already some street pole lighting in the general area, the proposed project would substantially add to this lighting, creating further inconsistencies with the semi-rural character.

26. Page III.J-7 notes that passengers in vehicles on Kanan Road would experience substantial new light or glare impacts at a level that is less than significant. Also, the last paragraph on this page states that the development "would not create new sources of substantial light or glare which would adversely affect nighttime views as seen from Cornell Road." This conclusion is not adequately substantiated, so further information needs to be provided to support these statements. The project would significantly add to the existing Kanan Road lighting and create new lighting along Cornell Road. A photometric study or similar lighting evaluation should be prepared that demonstrates the specific areas that would be illuminated and at what levels.

27. Page III.J-9, 3rd paragraph: The conclusion that project lighting would not make any material contribution to the already-present sky glow needs to be substantiated.

28. Page III.J-10, 3rd paragraph: The conclusion of no significant impact to light-sensitive wildlife species also needs to be substantiated. Just because the majority of the site area will remain in open space does not mean that lighting in the remainder of the site would not result in significant impacts.

29. The mitigation measures listed on page III.J-13 in bullet format are beneficial but do not go far enough in reducing impacts. The DEIR should consider other feasible measures, such as eliminating street lighting.

Section III.K LAND USE COMPATIBILITY

30. The North Area Plan (NAP) consistency analysis in this section, summarized as Table III.K-1, should be completely re-assessed. In many cases, the DEIR notes that the project is in "conformance" or "substantial conformance" when in actuality, the discussion of the project in other sections of the DEIR is inconsistent with these conclusions, and the evidence of consistency provided in the table is incorrect or inadequate. The following are just a few examples, but we recommend that the entire Table III.K-1 be reconsidered.

    A. Page III.K-13, Policy IV-3c: The conclusion should be "inconsistent," as the DEIR has not shown that impacts to sensitive habitat (including wetlands) are unavoidable.

    B. Page III.K-14, Policy IV-3d: The biological section of the DEIR does not indicate that direct impacts to *Lyon's pentachaeta* have been avoided. This needs to be corrected.

    C. Page III.K-15, Policies IV-9 and IV-10: Given the substantial amount of hillside grading, especially on steep slopes (over 60 feet), the conclusions here should be "inconsistent."

D. Page III.1-33, 2nd paragraph, the text states, "...grading would transform the complex terrain of the hillsides into more regular ordered patterns of horizontal planes. Therefore, the conclusion of "conformance" of the project with NAP Policy IV-10 found on page III.K-15 appears incorrect, as does the conclusion of "substantial conformance" for Policy IV-32 on page III.K-19.

E. Page III.K-29, NAP Policy 13: The "substantial conformance" conclusion is not supported. The project could incorporate many more features to contribute to the rural character and lifestyle, such as reducing lighting, creating a less urban street development, and reducing the amount of hillside grading.

F. Page III.K-39, the conclusion that the project is consistent with SEA Criterion 3 is not supported by the DEIR (see Comment #13).

31. Page III.K-43, 3rd paragraph: The DEIR states that project impacts with regard to conflicts with applicable policies and plans would be significant. We agree with this conclusion. However, page III.K-44 notes that no mitigation measures are required for this impact. Moreover, page III.K-45, 2nd paragraph, states, "As previously discussed, the proposed project would not physically divide an established community or conflict with any applicable land use plan, policy, regulation..." Therefore, the DEIR provides conflicting information regarding whether policy consistency impacts would be significant. The DEIR should address this inconsistency, and address how this significant impact would be mitigated. Feasible mitigation measures would be to adjust the project to be consistent with the appropriate policies and regulations.

32. Page III.K-16, Policy IV-13: The conclusion should be "inconsistent," given the fact that there would be substantial grading of the site, with "regular ordered patterns of horizontal planes." As proposed, the project also has inadequate landscaping buffers and setbacks from the major roadways (see Comment #22).

33. Page III.K-39, SEA Compatibility Criterion 3: Please refer to Comment #13.

34. Given the numerous policy inconsistencies (NAP and SEA), the project as currently proposed seems inappropriate for the site. The project should be re-considered, with a less damaging alternative in terms of biological and hillside resources selected, such as Alternative 4, as discussed below.

Section III.L TRAFFIC AND ACCESS

35. This section should analyze potential impacts to the roadway system from construction-related activities, such as truck trips.

36. This section should also assess haul routes, and analyze potential impacts on the roadway system, including the Kanan Road/Highway 101 interchange. Approval of haul routes is required by the City.

37. The last sentence on page III.1-27 states that the proposed project would participate in a Traffic Impact Fee program on a per-PM-trip basis through the City of Agoura Hills Benefit Assessment Fee. Please note that the City's Traffic Impact Fee (TIF) would total $197,640, based upon the construction of 81 homes at a rate of $2,440 per home. This contribution should be referenced in the discussion of mitigation measures.

38. The DEIR should clarify that the project would be required to continue the proposed full width street improvements for the ultimate buildout of Kanan Road northerly to approximately 100 feet north of Cornell Way to provide a proper transition, including improvements to the Cornell Way intersection. The design and construction would need to be reviewed and approved by the City within the City limits. The costs for these improvements within the City are creditable against the TIF.

Section III.M.5 PUBLIC SERVICES – PARKS AND RECREATION

39. Pages III.M.5-4 and -5 note that the project would be required to pay a Quimby fee to Los Angeles County to offset increased demand on parks and recreational facilities. However, the text goes on to say that project residents would likely utilize parks and recreational facilities in the City of Agoura Hills, and therefore the proposed project's impacts on parks and recreational facilities in the City would be significant. Also, on page III.M.5-6 of the cumulative impact discussion, the text notes that cumulative impacts to recreational facilities in the City of Agoura Hills would be significant." Under the discussion of "MITIGATION MEASURES," the DEIR concludes that payment of the Quimby fee to the County would reduce impacts to a less than significant level. In actuality, payment of such fees to the County would not reduce the impact to less than significant, since these fees would not be used to augment existing or create new park and recreation facilities in the City, where the DEIR notes the impacts would be received. This paragraph concludes that "With the provision of these new County facilities, the proposed project's impacts on City of Agoura Hills parks and recreation facilities would be temporary and less than significant." What is problematic with this conclusion is that the DEIR does not describe these County facilities. Without specific park and recreational facilities in the planning stages, this mitigation measure may not be implemented. The "temporary" impact to Agoura Hills may in reality be more permanent. An adequate mitigation measure needs to be identified in the DEIR. Therefore, the City requests that an equitable portion of the Quimby fee for the project be provided to the City. Another way in which the significant impacts to the City can feasibly be mitigated is for the project to dedicate additional funds, separate from the Quimby fee, to

the City as compensation for the greater demand for parks and recreation that would need to be met by Agoura Hills.

Section V. ALTERNATIVES

40. As noted in the document, particularly in Table V-3, Alternative 4 (SEA/Reduced Lot Plan) is the environmentally superior alternative. This alternative addresses many of the concerns listed throughout this letter, and so is the preferred alternative of the City of Agoura Hills. On page V-43, the text notes that Alternative 4 would not satisfy all of the project objectives since it would not achieve the project applicant's basic goal of developing 81 homes. This objective is explained further on page V-3. However, could not the applicant's goal of creating a marketable and financially feasible project (hence, the 81 units assumed by the developer) still be achieved with less homes? We suggest that further consideration be given to this alternative and its ability to meet the objective of economic feasibility.

Thank you again for the opportunity to comment on this DEIR for the Triangle Ranch Project. The City of Agoura Hills looks forward to reviewing the responses to our comments. If you have any questions, please contact Allison Cook, Senior Planner, of my staff at (818) 597-7310.

Sincerely,

Mike Kamino
Planning and Community Development Director

Attachment: Updated Project List for City of Agoura Hills

Cc: Greg Ramirez, City Manager
Jim Thorsen, Assistant City Manager

Table 1

Cumulative Development Summary with Agoura Village Proposal

	Project Proponent/Name	Land Use	Size	Status
	Ball Propertied (Centerpointe)	Office	61,040 SF	Approved/Under Construction
	J.H. Snyder Co	Office	40,000 SF	Approved/Under Construction
		Restaurant	19,000 SF	
		Apartments	336 DU	
	Adobe Cantina	Restaurant	1,142 SF Add.	Under Review
	Palo Camado Ranch	Single Family	8 DU	Approved/Construction Pending
	Burgundy Creek Bistro			**See Agoura Village**
	Cornerstone			
	See Agoura Village			
	Chabad of the Conejo	Classrooms/Office for Church	6,442 SF	Approved/Construction Pending
	Silagi-Canwood Corporate Center	General Office	22,896 SF	Approved/Under Construction
	Temple Beth Haverim	Synagogue	31,000 SF	Approved/Construction Pending
	Scheu Development	General Office	81,000 SF	Approved/Construction Pending
	LA County Fire Department Sta.#89	Fire Station/Training Facility	12,500 SF	Approved/Under Construction
	Schneider	Condominium	4 DU	Approved/Construction Pending
	Silagi Development	General Office	49,350 SF	Approved/Under Construction
	Ted Moore			See Agoura Village
	Agoura Business Center	Warehouse/Manufacturing/Office	19,810 SF	Under Review
	Development Partners	General Office	31,160 SF	Approved/Under Construction
	Adler Realty	Furniture Stores	118,162 SF	Approved/Under Construction
	Levy, Moshe	General Office	20,830 SF	Approved/Complete
	Wickman-Agoura Furniture Center	Furniture Store	38,760 SF	Approved/Under Construction
	Del Rahim	Auto Detailing Service	10,333 SF	Approved/Under Construction
	Minder	Condominium	19 DU	Approved/Under Construction
	Reyes Adobe Partners, L.P.	Furniture Store	14,500 SF	Approved/Complete
	Leader Carpets	Retail	14,080 SF	Approved/Complete
	So. Cal. Food Services for Wendy's	Drive-Thru Fast Food	3,200 SF	Approved/Construction Pending
	Realty Bancorp Equities	Commercial	76,750 SF	Approved/Construction Pending
	Stockton for Levy	Furniture Store	10,000 SF	Approved/Under Construction
		General Office	6,700 SF	
	Symphony Project			See Agoura Village
	Alesco Development	Office	63208 SF	Approved/Construction Pending
	BBA Properties LLC for Michael Browers	Office	9,000 SF	Approved/Construction Pending
	Zaghi	Warehouse/Manufacturing	11,636 SF	Approved/Construction Pending
	HBF Holdings	Hotel/Homewood Suites	125 Rooms	Approved/Construction Pending
	Heathcote for Buckley	Commercial/Medical	14,075 SF	Under Review
	Stockton	Apartments	4 DU	Approved/Construction Pending
	Chesebro Properties, LLC	Office	8,000 SF	Approved/Complete
	Riopharm	Single Family	28 DU	Under Review
	Agoura Village A - South	**Retail/Office**	**119,000 SF**	**Under Review**
		Townhomes	**62 DU**	
		Apartments	**56 DU**	
	Agoura Village A - North	**Retail/Office**	**29,308 SF**	**Under Review**
		Apartments	**19 DU**	
	Agoura Village B	**Retail/Office/Restaurant**	**122,000 SF**	**Under Review**
		Townhomes	**81 DU**	
		Apartments	**19 DU**	
	Agoura Village C	**Retail/Office/Restaurant**	**3,500 SF**	**Under Review**
	Agoura Village D - West	**Retail/Office/Restaurant**	**36,600 SF**	**Under Review**
	Agoura Village D - East	**Retail/Office/Restaurant**	**113,300 SF**	**Under Review**
	Agoura Village E	**Retail/Office/Restaurant**	**77,000 SF**	**Under Review**
		Townhomes	**25 DU**	
		Apartments	**19 DU**	
	Agoura Village F	**Office**	**75,250 SF**	**Under Review**

REGIONAL PLANNING COMMISSION
JUNE 28, 2006
AGENDA ITEM NO. 7 a, b, c

ADDITIONAL

CORRESPONDENCE

since June 22, 2006

United States Department of the Interior

NATIONAL PARK SERVICE
Santa Monica Mountains National Recreation Area
401 West Hillcrest Drive
Thousand Oaks, California 91360-4207

In reply refer to:
L76/Triangle Ranch

June 27, 2006

Los Angeles County Regional Planning Commission
320 W. Temple St.
Los Angeles, CA 90012

Dear Commissioners:

The National Park Service has received notice of the June 28, 2006, Regional Planning Commission hearing on Triangle Ranch, Vesting Tentative Tract No. 52419, CUP/OTP No. 97-178-(3). The current project proposes to subdivide a 320-acre project site into 66 single family residences, plus landscape and open space lots. The current version has reduced the number of lots on the eastern side of Cornell Road within Significant Ecological Area (SEA) No. 6. We did not receive a revised project description for the 66-lot project. Our comments are based on the 71-lot project description distributed by Christopher Jones & Associates late in 2005, and on the staff report for the revised 66-lot proposal for the Commission's June 28 public hearing.

The National Park Service appreciates the opportunity to participate in the public review process for Triangle Ranch. We provide comments on the effects of private and public land development in the Santa Monica Mountains at the invitation of state and local units of government with authority to prevent or minimize adverse uses. We respect the rights of land owners to develop their properties consistent with federal, state, and local laws. In providing comments, we assume a neutral position and do not support or oppose land development. To this end, we offer the following comments on the revised project. Overall, we continue to recommend the project be redesigned to further reduce biological and visual impacts. The current 66-lot proposal would still have significant impacts on resources deemed critical to the integrity of the national recreation area.

Threatened and Endangered (T&E) Species

We concur with the staff report recommendation to redesign the project to avoid impacts to the two species. While we appreciate the applicant's effort to reduce the project's impacts, the revised project continues to directly intrude into known locations of Lyon's pentachaeta (*Pentachaeta lyonii*) and Santa Monica Mountains dudleya (*Dudleya cymosa ssp. marcescens*).

We also concur with the staff's recommendation to include an updated fuel modification plan with the required CUP Design Guidelines. In addition to modifying the project to avoid direct impacts to the T&E species, the project should be designed to avoid indirect impacts from

fuel modification. A buffer of at least 200 feet should be drawn out from the edge of all T&E populations to protect the plants from human intrusion, whether caused by residential activities, road access, or fuel modification.

We also recommend either eliminating the ten lots between Kanan and Cornell Roads, or at minimum, working with the Fire Department to reduce the fuel modification requirements for the lots. Fuel modification associated with the proposed ten lots will extend into the riparian area of Medea Creek. Removal of the native vegetation causes loss of shelter, nesting, and foraging habitat for a variety of bird species.

Visual Impacts

We recommend the Commission consider reducing the project's density according to draft EIR Alternative 4, the 44-lot proposal, in order to significantly reduce the project's visual impacts. Visitors passing through this SMMNRA gateway area enjoy unobstructed sweeping views from the base to the top of Ladyface Mountain when traversing Kanan Road. Visitors generally travel Cornell Road when coming to visit Paramount Ranch, and they currently enjoy the rustic setting along the road, with wide views of open space east of Cornell. Paramount Ranch is a heavily visited park site. For many visitors, it is their first introduction to the Santa Monica Mountains. In addition, the ranch is an active filming venue, often sought for views that free film makers from signs of the current time era.

The current project, while reducing the height of the manufactured slope and retaining wall in the SEA, still indicates significant alteration of the natural landscape to accommodate development, resulting in negative visual impacts. The 71-lot project description states that pad elevations will be reduced by five to 23 feet on the west side of Kanan Road, and six to eleven feet on the east side of Cornell Road. We find these reductions in pad elevation would only minimally change impacts to views toward Ladyface Mountain or toward the ridgeline east of Cornell. We also remain concerned about the grading that necessitates a 320-foot long, 17-foot high retaining wall on the north side of Lots 1-4. The staff report for the 66-lot project indicates plans for a ten-foot retaining wall along Kanan Road. While shielding residences from noise on Kanan Road, the retaining wall would also shield all but the highest elevations of Ladyface Mountain.

Zuma Ridge Trail Dedication

We request a feasible alignment for the Zuma Ridge Trail be identified and mapped before the final tract map is approved. The draft EIR suggested aligning the trail along Cornell Road, and the current proposal maps the alignment along Medea Creek. Either alignment is not feasible owing to right-of-way, floodplain, and safety obstacles. The City of Agoura Hills recently approved the Agoura Village Specific Plan that includes a hiking/equestrian center near the intersection of Cornell Road and Cornell Way. The Specific Plan needs to identify a trail connection to the south from the hiking/equestrian center. We recommend a meeting be scheduled with stakeholders associated with the proposed trail. The meeting would serve to identify a feasible connection between the City of Agoura Hills and Paramount Ranch. The applicant would only be responsible for the alignment that may pass across Triangle Ranch.

The National Park Service has provided comments for two Notices of Preparation of an EIR, has commented on the draft EIR, and has testified before the commission on the draft EIR. In each case, we have requested the project be redesigned to avoid impacts to natural, cultural, scenic, and recreational resources. In our comment letter on the draft EIR, we recommended the project be redesigned according to Alternative 4, the 44-lot proposal. At the public hearing on May 18, 2005, the commission directed the applicant to return with a project more like Alternative 4. We appreciate the steps the applicant has taken to reduce impacts. We ask the Commission to further reduce project impacts by additional density reduction on a smaller development footprint.

Thank you for the opportunity to comment. If you have questions, please call Ray Sauvajot at (805)370-2339.

Sincerely,

for Woody Smeck
Superintendent

cc: Joe Edmiston, Executive Director, Santa Monica Mountains Conservancy
Ron Schafer, Superintendent, Angeles District, State Department of Parks and Recreation
Dan Preece, District Manager, Resource Conservation District of the Santa Monica Mountains

FAX (213) 626-0434

June 27, 2006

Regional Planning Commissioners
Re: TTM 52419 'Triangle Ranch'

Dear Commissioners,

This letter specifically deals with concerns regarding the addition of Street E and lots 49-60. The above revision of the project should not be approved at this time. In many cases it is inconsistent with the Commissioners directive to the applicant to avoid sensitive species. The EIR itself does not include information that adequately describes this new extension in terms of impacts on water quality, sensitive species, wildlife corridors, traffic and general plan consistency.

According to DEIR Figure III. F-5 lots 50 and 51 lie directly over a population of Santa Monica Mountains Dudleya (Federally Threatened 1997) and Linear-Leaved Goldenbush. Staff has recommended that Landscape Lot 73 be eliminated due to impacts on the northerly population of this dudleya. For the same reasons lots 50 and 51 should be eliminated. In addition lots 49 and 52 must be eliminated to provide adequate buffers to protect the dudleya as outlined in the USFWS Recovery Plan of 1999 previously submitted to this commission for review. The Santa Monica Dudleya exists in only 8 sites and totals less than 2000 individuals (UFWS Recovery Plan 1999).

Lyons pentachaeta populations to the south and west of lots 58, 59 and 60 are as little as 50 feet away from property lines. These lots are too close to this sensitive endangered species. The federal recovery plan previously submitted to the commission discusses the critical need for adequate buffers to protect the species and the risk that fuel modification requirements holds for the extirpation of the species. The USFWS Recovery Plan of 1999 describes an instance where the recommended *200 foot buffer* was disturbed during fuel modification activity to within 100 feet of the lyons pentachaeta population in the Lake Sherwood area and the subsequent infiltration of more competitive weeds and grasses led to the loss of the lyons pent pop on the site. A 200 foot buffer is necessary even if it results in the removal of lots 58-60.

The DEIR does not adequately address the potential impacts of the addition of lots 49-60. The DEIR never addressed impacts in this area of the potential project site.

Water Quality: Drainages C and F are affected where they were not affected in the original 81 home application. These effects need to be addressed prior to approval of lots 49-60.

Grading: There are at least two issues regarding grading which are important and not discussed in the DEIR with relation to lots 49-60. The creation of lots 49-60 requires the filling of a canyon which is currently below street level. The fill required for this is going to have to come from either the more northerly sections of the development along Kanan Road or may come from as far away as the Cornell section of the project. The developer

estimates that grading will take 6-8 months. Due to the sensitive species on site no matter where the dirt comes from sections of Kanan and/or Cornell road will have to be used to haul that dirt. While technically within the project boundaries the results on the community will be significant. Kanan is a 45 mph road and a connecting road from the 101 to PCH. The impact of this large vehicle traffic on traffic congestion and safety is never addressed in the DEIR. We don't even have firm numbers on how much dirt will actually be required to fill in the canyon.

In addition, lots 58-60 as currently designed are so close to populations of lyons pentachaeta that disturbance and damage to these populations during the grading process is virtually assured even if it is not the intent of the applicant. Again, this is not addressed in the DEIR.

Wildlife Corridors/Movement: The addition of the strip lots 49-60 cuts off any possibility for wildlife movement from the west to the east of Kanan. Such movement is desirable as it allows for habitat connection between the Ladyface Mountain Open Space areas to the west and the Liberty Canyon Wildlife corridor to the east. Currently, this is the only area of undeveloped land within the Medea Valley with such a clear connection to the Liberty Canyon Wildlife Corridor, which crosses the 101 freeway and allows for wildlife movement along the entire range.

With the addition of lots 49-60 several known wildlife corridors particularly the culverts under Kanan road will be lost. Testimony has been provided to the commission regarding the importance of these links to wildlife (coyotes, bobcats, raccoons, deer) from the Ladyface side of Kanan who use them to access the perennial Medea Creek. The applicant has never done a thorough study of wildlife movement on site as requested. In the absence of such a study the anecdotal evidence is all we have. The applicant incorrectly assumes that wildlife movement will not be impaired by the addition of the new lots. This is an irresponsible conclusion. Simply because the applicant has chosen not to study the issue does not mean it does not exist as a significant adverse impact. Again it needs to be addressed prior to certification of the EIR.

I respectfully request that the Commission eliminate lots 49-52 and 58-60 for the reasons stated above and postpone the decision regarding lots 53-57 until the above questions can be answered.

Kind Regards—

Elizabeth French

Elizabeth French
24328 Bridle Trail Road
Hidden Hills, CA 91302

June 27, 2006

To: Regional Planning Commission Members Re: Triangle Ranch TTM #52419

The Cornell Preservation Organization met several times with the developer of the project to discuss the potential for design guidelines which would further the projects attempts to be consistent with the North Area Plan. We included in our comments and written suggestions to the developer guidelines, which would minimize impacts to the surrounding natural area. Community concern and suggestions were by and large ignored. Instead we received, less than a week ago, a document which was originally developed for another project and went as far as to discuss views from the golf course in said development.

Unpaid community members spent hours in these meetings and outside meetings with community members and leading land use experts and open space advocates in the community in an attempt to find a way to create a win-win situation. Below please find a list of design guidelines we proposed, many of which are applied in other parts of the county such as the Mulholland Scenic Corridor *and are NOT included in the developers design guidelines*. The applicants design guidelines include color and material palettes which are wholly inconsistent with the p urpose of the guidelines—to blend with the natural and rural surrounding environment.

To illustrate the woeful inadequacy of the document please consider the following, the project will be surrounded by open space on all sides, in some cases as many as multiple hundreds of acres, and yet while the design guidelines dedicate almost a full two pages to 'garage design' there is no night skies provisions mentioned anywhere in the document. In another example, red tile roofs and bright white stucco are included in the color palettes which would result in a glaring disturbance to the natural environment.

The applicant came before this commission and stated that they were voluntarily engaging in discussions with community leaders to address design and compatibility issues. Meetings occurred and suggestions were made but these suggestions were not included in the Draft Design Guidelines you have before you.

We were given our first and only Design Guidelines draft to review less than a week ago and respectfully request that the commission include

1

the following glaring omissions as additional meetings with the applicant prior to this hearing were not possible. The additions of the attached design guidelines would address some of the concerns raised by the commission during the last hearing and in the most recent staff report. Of particular concern to us is the current Design Guidelines omission of our comments regarding building heights along Kanan and Cornell road, and the fuel modification plans for the project. Specifically we suggested building height guidelines consistent with guidelines adopted by rural communities in the surrounding area (Old Agoura, The City of Hidden Hills, the Mulholland Scenic Corridor):

- On lots within the first 100 feet adjacent to Kanan or Cornell Roads, the height of any building or structure which is visible from Kanan or Cornell Road shall not exceed 15 feet above finished grade. *(source: City of Calabasas: Mulholland Scenic Corridor Ordinance)*
- Building heights shall not exceed twenty-six feet (26'). The building height of auxillary buildings (barns, stables, garages, guest houses, pool houses etc) shall not exceed eighteen feet (18'). *(source: City of Hidden Hills)*
- Final building heights shall be certified from *all* elevations.
- The outline of the second floor including all projections, chimneys etc shall not exceed 40% of the first floor footprint including attached garages, covered porches, breezeways etc. Any portion of the building with finished ridgelines over 18 feet (18') shall be considered part of the second story. *(source: City of Hidden Hills)*
- Upper floor levels on multi-story buildings should be stepped back from their base on all sides where possibly but certainly wherever the structure is visible outside the project footprint. *(source: City of Hidden Hills)*
- Fuel modification plans for ALL lots shall be included in the CC&R's and administered by the HOA. The fuel modification plan will be implemented via a CUP, which must be renewed every 5 years after passing inspection by an LA County approved inspector at the HOA's expense. The fuel modification plan will include desired as well as prohibited plant materials. To modify the fuel modification plan the HOA must petition the county to modify the CUP.

Respectfully -
Nick Noxon
Vice President, Cornell Preservation Organization

06/25/2006 23:40 8189917078 TECHTALENT INC. PAGE 03/08

Triangle Ranch Design Standards Consensus for Cornell Corridor/Medea Valley Communities

General comments about existing project design and footprint:

- The area under Ladyface
  - Suburban tract style housing at the Gateway to the Santa Monica Mountains will continue urban sprawl into the unincorporated area
  - Viewshed along Kanan
  - Unnatural and overly uniform grading
  - No Landscape plan presented

- The area between Cornell and Kanan Road
  - Viewshed impacts
  - Grading, brushclearing and runoff into Medea Creek
  - Loss of the habitat linkages under Kanan
  - Brushclearing within the Riparian habitat
- The area to the East of Cornell Road
  - Concern about the knoll being removed
  - Unnatural 'tiering' of the hillside
  - Introduction of more competitive plant species in the area, which would lead to reduction of lyons pentachaeta population

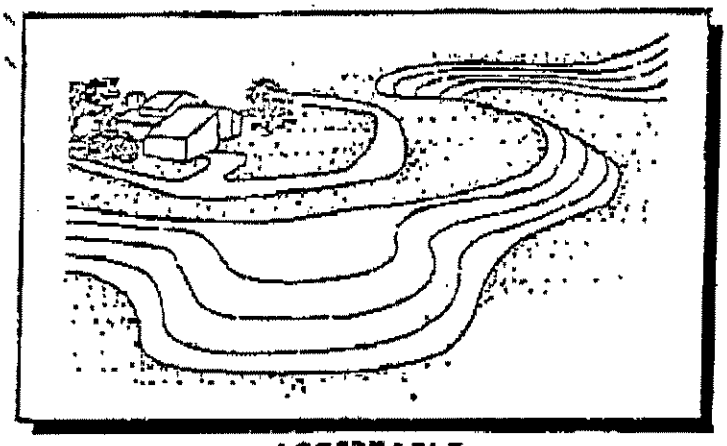
Design Standard Suggestions:

- Grading under Ladyface is too uniform and creates an unnatural appearance, with building pads rising a uniform 10 feet per pad as they rise into the foot of the mountain. This needs to be more varied.
- All grading shall be contour grading gently sculptured and softened to blend with the natural contours, and landscaped with environmentally appropriate trees and shrubs.
- All manufactured berms shall incorporate grading techniques which emphasize and enhance a natural condition. Manufactured slopes shall consist of undulating contours of various slope ratios. Use of boulders and other native rock material is most desirable.
- Each structure should have a minimum of 3 textured materials with no one material comprising more than 50% of the overall material used. Suitable materials include, natural rock, slate, tile, brick, wood, wood siding and minimal amounts of stucco.
- No structure exposure should be permitted to have a wall comprised completely of stucco or similarly reflective material unless it can be demonstrated that said exposure is not visible from any point outside of the development footprint. No structure visible outside of the development footprint shall have a large straight, blank façade

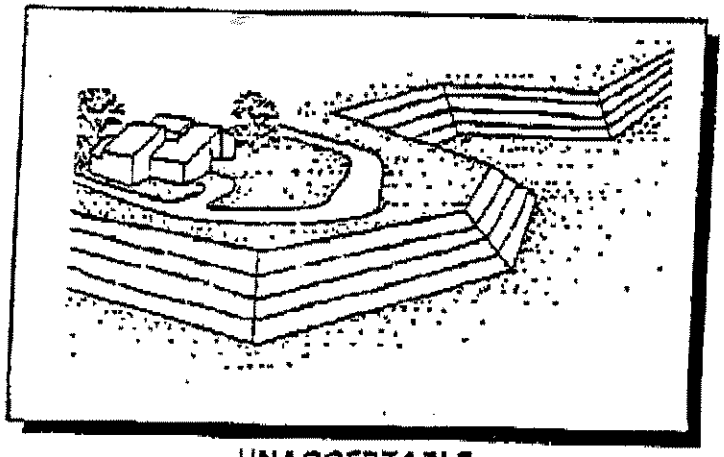
- Exterior treatments characterized by an overly bright, shiny, reflective or artificial appearance shall not be permitted.
- Earthtones must be used on all development within the project. Earthtones should be defined as a palette that is warm, rich and complimentary to the existing natural environment during it's driest points of the year (Summer and early Fall). This palette should be included the landscape plan.
- Roofs shall be comprised of a heavy coarse texture and mottled medium dark (gray, brown or blend of these), non glare material. No obtrusive equipment shall be placed on roofs. No red tile roofs.
- The roofs of buildings constructed on sloping land shall be parallel to the natural topography in order to protect line-of sight within the view corridor. Projecting elements above roof lines shall be minimized and shall be integrated into the structure's overall design.
- Building height shall not exceed twenty six feet (26'). The building height of auxillary buildings (barns, stables, garages, guest houses, pool houses etc) shall not exceed eighteen feet (18').
- Certification of final building building heights from all elevations.
- The outline of the second floor including all projections, chimneys etc shall not exceed 40% of the first floor footprint including attached garages, covered porches, breezeways etc. Any portion of the building with finished ridgelines over 18 feet shall be considered part of the second story.
- Upper floor levels on multi-story buildings should be stepped-back from their base on all sides where possible but certainly wherever the structure is visible outside of the project footprint.
- The color of fences and walls shall blend with the natural environment.
- All fences, gates and walls visible from Kanan or Cornell Road shall be constructed of the following materials: rough cut, unfinished wood, native type stone, textured plaster surface walls. Chainlink is discouraged and where used must be black or dark green. A combination of materials is encouraged.
- Vines and/or other clinging plant material shall be used to visually accent walls and fences where space may preclude the use of larger plants.
- On lots within the first 100 feet adjacent to Kanan and Cornell Roads, the height of any building or structure which is visible from Kanan or Cornell Road shall not exceed 15 feet above finished grade.
- Fuel modification plan for ALL lots included in the CC&R's and administered by the HOA. The fuel modification plan will be approved via a CUP which is renewed every 5 years after passing inspection by an LA County approved inspector at the HOA's expense. The fuel modification plan will include desired as well as prohibited plant materials. To modify the fuel modification plan the HOA must petition the county to modify the CUP.
- Replacement trees. Native trees, including oak trees, which care removed shall be replaced with the same type of tree according to the following replacement schedule:
    - Oaks - 36 inch box (2 for 1 replacement)
    - All other - 15 gallon (2 for 1 replacement)

CITY OF CALABASAS

SCENIC CORRIDOR
ORDINANCE NO. 94-69



ACCEPTABLE
Varied Slopes - Smooth Cut



UNACCEPTABLE
Regular Slopes- Sharp Cut

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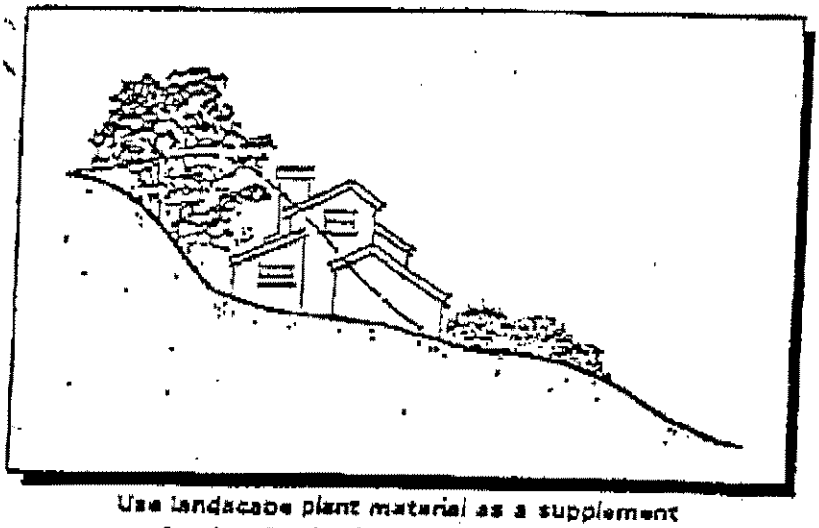
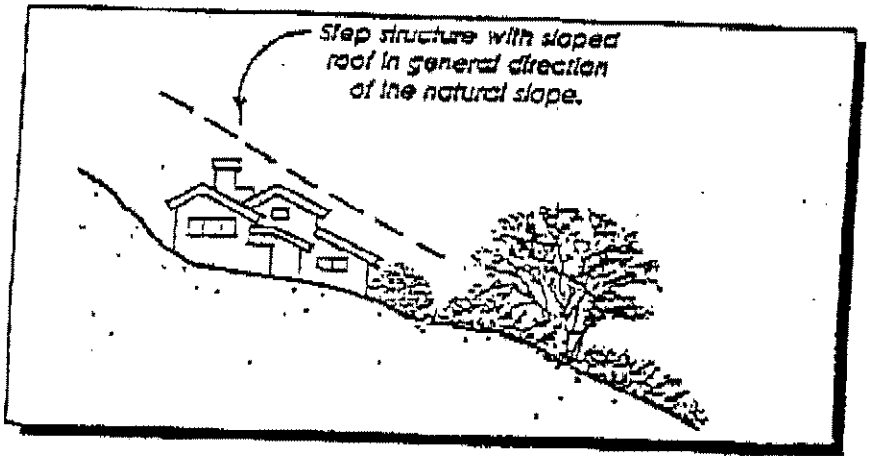
CITY OF CALABASAS

SCENIC CORRIDOR ORDINANCE NO. 94-69

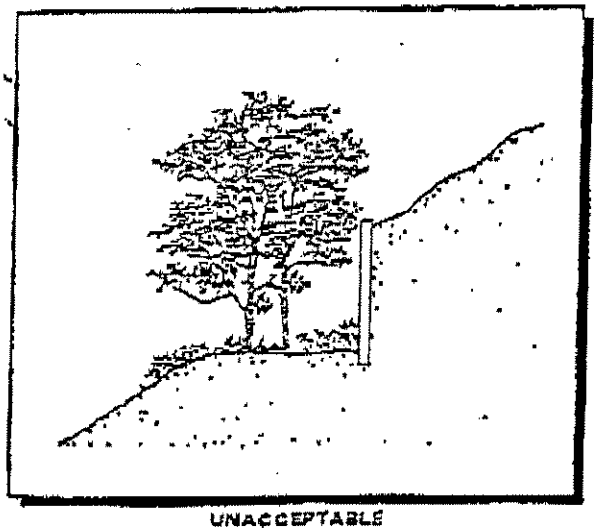


Use landscape plant material as a supplement for ridgeline backdrop if ridge is graded

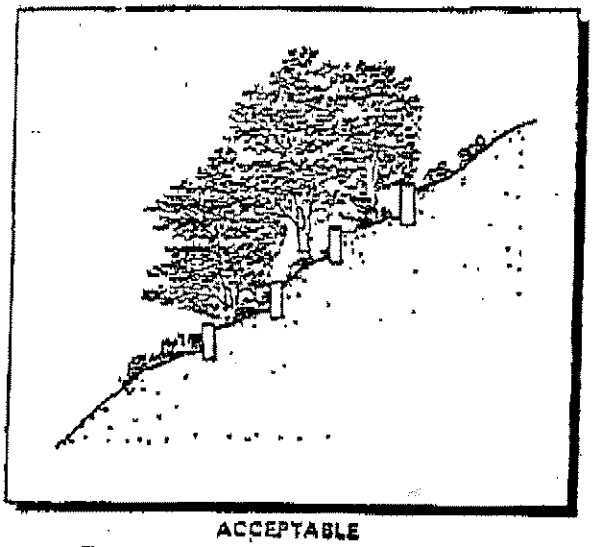


CITY OF CALABASAS

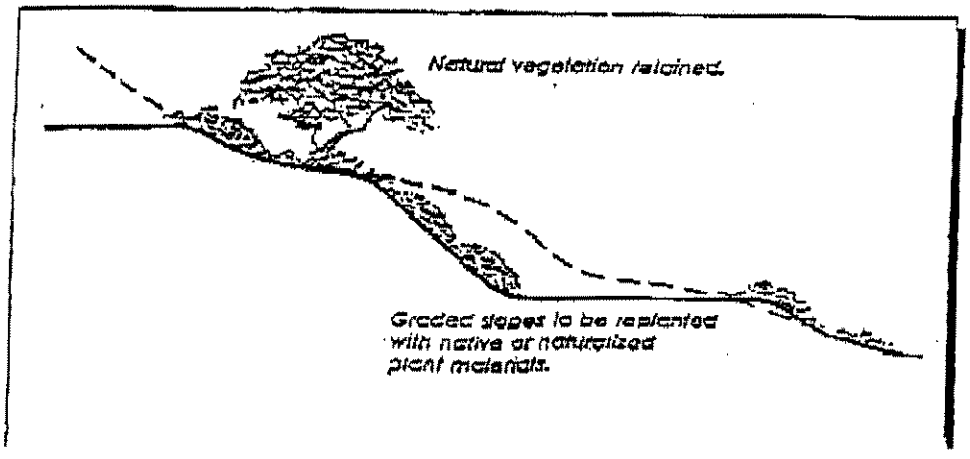
SCENIC CORRIDOR
ORDINANCE NO. 94-69



UNACCEPTABLE
Single retaining wall makes a massive scar on hillside and is difficult to screen.



ACCEPTABLE
Terraced retaining walls break up mass and are easier to screen.



7

29438 Mulholland Hwy
Agoura, CA 91201
(818) 597-9447

27 June 2006

Susan Tae, AICP
Acting Section Head
Land Division Section
Department of Regional Planning
County of Los Angeles
320 West Temple Street
Los Angeles, CA 90012
Tel: (213) 974-6433
Fax: (213) 626-0434

Subject: Tentative Tract Map 52419, County Project No. 97-178, CUP No. 97-178, OTP No. 97-178, SCH No. 97-178.

Dear Ms. Tae:

I respectfully submit, for the record, the attached Design Standards document for the subject Triangle Ranch Project as part of the public comment at the Regional Planning Commission hearing on 28 June 2006.

Even though this document was given to the Sage Community Group representative during the meeting on 6 May 2006 with representatives of CPO, the Tri-Park Community who prepared this document feel that the Design Guidelines, dated 20 June 2006, prepared by the Sage Community Group does not reflect the contents set forth in our Design Standards. Nor does the current version of their tract map and Draft EIR.

Thank you.

Sincerely,

C.T. Yabitsu
Member of Tri-Park Community

Attachment

ATTACHMENT TO LETTER
27 JUNE 2006

PRELIMINARY DESIGN STANDARDS FOR TRIANGLE RANCH (Offered by the Tri-Park Community)

6 MAY 2006

PREFACE

The areas on which the Triangle Ranch development is proposed is a pristine gateway into the Santa Monica Mountains (SSM) and encompasses Medea Creek which is designated as a blue line stream. It straddles Kanan Road which is the entrance to one of many areas within the SSM that is truly characterized by its natural beauty. Its beauty has the same park-like ambience, which makes the adjacent Paramount Ranch National Park, the Peter Strauss National Park, the State Malibu Creek State Park, and the Mulholland Highway Scenic Corridor a packaged integral park worthy of being a Los Angeles County treasure and should be treated as such with awe and respect.

Therefore, any development within these areas must have minimal impact on their collective environments and view sheds. With this clearly in mind, the community residing within this Tri-Park area along the Mulholland Highway Scenic Corridor respectfully proposes the following standards to be applied to the design of the Triangle Ranch development. The Environmental Impact Report (EIR) shall address each of these standards and shall be applicable in addition to those requirements defined by the California Environmental Quality Act (CEQA).

SUMMARY

The design standards to be established should address the following important areas:

(1). Maintain the existing natural view shed.
(2). Continue to minimize the polluting of Medea Creek.
(3). Establish grading requirements to limit damage to the environment and view shed.
(4). Continue to protect the endangered plants and wildlife.
(5). Maintain the existing conservation and trail easements.
(6). Maintain the area darken skies
(7). Assure vehicular and pedestrian safety.
(8). Establish procedures to maintain review and approval controls throughout the development process.

SPECIFICS

(1). Architectural and landscaping standards defining the design criteria to maintain the natural view shed.

(a). Minimize the number of lots to fit the tracts into an area of reduced and limited footprints for the three tract sites: SEA Site, Medea Creek Site, Ladyface Site. Larger lots with large homes are preferred over cookie-cutter type homes stacked tightly together, which have become typical in recent developments. [This community supports the reduced foot-print concept being offered by the local Cornell Preservation Organization (CPO).]
(b). The heights of structures, including walls, shall be restricted so as to gracefully blend in with the surrounding natural land contours.
(c). Color palettes of homes, other structures, and roofs shall be earth tones. The use of harsh whites or non-blending tones with the surrounding natural colors shall not be permitted. The use of red roof tiles shall not be an option.
(d). All sound barrier walls and berms shall be articulated with native plants; that is, walls must disappear through the combination of planting methods and aesthetic designs.
(e). All landscaping plants shall be of the native varieties; for example, no palm trees shall be permitted.

(2). Standards for minimum pollution shall be established to protect Medea Creek.
(a). Clearly define the bio-swale requirements. They shall be natural looking and blend into the surrounding area. Concrete de-silting basins shall not be an option.
(b). Preserve the existing buffers from Medea Creek, which are defined as the existing naturally sloped creek banks. This area shall be exempt from the county brush clearance requirements in order to maintain minimal soil erosion and man-caused pollution. The nearby national parks and the state park have such exemptions.
(c). No debris shall be strewn along the Medea Creek banks. The public shall have access to both sides of the creek for the long established bi-annual creek clean up which extends from within the city of Agoura Hills, through Paramount Ranch National Park, and onto Malibou Lake.
(d). Medea Creek shall not be altered from its current state. Neither bridges nor roads shall be permitted to cross this creek.
(3). Grading design standards to maintain the existing land contours.
(a). Building structures on knolls above the elevations of Kanan Road and Cornell Road shall not be permitted. The knolls within the permitted buildable footprints may be graded to within the limits defined by the view shed standards.
(b). Stepped lots which follow the land terrain contours are preferred over massive cut and fill flat multi-lots to the extent permitted by the view shed standard. That is, massive fills shall be avoided.
(c). All excess soil from cuts shall be exported.
(d). The environmental requirements during the grading process shall be in accordance with CEQA.
(e). As a minimum, all grading needs shall conform to the North Area Plan.

(4). Design standards to protect the endangered plants and wildlife.
- (a). Any development of the SEA Site shall be restricted to the footprint proposed by the local communities and other agencies responsible for protecting the SEA.
- (b). Existing wildlife access path causeways and drain lines under Kanan Road and Cornell Road shall not be altered during and after completion of the development.
- (c). Existing wildlife corridors shall be minimally impacted with such disturbances as lighting and fences. Whenever impacts are unavoidable or are in conflict with other standards, new and/or additional corridors shall be established as a mitigation measure.

(5). Design standards to maintain existing conservation and trail easements.
- (a). Zuma Ridge Trail aka Simi Trail to the Sea Trail easement shall be maintained and be modified only as required as suggested by local trails committees and community organizations.
- (b). Other trails shall be preserved and established according to the National Park Service Trail Map. Connections to the city of Agoura Hills with a trail shall be established such that it will provide a continuous trail to the Cheseboro area trail heads.

(6). Design standards to maintain dark skies as the criteria for local lighting.
- (a). Low wattage lights facing down and away from the Kanan Road and Cornell Road as well as the hillsides of Ladyface Mountain.
- (b). Tennis and sport courts shall not be capable of being lit with bright lights after dusk. (This is also a major traffic safety issue.)

(7). Safety design standards for vehicular and pedestrian traffic on Kanan Road and Cornell Road.
- (a). Defined and separate left turn lanes shall be provided on Kanan Road into the Medea Creek Site and Ladyface Site. Cross traffic to egress from these sites shall be addressed in the EIR, independent of the CEQA stated requirements.
- (b). Parking provisions along the shoulders of Cornell Road and Kanan Road shall not be permitted due to safety issues.
- (c). No open sidewalks shall be permitted along Kanan Road and Cornell Road. Use of decomposed granite with equestrian fencing to allow pedestrian and equestrian traffic shall be the preferred method. That is, less paved sections and more permeable materials to avoid run-offs to nearby creeks.
- (d). Speed limits for vehicular traffic along the developed areas shall be clearly posted in accordance with state and county standards.
- (e). All outdoor lighting shall not endanger vehicular drivers by adversely impacting their vision. That is, bright lights shall not be pointed in the directions Kanan Road and Cornell Road,

(8). Procedural standards, which clearly provide monitoring and control over the development process at the local and county levels.

(a). All landscape designs, structural heights, lot elevation profiles, color choices, conservation and wildlife easements, trail easements, and drainage designs shall be made available to the public for their comments no less than 20 working days prior to submission of the tract map to the county planning commission for review and approval.

(b). The requirements stated or not stated in CEQA shall not limit the establishment of design standards applicable to this development.

(c). Communication lines to coordinate efforts between the County Fire Department and SEA management teams shall be established and respective responsibilities clearly defined to insure that careful clearance and maintenance practices are followed for the defined SEA areas.

ATTACHMENTS

Attached herewith are photographs to illustrate by examples the preferred design concepts and those which are considered to be non-compliant with the design standards herein.

(Photos not included in this fax transmission to Susan Tae due to technical difficulties.)

RECEIVED
JUN 27 2006

June 22, 2006

Regional Planning Commissioners
Los Angeles County Department of Regional Planning
Hall of Records
320 W. Temple St.
Los Angeles, CA 90012
FAX: 213-626-0434

RE: CUP and Oak Tree Permit Case Nos 97-178(3)

Dear Commissioners,

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Sincerely,

print name: Rodd Feingold

address: 30100 Mulholland Hwy, Agoura, CA 91301

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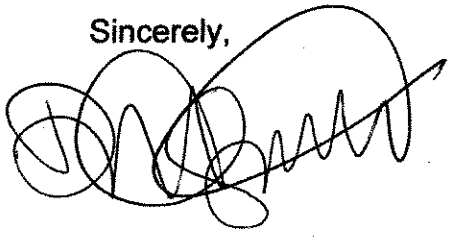

print name: Dena Feingold

address: 30100 Mulholland Hwy
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print name: Terrish Todd

address: 4359 Carlell Rd.
Agoura Hills CA. 91301

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print name: Robert F. Pauker

address: 4359 Cornell Rd.
Agoura Hills, CA
91301

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Sincerely,

print name: DAN COMINS

address: 6355 Topanga Cyn Blvd #225
Woodland Hills, CA 91367

292

June 22, 2006

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JUN-23-2006 10:54 FROM:ARKIN,SNEDDON& CO 818 710 1037 TO:12136260434 P.2/2

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print name: ARTHUR ARKIN

address: 7311 CANOGA AVE
WEST HILLS CA 91307

3 of 3

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Mark Sneddon

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Los Angeles, CA 90012
FAX: 213-626-0434

RE: CUP and Oak Tree Permit Case Nos 97-178(3)

Dear Commissioners,

I am opposed to the latest plan for Triangle Ranch because it still has not addressed many of the concerns of the community, primary of which is that it is an urban development that would be imposed upon a rural area. Specifically, the following community concerns have been neither explored nor solved in the most recent issuance of *Design Guidelines* and accompanying maps. To the contrary, they have been ignored.

Traffic and Safety: The two entrances from the west side of Kanan will establish an unsafe situation as most of the exiting traffic will have to make a left turn across oncoming traffic to enter the northbound lane. On weekends, beach traffic backs up as much as four miles from the freeway, making this turn virtually impossible. Frustrated and desperate drivers cause accidents. The south driveway, closest to the blind turn on Kanan, should be eliminated to reduce the additional danger due to lack of visibility.

Viewshed: Kanan Road is an L.A. County designated scenic highway. The developers have not yet addressed how their development will affect the viewshed of Ladyface Mountain. The homes along Kanan and appearance of the retaining walls are of particular concern.

North Area Plan: Contrary to the NAP, this is still an urban development in a rural setting. The lots are small for the area and the houses will be lined up ticky-tacky style along suburban streets. Because this subdivision does not follow natural landforms, it will require extensive grading and towering retaining walls.

Water Quality and Riparian Habitat: The ten homes along Medea Creek will adversely affect water quality because any chemicals used in these yards will drain directly into the creek, and riparian habitat, which normally filters pollutants, will be greatly diminished as a result of clearing 200' from each structure as required by the Fire Department.

JUN-23-2006 09:45 FROM:ARKIN,SNEDDON& CO 818 710 1037 TO:12136260434 P.1/2

Endangered and Threatened Plant Species: Much of this property is an SEA because of lyons pentachaeta and dudleya cymosa ovatifolia. There are several other unusual plants, as well as a lichen species that has only been found in a couple of other locations in the whole country. Will garden plants from the new homes escape and crowd out the natives? Fire Department regulation clearing will result in much of the lyons pentachaeta on the west side of Kanan being exterminated. How can this be acceptable?

Oak Trees: Adequate protection of the existing Heritage Oaks has not yet been achieved. The northern driveways off Kanan Road could easily be realigned to save additional oak trees.

Animals/Wildlife Corridors: The developer has not submitted a plan to show how the wildlife corridors will be protected. This property is adjacent to the Abrams property (now owned by the Santa Monica Mountains Conservancy), widely viewed as a corridor into the central portion of the mountains from the Liberty Canyon underpass, which provides about the only freeway crossing in the Santa Monica Mountains for wildlife from the north side of the freeway to the south.

Parks and Trails: Triangle Ranch is either adjacent or contiguous with several publicly owned properties. If this property is not sensitively developed, it will diminish the value of the public investment in the mountains. A large section of the Simi to the Sea (aka Zuma Ridge Trail) transverses the project site from north to south. It is important that trail protection be a condition of any approval.

Because Triangle Ranch is at the Kanan Road entrance into the heart of the Santa Monica Mountains National Recreation Area, the developer has a very special responsibility to create a subdivision that will make a statement to passing motorists and community residents that, since they left the City of Agoura Hills behind, they have entered into a different zone. Sage Community has yet to accomplish this. Please keep it foremost in your minds as review this application.

Sincerely,

Harriett Savedra

print name: HARRIETT SAVEDRA

address: 30473-114 MULholland Hwy
AGOURA CA 91301

RECEIVED
JUN 27 2006

June 16, 2006

Harold V. Helsley, Commissioner
Los Angeles Regional Planning Commission
320 West Temple Street, Room 1390
County of Los Angeles
Los Angeles, CA 90012

Subject - Tentative Tract Map # 52419

Dear Commissioner Helsley,

I am writing to you to urge your approval of the above tract map, the CUP #97-178-(3) and the Oak Tree Permit on June 28, 2006 when your commission hears this project for the third time.

The project fits with the North Area Plan, the hillside ordinance and the surrounding community. We have waited years for approvals, and we feel the plan is now at a point where we can be proud to leave 85% of the land for public use.

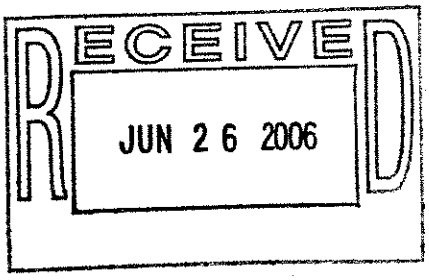
Triangle Ranch demonstrates that the need for new housing and the values we hold for preserving the environment and open space can be successfully integrated.

The planned housing is now far from the two hundred (200) considered many years ago. Under the leadership of the Moran and Whizin families, the majority of the land will remain untouched.

We want to move this forward, and we urge your approval on June 28th.

Cordially,

COPY TO ZEV YAROSLAVSKY



June17, 2006

Mr. Harold V. Helsley
Los Angeles Regional Planning Commission
320 West Temple Street, Room 1390
County of Los Angeles
Los Angeles, CA 90012

Regarding - Tentative Tract Map # 52419

Dear Commissioner Helsley,

I am writing to you to urge your approval of the above tract map when your commission hears this project on June 28, 2006. We have waited years for this hearing, and we feel the plan is now at a point where we can be proud to leave 85% of the land for public use.

The project fits with the North Area Plan, the hillside ordinance and the surrounding community. Triangle Ranch demonstrates that the need for new housing and the values we hold for preserving the environment and open space can be successfully integrated.

The current proposed 66 sites is not the two hundred (200) considered many years ago. Under the leadership of the Moran and Whizin families, the majority of the land will remain untouched.

Please approve the Triangle Ranch Project on June 28, 2006.

Sincerely,

Lucille Geertman - (818) 783-9791

My mother, Dolly Riskin has a small fraction of this property. She will be 102 in August, has waited years and years and years for this endless project to be completed. Please, 66 lots is more than fair to the community (even if it is less than fair to her) Thank you!

RECEIVED
JUN 26 2006

June17, 2006

Mr. Harold V. Helsley
Los Angeles Regional Planning Commission
320 West Temple Street, Room 1390
County of Los Angeles
Los Angeles, CA 90012

Regarding - Tentative Tract Map # 52419

Dear Commissioner Helsley,

I am writing to you to urge your approval of the above tract map when your commission hears this project on June 28, 2006. We have waited years for this hearing, and we feel the plan is now at a point where we can be proud to leave 85% of the land for public use.

The project fits with the North Area Plan, the hillside ordinance and the surrounding community. Triangle Ranch demonstrates that the need for new housing and the values we hold for preserving the environment and open space can be successfully integrated.

The current proposed 66 sites is not the two hundred (200) considered many years ago. Under the leadership of the Moran and Whizin families, the majority of the land will remain untouched.

Please approve the Triangle Ranch Project on June 28, 2006.

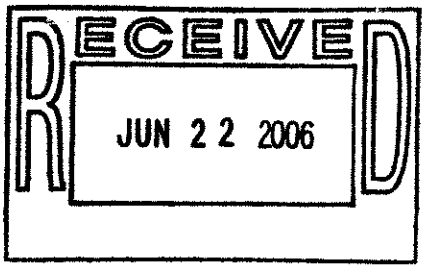
Sincerely,

Daniel Mantz

TEMPLE ISRAEL

Richard B. Silverman
Cantor

14 Coleytown Rd.
Westport, CT 06880
(203) 227-1293



June 20, 2006

Harold V. Helsley, Commissioner
Los Angeles Regional Planning Commission
320 West Temple Street, Room 1390
Los Angeles, CA.90012

Subject – Tentative Tract Map # 52419

Dear Commisioner. Helsley

I am writing to you to urge approval of the above tract map CUP #97-178-3 and the Oak Tree Permit on June 28, 2006 when your commission hears this project for the third time.

The project fits with the North Area Plan, the hillside ordinance and the surrounding community. We have waited years for approvals, and we feel the plan is now at a point where we can be proud to leave 85% of the land for public use.

Triangle Ranch demonstrates that the need for new housing and the values we hold for preserving the environment and open space can be successfully integrated.

The planned housing is now far from the two hundred considered many years ago. Under the leadership of the Moran and Whizin families, the majority of the land will remain untouched.

We want this to move this forward, and we urge your approval on June 28th.

On a personal note beyond what was suggested that I write to you. I want you to know that my father invested in this property well over 30 years ago. He passed away at age 74 and my mother lived until the age of 99 and this issue and return on this investment has still not been resolved over all of this time. My two sisters and I have are now the investors and I am the youngest at age 64. I believe it is about time that my family earns something significant from this investment.

Sincerely,

Richard Silverman

Richard B. Silverman

CC Zev Yaroslavsky

AGENDA ITEM 7

Delivered by facsimile
213-626-0434

June 22, 2006

Regional Planning Commissioners
Los Angeles County Department of Regional Planning
Hall of Records
320 West Temple Street
Los Angeles, CA 90012

RE: CUP and Oak Tree Permit Case Nos. 97-178(3)

Dear Commissioners:

At your meeting on Wednesday, June 28, 2006 you will hear from the Sage Community and the Cornell Preservation Commission. I am urging you to please consider zero development in this area.

At the very least, please hold the developer accountable for directly addressing the community's questions. This is an urban development proposed in a rural area and we are concerned. Below are a number of issues not touched upon in the recent Design Guidelines and accompanying maps.

Traffic and Safety: Driveways. Kanan is a heavily commuted road. Residents would be forced to make a left turn out of their development across oncoming traffic to enter the northbound lane. The south driveway lies close to a blind turn and should be eliminated to reduce additional risks. During morning and evening rush hour, the speed limit is rarely observed by commuting motorists. Speeding is a common problem and the area is difficult for law enforcement to patrol. It is a long, winding, open road and people "enjoy" driving it. On weekends, when heavy beach traffic grinds commuters to a crawl, the backup can stretch for miles. Both of these situations make the current proposal for driveways at the west side of Kanan extremely dangerous.

Viewshed: Los Angeles County has designated Kanan Road a scenic highway. The developers need to address how their development will affect the viewshed of Ladyface Mountain.

North Area Plan: Contrary to the NAP, this is still an urban development in a rural setting. The proposed lots are very small for the area and because the subdivision does not follow the natural landforms, it will require extensive grading and towering retaining walls.

Water Quality and Riparian Habitat: The ten homes along Medea Creek will adversely affect water quality. Any chemicals used in the yards of these homes will drain directly into the creek. Because we live in a high fire area, the Fire Department calls for a 200 foot clearing from each structure. This will result in a substantial loss of the riparian habitat, which serves as a filter for pollutants.

Endangered and Threatened Plant Life: Lyons pentachaeta and dudleya cymosa ovatifolia cover much of the property making it an SEA. There are several other unusual plants, as well as a lichen species found only in a few other locations in the country. These are all worth preserving and protecting.

Oak Trees: Adequate protection of the existing Heritage Oaks has not yet been achieved. The northern driveways off Kanan Road could easily be realigned to save more of our majestic oaks.

Animals/Wildlife Corridors: The developer has not submitted a plan to show how the wildlife corridors will be protected. This property, adjacent to the Abrams property now owned by the Santa Monica Conservancy, is viewed as a corridor into the central portions of the mountains from the Liberty Canyon underpass and provides the only crossing in the Santa Monica Mountains for wildlife to cross from the north to the south side of Highway 101.

Parks and Trails: Triangle Ranch is either adjacent or contiguous with several publicly owned properties. If this property is not sensitively developed, it will diminish the value of the public investment. A large section of Zuma Ridge Trail traverses the project site from north to south. It is important that trail protection be a condition of any approval.

Triangle Ranch is at the heart of the Santa Monica Mountains National Recreation Area. The developer, if allowed to build, has the responsibility to create a subdivision that respects and protects the publicly owned land that will surround it. They are also obligated to minimize the impact this development would have on the established community and those who come to enjoy the mountains. We need this to be a sound vision.

I hope that you will keep these items in mind as you review the application.

Thank you for your time.

Sincerely,

Elizabeth Ralser
29209 Circle Drive
Agoura Hills, CA 91301

Regional Planning Commissioners
Los Angeles County Department of Regional Planning
Hall of Records

My name is Pat Henkel, and I live in Malibou Lake for the past fourteen years. We purchase land and built our home over looking Malibu State Park. We followed every requirement you placed before us as well as Costal. Our main concern was to keep this view as God made it. I have served as President of our Home Owners Association in the past and now I have rejoined the board once again.

I'm writing this letter to ask you to take a closer look at the plan of Triangle Ranch. The amount of home still on the plan is far too many for our community. I would like to see it stay the way it is now but progress must go on. If you let this sixty-six homes go through it would be such a shame. Land owners have the right to build but need to do so with preserving the beauty of the land. Once it is gone it is gone forever.

Some fact I hope you will take a look at:

1. In the past month I have witness three accidents on Cornell Rd. One of these accidents were fatal. Do your math sixty-six home times two or three cars on Cornell.

2. The amount of bike riders on this road during the week-end are very high .

3. The animals and wildlife that cross our beautiful mountains need to be protected. They can't speak for themselves.

4. Last of all developers will build and be gone, but we the homeowners will still be here. Please help us to keep this piece of heaven for all to enjoy.

THE CORNELL PRESERVATION ORGANIZATION
P.O. Box 1875, Agoura Hills, CA 91376-1875
818 734-0775

Subject: VTM 5249
Date: 6/28/06
RRuiz / S. Tae

June 19, 2006

Susan Tae AICP
County of Los Angeles
Departmeent of Regional Planning
320 West Temple St
Los Angeles CA 90012

Via fax 213 626 0434

RE:Triangle Ranch Project hearing.

We would like to request a postponement of the June 28th 2006 planning Commission hearing on the Triangle project.

The tract map reached us only last Thursday the 15th. Other materials promised have not appeared to date. A design Guidelines document given us is woefully incomplete and appears to apply to some other project where a golf course and extremely large houses are involved.

As we have to circulate these materials widely to interested persons in our community and to make arrangements for them to attend the hearing downtown on a weekday, we do not have time to properly prepare for the hearing.

Alternatively could a more convenient date be scheduled for public comment on this project?

Any questions please do contact me at the following numbers 818 597-9788 (H) and 597 4810 (W). Many thanks for your help on this.

Colleen Holmes
C Holmes.
President – CPO

Cc Ben Saltsman
Rosie Ruiz

Submit this

VTM 52419
6/20/06

June 27, 2006

To: Regional Planning Commission Members Re: Triangle Ranch TTM #52419

The Cornell Preservation Organization met several times with the developer of the project to discuss the potential for design guidelines which would further the projects attempts to be consistent with the North Area Plan. We included in our comments and written suggestions to the developer guidelines, which would minimize impacts to the surrounding natural area. Community concern and suggestions were by and large ignored. Instead we received, less than a week ago, a document which was originally developed for another project and went as far as to discuss views from the golf course in said development.

Unpaid community members spent hours in these meetings and outside meetings with community members and leading land use experts and open space advocates in the community in an attempt to find a way to create a win-win situation. Below please find a list of design guidelines we proposed, many of which are applied in other parts of the county such as the Mulholland Scenic Corridor *and are NOT included in the developers design guidelines*. The applicants design guidelines include color and material palettes which are wholly inconsistent with the p irpose of the guidelines—to blend with the natural and rural surrounding environment.

To illustrate the woeful inadequacy of the document please consider the following, the project will be surrounded by open space on all sides, in some cases as many as multiple hundreds of acres, and yet while the design guidelines dedicate almost a full two pages to 'garage design' there is no night skies provisions mentioned anywhere in the document. In another example, red tile roofs and bright white stucco are included in the color palettes which would result in a glaring disturbance to the natural environment.

The applicant came before this commission and stated that they were voluntarily engaging in discussions with community leaders to address design and compatibility issues. Meetings occurred and suggestions were made but these suggestions were not included in the Draft Design Guidelines you have before you.

We were given our first and only Design Guidelines draft to review less than a week ago and respectfully request that the commission include

the following glaring omissions as additional meetings with the applicant prior to this hearing were not possible. The additions of the attached design guidelines would address some of the concerns raised by the commission during the last hearing and in the most recent staff report. Of particular concern to us is the current Design Guidelines omission of our comments regarding building heights along Kanan and Cornell road, and the fuel modification plans for the project. Specifically we suggested building height guidelines consistent with guidelines adopted by rural communities in the surrounding area (Old Agoura, The City of Hidden Hills, the Mulholland Scenic Corridor):

- On lots within the first 100 feet adjacent to Kanan or Cornell Roads, the height of any building or structure which is visible from Kanan or Cornell Road shall not exceed 15 feet above finished grade. *(source: City of Calabasas: Mulholland Scenic Corridor Ordinance)*
- Building heights shall not exceed twenty-six feet (26'). The building height of auxillary buildings (barns, stables, garages, guest houses, pool houses etc) shall not exceed eighteen feet (18'). *(source: City of Hidden Hills)*
- Final building heights shall be certified from *all* elevations.
- The outline of the second floor including all projections, chimneys etc shall not exceed 40% of the first floor footprint including attached garages, covered porches, breezeways etc. Any portion of the building with finished ridgelines over 18 feet (18') shall be considered part of the second story. *(source: City of Hidden Hills)*
- Upper floor levels on multi-story buildings should be stepped back from their base on all sides where possibly but certainly wherever the structure is visible outside the project footprint. *(source: City of Hidden Hills)*
- Fuel modification plans for ALL lots shall be included in the CC&R's and administered by the HOA. The fuel modification plan will be implemented via a CUP, which must be renewed every 5 years after passing inspection by an LA County approved inspector at the HOA's expense. The fuel modification plan will include desired as well as prohibited plant materials. To modify the fuel modification plan the HOA must petition the county to modify the CUP.

Respectfully -
Nick Noxon
Vice President, Cornell Preservation Organization

Triangle Ranch Design Standards Consensus for Cornell Corridor/Medea Valley Communities

General comments about existing project design and footprint:

- The area under Ladyface
  - Suburban tract style housing at the Gateway to the Santa Monica Mountains will continue urban sprawl into the unincorporated area
  - Viewshed along Kanan
  - Unnatural and overly uniform grading
  - No Landscape plan presented

- The area between Cornell and Kanan Road
  - Viewshed impacts
  - Grading, brushclearing and runoff into Medea Creek
  - Loss of the habitat linkages under Kanan
  - Brushclearing within the Riparian habitat
- The area to the East of Cornell Road
  - Concern about the knoll being removed
  - Unnatural 'tiering' of the hillside
  - Introduction of more competitive plant species in the area, which would lead to reduction of lyons pentachacta population

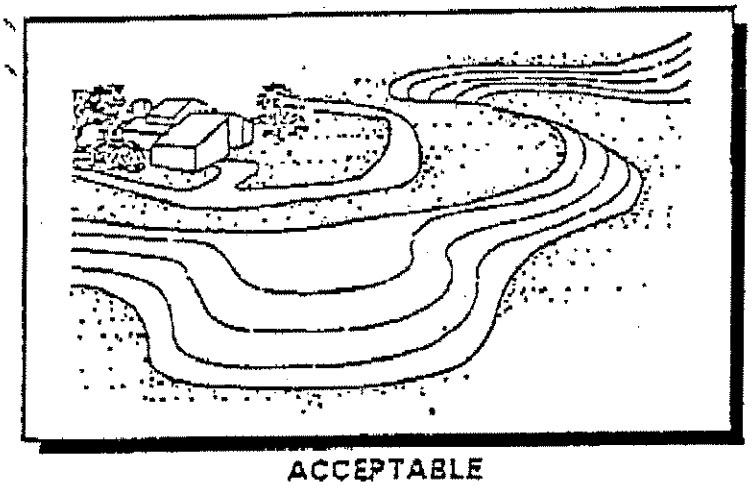
Design Standard Suggestions:

- Grading under Ladyface is too uniform and creates an unnatural appearance, with building pads rising a uniform 10 feet per pad as they rise into the foot of the mountain. This needs to be more varied.
- All grading shall be contour grading gently sculptured and softened to blend with the natural contours, and landscaped with environmentally appropriate trees and shrubs.
- All manufactured berms shall incorporate grading techniques which emphasize and enhance a natural condition. Manufactured slopes shall consist of undulating contours of various slope ratios. Use of boulders and other native rock material is most desirable.
- Each structure should have a minimum of 3 textured materials with no one material comprising more than 50% of the overall material used. Suitable materials include, natural rock, slate, tile, brick, wood, wood siding and minimal amounts of stucco.
- No structure exposure should be permitted to have a wall comprised completely of stucco or similarly reflective material unless it can be demonstrated that said exposure is not visible from any point outside of the development footprint. No structure visible outside of the development footprint shall have a large straight, blank façade

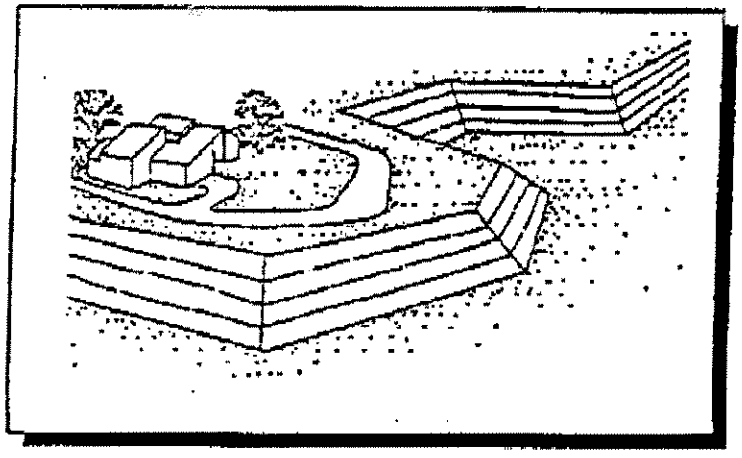
- Exterior treatments characterized by an overly bright, shiny, reflective or artificial appearance shall not be permitted.
- Earthtones must be used on all development within the project. Earthtones should be defined as a palette that is warm, rich and complimentary to the existing natural environment during it's driest points of the year (Summer and early Fall). This palette should be included the landscape plan.
- Roofs shall be comprised of a heavy coarse texture and mottled medium dark (gray, brown or blend of these), non glare material. No obtrusive equipment shall be placed on roofs. No red tile roofs.
- The roofs of buildings constructed on sloping land shall be parallel to the natural topography in order to protect line-of sight within the view corridor. Projecting elements above roof lines shall be minimized and shall be integrated into the structure's overall design.
- Building height shall not exceed twenty six feet (26'). The building height of auxillary buildings (barns, stables, garages, guest houses, pool houses etc) shall not exceed eighteen feet (18').
- Certification of final building building heights from all elevations.
- The outline of the second floor including all projections, chimneys etc shall not exceed 40% of the first floor footprint including attached garages, covered porches, breezeways etc. Any portion of the building with finished ridgelines over 18 feet shall be considered part of the second story.
- Upper floor levels on multi-story buildings should be stepped-back from their base on all sides where possible but certainly wherever the structure is visible outside of the project footprint.
- The color of fences and walls shall blend with the natural environment.
- All fences, gates and walls visible from Kanan or Cornell Road shall be constructed of the following materials: rough cut, unfinished wood, native type stone, textured plaster surface walls. Chainlink is discouraged and where used must be black or dark green. A combination of materials is encouraged.
- Vines and/or other clinging plant material shall be used to visually accent walls and fences where space may preclude the use of larger plants.
- On lots within the first 100 feet adjacent to Kanan and Cornell Roads, the height of any building or structure which is visible from Kanan or Cornell Road shall not exceed 15 feet above finished grade.
- Fuel modification plan for ALL lots included in the CC&R's and administered by the HOA. The fuel modification plan will be approved via a CUP which is renewed every 5 years after passing inspection by an LA County approved inspector at the HOA's expense. The fuel modification plan will include desired as well as prohibited plant materials. To modify the fuel modification plan the HOA must petition the county to modify the CUP.
- Replacement trees. Native trees, including oak trees, which care removed shall be replaced with the same type of tree according to the following replacement schedule:
    - Oaks - 36 inch box (2 for 1 replacement)
    - All other - 15 gallon (2 for 1 replacement)

CITY OF CALABASAS

SCENIC CORRIDOR
ORDINANCE NO. 94-69



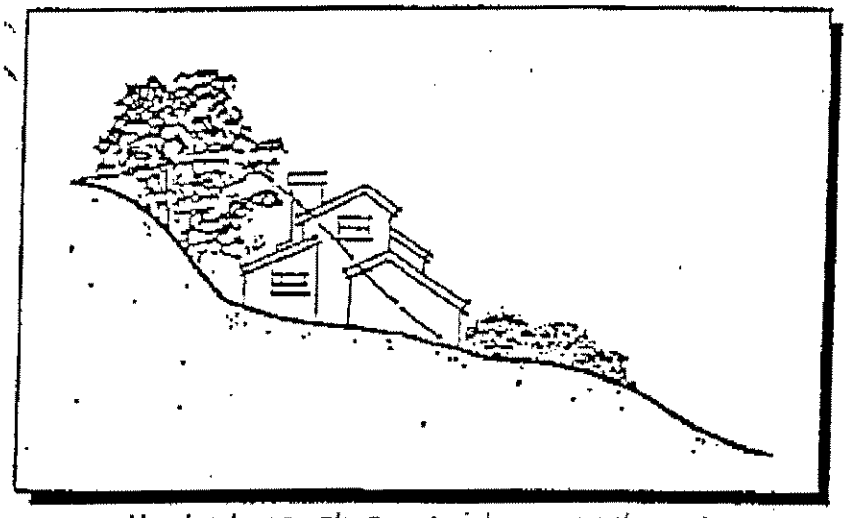
ACCEPTABLE
Varied Slopes - Smooth Cut



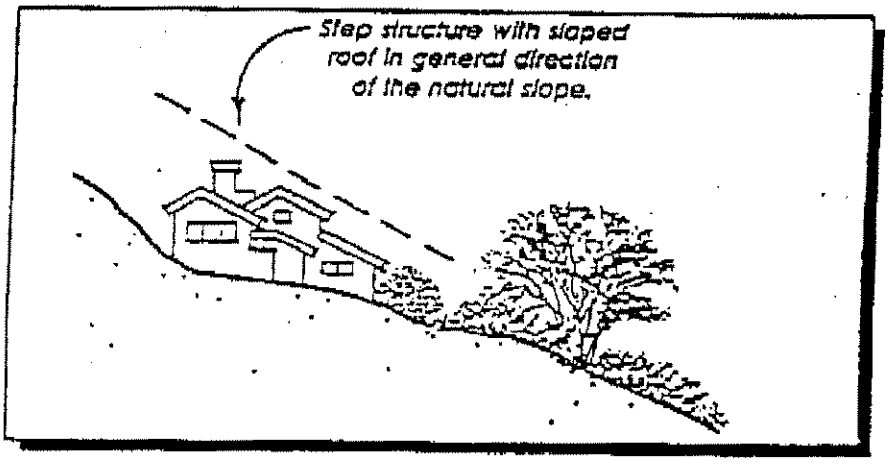
UNACCEPTABLE
Regular Slopes- Sharp Cut

CITY OF CALABASAS

SCENIC CORRIDOR ORDINANCE NO. 94-69

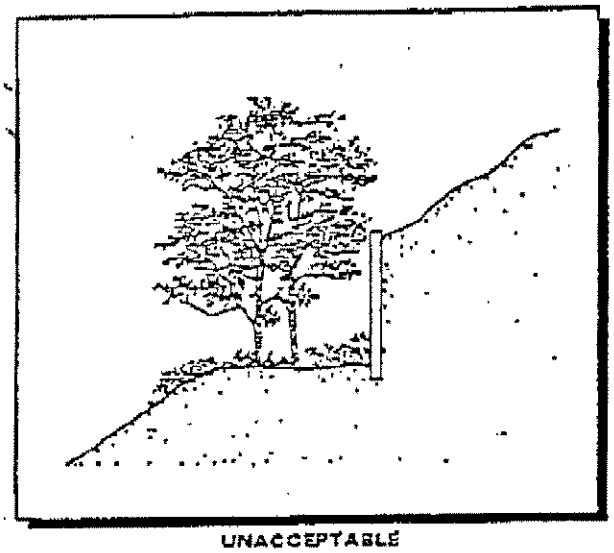


Use landscape plant material as a supplement for ridgeline backdrop if ridge is graded

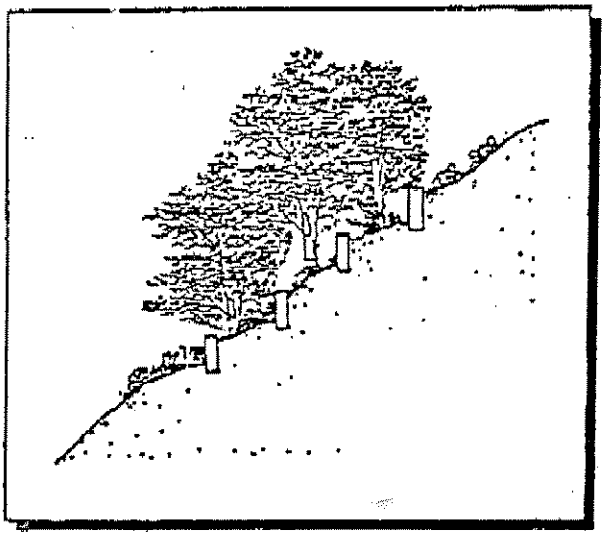


CITY OF CALABASAS

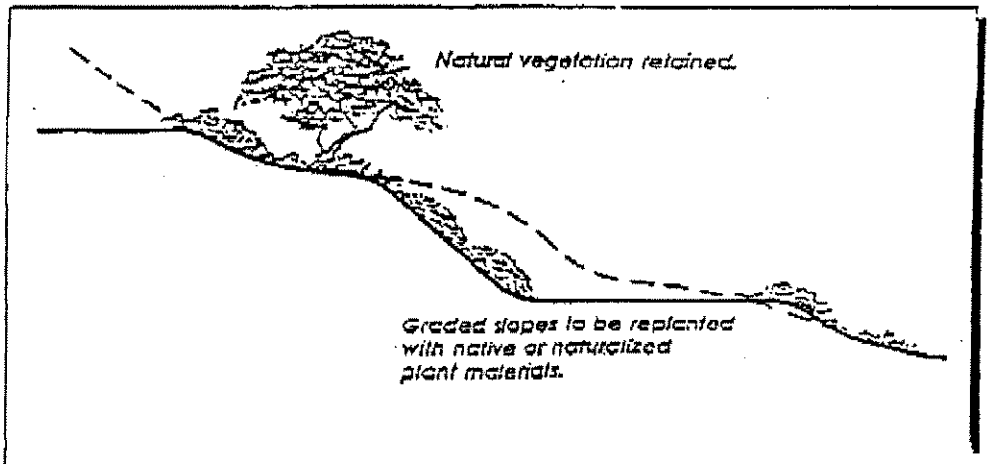
SCENIC CORRIDOR ORDINANCE NO. 94-69



UNACCEPTABLE
Single retaining wall makes a massive scar on hillside and is difficult to screen.



ACCEPTABLE
Terraced retaining walls break up mass and are easier to screen.



FAX (213) 626-0434

Submit this
Subject: VTM 52419
Date: 6/28/06 June 27, 2006
RPC / STAL

Regional Planning Commissioners
Re: TTM 52419 'Triangle Ranch'

Dear Commissioners,

This letter specifically deals with concerns regarding the addition of Street E and lots 49-60. The above revision of the project should not be approved at this time. In many cases it is inconsistent with the Commissioners directive to the applicant to avoid sensitive species. The EIR itself does not include information that adequately describes this new extension in terms of impacts on water quality, sensitive species, wildlife corridors, traffic and general plan consistency.

According to DEIR Figure III. F-5 lots 50 and 51 lie directly over a population of Santa Monica Mountains Dudleya (Federally Threatened 1997) and Linear-Leaved Goldenbush. Staff has recommended that Landscape Lot 73 be eliminated due to impacts on the northerly population of this dudleya. For the same reasons lots 50 and 51 should be eliminated. In addition lots 49 and 52 must be eliminated to provide adequate buffers to protect the dudleya as outlined in the USFWS Recovery Plan of 1999 previously submitted to this commission for review. The Santa Monica Dudleya exists in only 8 sites and totals less than 2000 individuals (UFWS Recovery Plan 1999).

Lyons pentachaeta populations to the south and west of lots 58, 59 and 60 are as little as 50 feet away from property lines. These lots are too close to this sensitive endangered species. The federal recovery plan previously submitted to the commission discusses the critical need for adequate buffers to protect the species and the risk that fuel modification requirements holds for the extirpation of the species. The USFWS Recovery Plan of 1999 describes an instance where the recommended *200 foot buffer* was disturbed during fuel modification activity to within 100 feet of the lyons pentachaeta population in the Lake Sherwood area and the subsequent infiltration of more competitive weeds and grasses led to the loss of the lyons pent pop on the site. A 200 foot buffer is necessary even if it results in the removal of lots 58-60.

The DEIR does not adequately address the potential impacts of the addition of lots 49-60. The DEIR never addressed impacts in this area of the potential project site.

Water Quality: Drainages C and F are affected where they were not affected in the original 81 home application. These effects need to be addressed prior to approval of lots 49-60.

Grading: There are at least two issues regarding grading which are important and not discussed in the DEIR with relation to lots 49-60. The creation of lots 49-60 requires the filling of a canyon which is currently below street level. The fill required for this is going to have to come from either the more northerly sections of the development along Kanan Road or may come from as far away as the Cornell section of the project. The developer

estimates that grading will take 6-8 months. Due to the sensitive species on site no matter where the dirt comes from sections of Kanan and/or Cornell road will have to be used to haul that dirt. While technically within the project boundaries the results on the community will be significant. Kanan is a 45 mph road and a connecting road from the 101 to PCH. The impact of this large vehicle traffic on traffic congestion and safety is never addressed in the DEIR. We don't even have firm numbers on how much dirt will actually be required to fill in the canyon.

In addition, lots 58-60 as currently designed are so close to populations of lyons pentachaeta that disturbance and damage to these populations during the grading process is virtually assured even if it is not the intent of the applicant. Again, this is not addressed in the DEIR.

Wildlife Corridors/Movement: The addition of the strip lots 49-60 cuts off any possibility for wildlife movement from the west to the east of Kanan. Such movement is desirable as it allows for habitat connection between the Ladyface Mountain Open Space areas to the west and the Liberty Canyon Wildlife corridor to the east. Currently, this is the only area of undeveloped land within the Medea Valley with such a clear connection to the Liberty Canyon Wildlife Corridor, which crosses the 101 freeway and allows for wildlife movement along the entire range.

With the addition of lots 49-60 several known wildlife corridors particularly the culverts under Kanan road will be lost. Testimony has been provided to the commission regarding the importance of these links to wildlife (coyotes, bobcats, raccoons, deer) from the Ladyface side of Kanan who use them to access the perennial Medea Creek. The applicant has never done a thorough study of wildlife movement on site as requested. In the absence of such a study the anecdotal evidence is all we have. The applicant incorrectly assumes that wildlife movement will not be impaired by the addition of the new lots. This is an irresponsible conclusion. Simply because the applicant has chosen not to study the issue does not mean it does not exist as a significant adverse impact. Again it needs to be addressed prior to certification of the EIR.

I respectfully request that the Commission eliminate lots 49-52 and 58-60 for the reasons stated above and postpone the decision regarding lots 53-57 until the above questions can be answered.

Kind Regards—

Elizabeth French

Elizabeth French
24328 Bridle Trail Road
Hidden Hills, CA 91302

Mailed with R. P. C.
Subject: VTM 52419-3
Date: 6-28-06
RRuz - S/Tae
more than 50

Commissioners
Los Angeles County
Department of Regional Planning
Hall of Records (13th Floor)
320 West Temple Street
Los Angeles, CA 90012

This morning, I am here to present you with petition letters signed by ~~40~~ members of the Santa Monica Mountains community, including myself, who are opposed to the approval of Tentative Tract Map No. 52419, otherwise known as Triangle Ranch. I respectfully ask that these letters be entered into the record. The letters represent the heartfelt opinions of members of the community who could not be here today, and who have not otherwise communicated with the Commission or the Department of Regional Planning regarding the matter being heard.

The time limit will not permit me to read the entire text of the petition. However, I will read the opening paragraph and summarize the issues addressed:

Dear Commissioners:

I am opposed to the latest plan for Triangle Ranch because it still has not addressed many of the concerns of the community, primary of which is that it is an urban development that would be imposed upon a rural area. Specifically, the following community concerns have been neither explored nor solved in the most recent issuance of Design Guidelines and accompanying maps. To the contrary, they have been ignored.

Areas of concern include:

Traffic and Safety
Viewshed
North Area Plan
Water Quality and Riparian Habitat
Endangered and Threatened Plant Species
Oak Trees
Wildlife Corridors
Parks and Trails

Thank you for your attention.

Sincerely,

Penelope J. Suess

Penelope J. Suess
30473 Mulholland Highway #179
Cornell, CA 91301

June 22, 2006

Regional Planning Commissioners
Los Angeles County Department of Regional Planning
Hall of Records
320 W. Temple St.
Los Angeles, CA 90012
FAX: 213-626-0434

RE: CUP and Oak Tree Permit Case Nos 97-178(3)

Dear Commissioners,

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Sincerely,

print name: WILLIAM & CAROL FOSTER

address: 5601 N. FOOTHILL DR.
AGOURA, CA 91301

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print name: Margaret Kryan

address: 30804 Calaise Ct.
Westlake Village, CA 91362

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print name: Pat Henkel

address: 1755 Lookout Drive

Agoura CA 91301

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address: 30804 Calaise Ct.
Westlake Village, CA 91362

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address: 30804 Calaise Ct.
Westlake Vill., CA 91362

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print name: Nicole Friedman

address: 4011 Cornell Rd.
Agoura Ca. 91301

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print name: IRA FRIEDMAN

address: 2811 Cornell Rd
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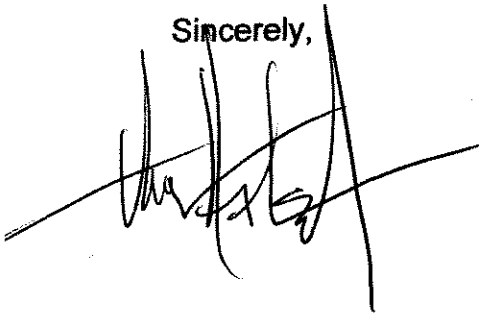

print name: THOR HALSETH

address: 3737 HEDDA CR. RD.
AGOURA CA. 91301

June 22, 2006

Regional Planning Commissioners
Los Angeles County Department of Regional Planning
Hall of Records
320 W. Temple St.
Los Angeles, CA 90012
FAX: 213-626-0434

RE: CUP and Oak Tree Permit Case Nos 97-178(3)

Dear Commissioners,

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print name: Karla Halseth

address: 3737 Medea Creek Dr
Agoura CA 91301

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Elizabeth French

print name: Elizabeth French

address: 24328 Bridle Trail Road
Hidden Hills, CA
91302

June 22, 2006

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print name: Chester T. Yabitsu

address: 29438 Mulholland Hwy
Agoura, CA 91301

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print name: Mary Altmann

address: 1857 Lookout Dr

Agoura CA. 91301

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print name: WALTER KELLEY

address: 28944 CRAGS DR

AGOURA, CA 91301

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print name: CAROL HENRY

address: 29068 LAKE DR
AGOURA HILLS, CA
91301

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print name: Anatz Plessner

address: 2057 Lookout Drive

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print name: Paul Culberg

address: 32063 Lobo Cyn Rd
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Sincerely,

print name: FRED B. BERKLEY

address: 4165 CORNELL RD

AGOURA HILLS 91301

June 22, 2006

Regional Planning Commissioners
Los Angeles County Department of Regional Planning
Hall of Records
320 W. Temple St.
Los Angeles, CA 90012
FAX: 213-626-0434

RE: CUP and Oak Tree Permit Case Nos 97-178(3)

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print name: CYRIL CIANFLONE

address: 29042 SILVER CREEK RD
AGOURA CA 91301

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Richard R Henicke

print name: RICHARD R. HENICKE

address: 1755 LOOKOUT DR

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address: 29480 LAKE VISTA
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print name: Carol Hurt

address: 29480 Lake Vista Dr.
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Joan Yabitsu

print name: Joan Yabitsu

address: 29438 Mulholland Hwy
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print name: Debby Pattiz

address: 29136 Crags Dr.
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address: 29711 Mulholland Hwy.
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Sincerely,

print name: HOURI KHALAZI-GREKO

address: 3340 CORNELL RD.
AGOURA, CA 91301

June 22, 2006

Regional Planning Commissioners
Los Angeles County Department of Regional Planning
Hall of Records
320 W. Temple St.
Los Angeles, CA 90012
FAX: 213-626-0434

RE: CUP and Oak Tree Permit Case Nos 97-178(3)

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print name: Colette Swan

address: 29050 LAKE DR

AGOURA CA 91301

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print name: Jaime Massey

address: 29711 Mulholland Hwy
Agoura Ca 91301

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print name: Serena Friedman MD

address: 28705 WATSON RD
Agoura Cal 91301

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address: 5552 Colodny Dr
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print name: Michael Hart

address: 2090 East Lakeshore Dr.
Agoura, CA 91301

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print name: Robert Baron

address: 4145 Cornell Rd.
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Cynthia Maxwell

print name: CYNTHIA MAXWELL

address: 24875 Mulholland Hwy
Calabasas, CA 91302

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print name: Suzie Ouellette

address: 4351 Cornell Rd
Agoura, CA 91301

June 22, 2006

Regional Planning Commissioners
Los Angeles County Department of Regional Planning
Hall of Records
320 W. Temple St.
Los Angeles, CA 90012
FAX: 213-626-0434

RE: CUP and Oak Tree Permit Case Nos 97-178(3)

Dear Commissioners,

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print name: Bill Ouellette

address: 4351 Cornell Rd
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Penelope J. Suess

print name: Penelope J. Suess

address: 30473-149 Mulholland Hwy.
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print name: DONNA EBLE CHAMASMANY

address: 28821 Wagon Rd
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print name: Peter W. Greenwood

address: 1936 Flathead Trail
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print name: NAN KANE

address: 3344 Laguna Circle
Agoura CA 91301

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print name: Pamela Rinaldi

address: 30473 Mulholland, #190
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print name: Nova Hedrick

address: 29395 Lake Vista Dr.
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Because Triangle Ranch is at the Kanan Road entrance into the heart of the Santa Monica Mountains National Recreation Area, the developer has a very special responsibility to create a subdivision that will make a statement to passing motorists and community residents that, since they left the City of Agoura Hills behind, they have entered into a different zone. Sage Community has yet to accomplish this. Please keep it foremost in your minds as review this application.

Sincerely,

print name: Steve Shimek

address: 29071 LAKE VISTA DR

AGOURA, CA 91301

June 22, 2006

Regional Planning Commissioners
Los Angeles County Department of Regional Planning
Hall of Records
320 W. Temple St.
Los Angeles, CA 90012
FAX: 213-626-0434

RE: CUP and Oak Tree Permit Case Nos 97-178(3)

Dear Commissioners,

I am opposed to the latest plan for Triangle Ranch because it still has not addressed many of the concerns of the community, primary of which is that it is an urban development that would be imposed upon a rural area. Specifically, the following community concerns have been neither explored nor solved in the most recent issuance of *Design Guidelines* and accompanying maps. To the contrary, they have been ignored.

Traffic and Safety: The two entrances from the west side of Kanan will establish an unsafe situation as most of the exiting traffic will have to make a left turn across oncoming traffic to enter the northbound lane. On weekends, beach traffic backs up as much as four miles from the freeway, making this turn virtually impossible. Frustrated and desperate drivers cause accidents. The south driveway, closest to the blind turn on Kanan, should be eliminated to reduce the additional danger due to lack of visibility.

Viewshed: Kanan Road is an L.A. County designated scenic highway. The developers have not yet addressed how their development will affect the viewshed of Ladyface Mountain. The homes along Kanan and appearance of the retaining walls are of particular concern.

North Area Plan: Contrary to the NAP, this is still an urban development in a rural setting. The lots are small for the area and the houses will be lined up ticky-tacky style along suburban streets. Because this subdivision does not follow natural landforms, it will require extensive grading and towering retaining walls.

Water Quality and Riparian Habitat: The ten homes along Medea Creek will adversely affect water quality because any chemicals used in these yards will drain directly into the creek, and riparian habitat, which normally filters pollutants, will be greatly diminished as a result of clearing 200' from each structure as required by the Fire Department.

Endangered and Threatened Plant Species: Much of this property is an SEA because of lyons pentachaeta and dudleya cymosa ovatifolia. There are several other unusual plants, as well as a lichen species that has only been found in a couple of other locations in the whole country. Will garden plants from the new homes escape and crowd out the natives? Fire Department regulation clearing will result in much of the lyons pentachaeta on the west side of Kanan being exterminated. How can this be acceptable?

Oak Trees: Adequate protection of the existing Heritage Oaks has not yet been achieved. The northern driveways off Kanan Road could easily be realigned to save additional oak trees.

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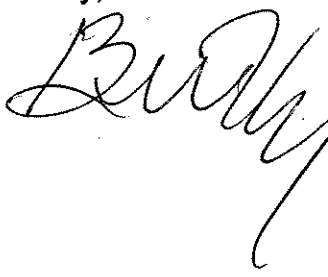

print name: Bill Krebs

address: 28913 Medina Mesa Rd
Agoura, ca 91301

June 22, 2006

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Los Angeles County Department of Regional Planning
Hall of Records
320 W. Temple St.
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Sincerely,

Dayna Krebs

print name: Dayna Krebs

address: 28913 Medea Mesa Rd

Agoura CA 91301

June 22, 2006

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Los Angeles County Department of Regional Planning
Hall of Records
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Sincerely,

print name: _____

address: _____

_____

Petition Signers

1. Stacey Goldstein
5336 Chesebro Rd.
Agoura Hills 91301

2. Elizabeth Raker
29209 Circle Dr.
Agoura, 91301

3. Tyler Krebs
28913 Medea Mesa Road
Agoura, CA 91301
Tyler Krebs

4. Jess Thomas
6064 Chesebro Road
Agoura Hills, CA 91301

5. Kirk Allegro
28312 Driver Ave.
Agoura Hills, CA 91301

6. Tony Weisenbruch
28428 Waring Pl
Agoura Hills CA 91301

7. Richard Watters
28245 Driver Ave
Agoura Hills, CA. 91301

8. Mary Ellen Strote
475 Stunt Road
Calabasas CA 91302

Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead

James E. Hartl AICP
Director of Planning

September 14, 2006

TO: Pat Modugno, Chair
Esther L. Valadez, Vice Chair
Leslie G. Bellamy, Commissioner
Harold V. Helsley, Commissioner
Wayne Rew, Commissioner

FROM: Susan Tae, AICP, Acting Section Head
Land Divisions Section

SUBJECT: VESTING TENTATIVE TRACT MAP NO. 52419-(3)
CONDITIONAL USE PERMIT CASE NO. 97-178-(3)
OAK TREE PERMIT CASE NO. 97-178-(3)
AGENDA ITEM NO. 8 a, b, c; SEPTEMBER 20, 2006

PROJECT BACKGROUND

As you may recall, Vesting Tentative Tract Map No. 52419 ("TR 52419") is a subdivision originally proposed to create 81 single-family lots, five open space lots, nine landscape lots , one street lot and one desilting basin lot on 320.3 gross acres. A Conditional Use Permit ("CUP") was required to ensure compliance with the requirements of hillside management, density-controlled development, planned residential development within the Residential Planned Development ("RPD") zone, development within a Significant Ecological Area ("SEA"), and grading (onsite project and within the Santa Monica Mountains North Area). An Oak Tree Permit was also filed to authorize removal of 18 oak trees, including two heritage oaks, and encroachment into the protected zone of 17 oak trees, including five heritage oaks. After opening the public hearing and taking public testimony both in favor and in opposition on May 18, 2005, the public hearing was continued to June 21, 2005 to take any remaining testimony, and give the applicant opportunity for rebuttal. On June 21, your Commission directed the applicant to redesign the project to protect the natural resources and be more consistent with the Santa Monica Mountains North Area Plan ("North Area Plan").

In October of 2005, the applicant submitted a redesigned project of 71 single-family lots, five open space lots, seven landscape lots and two public facility lots for Los Angeles County Subdivision Committee ("Subdivision Committee") technical review. The 71-unit design was advertised for a public hearing before your Commission on February 22, 2006; an updated project description for the Draft Environmental Impact Report ("EIR") was also prepared and distributed for public comments. On February 22, the applicant requested, and your Commission granted, a continuance to April 5, 2006. On April 5, after a status report was given by the applicants of ongoing redesign efforts, your Commission granted another continuance to the June 28, 2006 continued public hearing.

During the June 28, 2006 public hearing, your Commission heard a presentation by staff and the applicant for a redesigned project of 66 single-family lots, five open space lots, six landscape lots and two public facility lots with residential lots ranging in size from 10,000 square feet to two gross acres. Five natural open space lots and six landscape lots comprised the project's 281.1 acres (88 percent) of open space. Public testimony was also taken from two persons in favor and 13 persons in opposition to the project. Those in favor of the project addressed the length of time the subdivision has been processed, the developed nature of the surrounding community, and the impression that those in

opposition have moved to the area and desire no future development. Those in opposition raised concerns, including the development's continued significant adverse impacts including on a wildlife corridor, desire for Alternative No. 4 as identified in the Draft Environmental Impact Report ("EIR"), request for a modified design to the 10 lots between Kanan Road and Cornell Road, and the unlikelihood of complete buildout within the adopted Agoura Hills Specific Plan within the City of Agoura Hills to the north. Other concerns included impacts to visual and scenic resources, lack of master landscape plan, inconsistency with the North Area Plan, impacts to the threatened Santa Monica Mountains dudleya ("dudleya"), previous impacts to the endangered Lyon's pentachaeta and depiction of fuel modification area boundaries within sensitive species.

After public testimony, your Commission took the matter off calendar to allow the applicant time to finalize the design guidelines; update the fuel modification plan; prepare a landscape plan; and redesign the project to be consistent with the North Area Plan, maximize protection of oak trees, threatened and endangered species.

REDESIGNED PROJECT DESCRIPTION

The redesigned project continues to propose 66 single-family lots, five open space lots, six landscape lots and two public facility (desilting basin) lots on 320.3 gross acres. The following is a summary of the changes from the previous 66-unit design:

- Placement of single-family lots

The residential lots are clustered in three areas of the subject property: 46 lots are located west of Kanan Road with clusters of 34 and 12 single-family lots, 10 lots between Kanan Road and Cornell Road, and 10 lots east of Cornell Road within the SEA. Four lots have been removed from the northerly cluster of homes west of Kanan Road (Lot Nos. 5 and 14 through 16 of the previous 66-lot design). These lots, formerly located within the mapped populations of Lyon's pentachaeta, were added to the cluster of homes east of Cornell Road. Of the four lots added east of Cornell Road, two lots are within the previous 66-unit footprint and two lots have been added east and south of the fire station. Nine of the single-family lots east of Cornell Road are proposed to be semi-custom or custom home lots within a gated neighborhood; one single-family lot will take access directly from Cornell Road south of the existing fire station.

- Street lengths

The length of local streets within the development have also been reduced. "B" Street northerly of "A" Street has been reduced from 230 to 207 feet. "C" Street northerly of "A" Street has also been reduced from 753 to 707 feet.

- Project grading

Grading consists of 353,700 cubic yards of cut and 327,100 cubic yards of fill; an average of 5,359 cubic yards of cut and 4,956 cubic yards of fill for each residential lot. A total of 20,600 cubic yards of earthwork is proposed to be transported offsite to Ventura County.

The project design has been reviewed by the Subdivision Committee for technical feasibility and recommended project conditions are attached.

NORTH AREA PLAN CONSISTENCY

On June 21, 2005, your Commission directed the applicant to redesign the project to be more consistent with the North Area Plan. This included redesign to reflect more sensitive development, including reducing grading, requiring buffers from sensitive resources, prohibiting disturbance of protected species, and minimizing impervious surfaces and disturbance of natural drainages to protect water quality. Alternative No. 4 of the Draft EIR as the environmentally superior alternative was also cited as a guide for redesign with respect to protection of these sensitive species, including reduction in the number of homes within the SEA, retaining natural tributary drainage, and preservation of a second ridge west of Kanan Road. Alternative No. 4 would "essentially [eliminate]" (Draft EIR, Page V-38) impacts to sensitive species, including Lyon's pentachaeta habitat.

The North Area Plan contains many policies that support its goals for preservation of natural resources, and orderly development that maintains the rural character of the Santa Monica Mountains. The North Area Plan encourages and describes many features of hillside projects and more sensitive development. The North Area Plan also stresses to allow the land dictate the type and intensity of use (North Area Plan, Guiding Principles, page II-10).

The previous 66-unit project was redesigned to be overall more consistent with many of the goals and policies of the North Area Plan, specifically related to resource protection, hazards planning and land use. The project continued to cluster development, and had incorporated greater protection of identified sensitive resources, including an endangered species, except in a few areas identified west of Kanan Road. Existing drainage courses, including within an SEA, had now been maintained in a natural state. The redesigned project had also reduced impacts to scenic resources, and had incorporated undulating slopes and contoured grading that better blends with the natural terrain. The applicant had also indicated that the natural open space lots would be dedicated to public agency.

The current 66-unit project continues to retain, and in some ways enhance, elements that provide more consistency with the North Area Plan. Lot Nos. 5 and 14 through 16 of the previous 66-lot project were originally designed within the mapped Lyon's pentachaeta population. The current 66-unit project has since removed all direct impacts on Lyon's pentachaeta from the placement of those lots and associated grading within this western portion. The current design also pulls back grading from slopes associated with the northern portion west of Kanan Road to eliminate direct impacts on the dudleya population.

However, three elements of the current 66-unit project diminish achieved consistency with the North Area Plan:

- Direct impact to Lyon's pentachaeta

With respect to the protection of endangered species, the North Area Plan states: "Within designated habitat areas of rare, threatened or endangered species, prohibit disturbance of protected biotic resources" (Policy IV-6, Page IV-20). The graded slope depicted at the rear of Lot No. 13 on the current 66-unit design continues to have a direct impact on Lyon's pentachaeta (see Tab 5 of the applicant's package). The graded slopes south of Lot No. 24 also completely eliminate a small population of Lyon's pentachaeta. To achieve consistency, no disturbance of these resources is to occur. The project, however, listed as one of its design goals: "partially avoid sensitive plant resources [on] site, such as Lyon's pentachaeta and Santa Monica Mountain's dudleya" (Triangle Ranch Design Guidelines dated September 1, 2006, Page 4).

- Direct impacts to dudleya

Grading and development within the western portion of Kanan Road continue to show direct impacts to the dudleya. With respect to the protection of threatened species, the North Area Plan states: "Within designated habitat areas of rare, threatened or endangered species, prohibit disturbance of protected biotic resources" (Policy IV-6, Page IV-20). Lot Nos. 46 and 47 continue to directly impact the mapped dudleya population. The applicant has indicated in its supplemental materials (with Weston Benshoof Rochefort Rubalcava MacCuish, LLP cover letter dated September 12, 2006), Tab 15, that a biologist asserts "dudleya is a genus that transplants readily." However, no supplemental information has been provided verifying that such transplants have been successful, and in consultation with the County Biologist, staff believes that transplant would not necessarily assure the protection of the species. As the North Area Plan "prohibit[s] disturbance" of threatened species, even removal associated with transplant of the species would be inconsistent with Plan policy.

Grading which directly impacts the dudleya is also depicted along the west side of Kanan Road between the northern and southern clusters of homes. This cut slope is required to achieve the necessary line of sight for safety of cars exiting the development from "E" Street.

- Larger development footprint within the SEA

The current 66-unit design depicts four more lots east of Cornell Road within the SEA. Two lots have been added within the original footprint for this area within the original 66-unit design, and two added lots have expanded the development footprint to the east and south. A large population of Lyon's pentachaeta exists within this area and the original 66-unit project was designed to move the development away from this significant population. With the reintroduction of two lots closer to the Lyon's pentachaeta, this reverses the progress made in minimizing impacts.

STAFF ANALYSIS AND RECOMMENDATIONS

During the June 28 public hearing, your Commission directed the applicant to address or incorporate the following project features:

- Revised draft design guidelines

The project's design guidelines are intended to address community concerns with respect to more detailed standards for the future construction of homes and other project features, such as walls and landscaping, and for dictating architectural styles, building materials and colors, etc, to ensure compatibility with community character. A revised draft has been submitted for your Commission's consideration and comments.

These revised draft Design Guidelines, dated September 1, 2006, provide a more detailed discussion of landscaping and architectural design guidelines. A detailed plant palette has been provided as well as in depth landscape zone diagrams that depict slope treatment and native planting areas. Fuel modification is also discussed as well as front yard landscaping design and entry landscaping for Kanan and Cornell Roads.

Architectural guidelines have also been provided that further describe garage and driveway treatments; building materials, massing and scale; and guidelines for architectural features including front porches, windows, details elements, colors and utility equipment.
Staff had previously recommended that the design guidelines also include additional standards or any

other appropriate provisions to ensure the placement of future homes are consistent with the policies of the North Area Plan. These may include establishing ranges of building setbacks based on lot or pad size, and proportional ratios related to building footprint and pad and/or lot size. Discussion of setbacks, building envelopes or other such guidelines for the placement and/or footprint of homes have not been included in the guidelines dated September 1, 2006. The applicant separately provided a letter dated September 12, 2006, citing the County's minimum building setbacks (20 feet within the front yard and five feet within the side yard) as no detailed information is available regarding architectural footprints.

An updated fuel modification plan was also recommended by staff to be included which has not been included. However, an updated fuel modification with 'conditions' agreed to by the Forestry Fuel Modification Unit, was included in the applicant's supplemental information, and can be easily updated in the design guidelines.

- Fuel modification plan

An updated fuel modification plan was requested to address the concerns raised regarding impact of fuel modification on sensitive species, including the dudleya and Lyon's pentachaeta. An updated fuel modification plan, dated July 27, 2006, is included in the applicant's supplemental information (Tab 10), and depicts the boundaries of Zones B and C within the mapped sensitive species area. The fuel modification plan also lists 'conditions' for activity within the fuel modification area. Two conditions have been added under "Maintenance" that cite specifically to the riparian area and endangered Lyon's pentachaeta. Dead downed material and exotics are to be removed annually from the riparian area, and the annual maintenance in populations of Lyon's pentachaeta is to occur during the plant's dormancy period (which is completion by March according to the County Biologist).

Staff has not received any additional information with respect to the biological impacts of the fuel modification as prescribed by the Los Angeles County Forester and Fire Warden, Forestry Division. Dead downed material may provide habitat for certain riparian species and it is unclear to staff how these resources are to be protected. Also the fuel modification plan cite requirements for protection of Lyon's pentachaeta, but do not address protection measures, if different, are required for the dudleya.

Two lots (Lot Nos. 65 and 66) have also been added beyond the previous development footprint on the eastern portion of the project, which has increased fuel modification area into the Lyon's pentachaeta population.

- Relocation of "D" Street

The Commission requested that the applicant relocate "D" Street, located between Kanan and Cornell Roads, so that no development is proposed between "D" Street and Medea Creek and that 60-foot-wide "D" Street is located within the required fuel modification area.

The current 66-unit design continues to depict "D" Street in its location with five to six single-family homes proposed between "D" Street and Medea Creek. With "D" Street in its current location and elimination of homes between "D" Street and Medea Creek, it appears that the fuel modification zone would be reduced to near the development footprint currently proposed.

The North Area Plan also requires that within riparian areas and wetlands, plant communities are to be preserved that contribute to animal reproduction (Policy IV-3.c, page IV-19). Buffer zones adjacent to

areas of important biological resources, including natural streams and drainages, are also required in the North Area Plan to "protect biological resources from grading and construction activities, as well as from the long-term use of adjacent lands...and increased erosion and runoff" (Policy IV-6, Page IV-20).

The applicant states in their supplemental information (Tab 13) that a relocation of "D" Street was reviewed, but no change was made due to the fuel modification standards that will provide protection to riparian resources.

The Commission also requested that "D" Street, currently aligned with "A" Street, be evaluated for feasibility in moving its intersection to Kanan Road further south. The Los Angeles County Department of Public Works ("Public Works") has required the applicant to design the intersection of these streets for safety and traffic circulation. Your Commission has the discretion to direct the applicant to redesign this intersection; the applicant has reviewed this and in their supplemental information (Tab 13), indicates that it is infeasible based on public street standards and grading design.

- Protection of threatened and endangered species

Your Commission directed the applicant to redesign the project to protect populations of Lyon's pentachaeta and dudleya, with specific citations to lot numbers to be removed or redesigned.

The current 66-unit design depicts elimination of lots and reduction in length of local streets at the northern ends of "B" Street and "C" Street, eliminating direct impacts to Lyon's pentachaeta. The graded slopes near Lot No. 24 and 25 have also been pulled back to minimize impacts on Lyon's pentachaeta. However, graded slopes at the rear of Lot No. 13 and 24 (see Tab 5 of the applicant's package) continues to impact Lyon's pentachaeta.

There has also been reduction in impacts to dudleya with greater separation of grading between the two clusters of homes on the western portion of Kanan Road. However, a cut slope along Kanan Road continues to directly impact the mapped population of dudleya. Development also continues to be depicted on Lot No. 47, which was intended by the Commission to be protected. The applicant states in their materials (Tab 13) that transplant of the dudleya is proposed rather than redesign which has other effects associated with grading.

- Protection of oak trees

The applicant continues to propose removal of 21 oak trees, including two heritage oaks, and encroachment within the protected zone of 11 oak trees, including four heritage oaks. Fourteen (14) oaks are required to be removed due to grading with six for roadway improvements and one for storm drain improvement. All encroachments are due to grading associated with either roadway improvements or slopes.

At time of writing, updated conditions have not yet been received from the Los Angeles County Forester and Fire Warden. Updated recommended conditions, including mitigation, would be required prior to final action on the project.

- Projection of viewsheds

Your Commission requested that several exhibits be provided to depict views from Cornell Road and going north on Kanan Road. In Tab 12 of the applicant's supplemental package, perspective sketches

have been provided that also depict anticipated landscaping. Based on the height of the treees drawn, these sketches appear to depict development with mature landscaping. Views from Cornell at the project entrance, and from Cornell Road looking southwest to the Kanan portion of the project would also have been informative.

- Landscape plan

The Commission requested that a landscape plan be prepared for the project. Within the applicant's package (Tab 11) and within the Design Guidelines, a detailed landscape plan is provided that includes landscape zone diagrams, detailed lists of specific plant species as well as photos of each plant type.

At time of writing, no feedback has been received from the County Biologist, the Significant Ecologoical Area Technical Advisory Committee (SEATAC) or the Fire Department's Fuel Modification Unit that that proposed plants would be to the satisfaction of all three agencies.

- Crib wall along Kanan Road

The Commission requested the applicant depict cribs wall along Kanan Road to retain slopes for Lot Nos. 25 to 31. This is to accommodate the slopes already designed with a five-foot high berm at the top of the slope so that single-family homes along Kanan Road are buffered from noise. The crib retaining wall while not depicted on the tentative map or exhibit "A," is included in the Design Guidelines (Exhibit 3.1, page 10).

- Determination of trail alignment

Your Commission continued the project to allow time for a final determination on the location of the trail within the project boundaries. The trail was depicted as a 12-foot easement adjacent to Cornell Road and Caleta Road along Medea Creek in the center portion of the project. The Los Angeles County Department of Parks and Recreation ("Parks and Recreation") no longers feels that a trail along Medea Creek is an appropriate location. A more detailed report with recommendations from Parks and Recreation is forthcoming.

- Haul route

Your Commission requested additional information regarding the haul route for the project. As the current 66-unit design results in an export quantity of 20,600 cubic yards, a Conditional Use Permit for off-site transport is required, which includes required information related the route; the owners of properties where grading is being removed and proposed to be transported to; and information regarding who will be conducting the earthwork transport. The applicant has provided under Tab 16 a haul route that includes travel northerly on Kanan Road and then west on the Ventura (US-101) Freeway to a deposit location within Ventura County. No other information regarding the location within Ventura County or the grading transport operator has been provided at this time.

STAFF EVALUATION

Staff feels that the proposed project addressed many of the issues your Commission has raised with respect to redesign of the project. However, certain elements of the current 66-unit design continue to be inconsistent with the North Area Plan. Staff feels that the project would be overall most consistent with the Santa Monica Mountains North Area Plan with the following suggested changes:

Eliminate direct impacts to endangered Lyon's pentachaeta population
- Reduce grading footprint adjacent to Lot Nos. 13 and 24

Eliminate direct impacts to threatened Santa Monica Mountains dudleya
- Reduce and/or eliminate grading and Lot Nos. 46 and 47
- Relocate to the south the intersection of "E" Street and Kanan Road to eliminate need for line of sight and resulting cut slope along Kanan Road, to the satisfaction of Public Works

Reduce additional impacts to Lyon's pentachaeta population within the SEA
- Remove single-family Lot Nos. 65 and 66 due to further development within the SEA and encroachment into the Lyon's pentachaeta population

Eliminate adverse impacts to riparian habitat
- Remove single-family lots between Kanan Road and Cornell Road that require fuel modification negatively impacting Medea Creek OR as previously requested, have the applicant provide sufficient evidence that required fuel modification would not result in adverse impacts to riparian habitat

The following recommendation is subject to change based on oral testimony or documentary evidence submitted during the public hearing process.

If the Regional Planning Commission agrees with staff's evaluation above and feels that applicant has incorporated or addressed the concerns raised by your Commission to your satisfaction, staff recommends that the Commission close the public hearing, and with the changes made as discussed in this report and during the public hearing, including elimination of lots and grading that impact populations of Lyon's pentachaeta and Santa Monica Mountains dudleya; indicate their intent to certify the EIR; and approve Vesting Tentative Tract Map No. 52419, and Conditional Use Permit and Oak Tree Permit Case Nos. 97-178-(3). If there are any issues that may not have been met to your

Suggested Motion: "I move that the Regional Planning Commission close the public hearing, and with the changes made as discussed during the public hearing; indicate our intent to certify the EIR and approve Vesting Tentative Tract Map No. 52419, and Conditional Use Permit and Oak Tree Permit Case Nos. 97-178-(3); and direct staff to prepare the final documents."

SMT:st
09/14/06

Attachments: Tentative Map and Exhibit "A" reflecting revised 66 unit design
Draft Conditions
Updated burdens of proof
Applicant's development schedule
Additional Correspondence
Copy of revised draft Design Guidelines dated September 1, 2006
Applicant's exhibit dated September 12, 2006

RP

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – SUBDIVISION
TRACT NO. 52419 (Rev.)

TENTATIVE MAP DATED 08-01-2006
EXHIBIT MAP DATED 08-01-2006

The following reports consisting of 21 pages are the recommendations of Public Works.

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. Details and notes shown on the tentative map are not necessarily approved. Any details or notes which may be inconsistent with requirements of ordinances, general conditions of approval, or Department policies must be specifically approved in other conditions, or ordinance requirements are modified to those shown on the tentative map upon approval by the Advisory agency.

2. Easements are tentatively required, subject to review by the Director of Public Works to determine the final locations and requirements.

3. Easements shall not be granted or recorded within areas proposed to be granted, dedicated, or offered for dedication for public streets, highways, access rights, building restriction rights, or other easements until after the final map is filed with the Registrar-Recorder/County Clerk's Office. If easements are granted after the date of tentative approval, a subordination must be executed by the easement holder prior to the filing of the final map.

4. In lieu of establishing the final specific locations of structures on each lot/parcel at this time, the owner, at the time of issuance of a grading or building permit, agrees to develop the property in conformance with the County Code and other appropriate ordinances such as the Building Code, Plumbing Code, Grading Ordinance, Highway Permit Ordinance, Mechanical Code, Zoning Ordinance, Undergrounding of Utilities Ordinance, Water Ordinance, Sanitary Sewer and Industrial Waste Ordinance, Electrical Code, and Fire Code. Improvements and other requirements may be imposed pursuant to such codes and ordinances.

5. All easements existing at the time of final map approval must be accounted for on the approved tentative map. This includes the location, owner, purpose, and recording reference for all existing easements. If an easement is blanket or indeterminate in nature, a statement to that effect must be shown on the tentative map in lieu of its location. If all easements have not been accounted for, submit a corrected tentative map to the Department of Regional Planning for approval.

6. Adjust, relocate, and/or eliminate lot lines, lots, streets, easements, grading, geotechnical protective devices, and/or physical improvements to comply with ordinances, policies, and standards in effect at the date the County determined the application to be complete all to the satisfaction of Public Works.

7. Furnish Public Works' Street Name Unit with a list of street names acceptable to the subdivider. These names must not be duplicated within a radius of 20 miles.

8. A Mapping and Property Management Division house numbering clearance is required prior to approval of the final map.

9. Label driveways and multiple access strips as "Private Driveway and Fire Lane" and delineate on the final map to the satisfaction of Public Works.

10. Reserve reciprocal easements for drainage, ingress/egress, water, sewer, utilities, right to grade, and maintenance purposes, etc., in documents over the common private driveways to the satisfaction of Public Works.

11. Design the boundaries of the unit final maps to the satisfaction of the Departments of Regional Planning and Public Works.

12 The first unit of this subdivision shall be filed as Tract No. 52419-01, the second unit, Tract No. 52419-02, ... and the last unit, Tract No. 52419.

13. Extend lot lines to the center of private and future streets or provide separate lots for the private and future streets to the satisfaction of the Department of Regional Planning.

14. Grant ingress/egress and utility easements to the public over the private and future or future streets.

15. Show open space note on the final map and dedicate residential construction rights over the open space lots.

16. Dedicate vehicular access rights to streets at rear of double frontage lots.

17. A final tract map must be processed through the Director of Public Works prior to being filed with the Registrar-Recorder/County Clerk's Office.

18. Prior to submitting the tract map to the Director of Public Works for examination pursuant to Section 66442 of the Government Code, obtain clearances from all affected Departments and Divisions, including a clearance from the Subdivision Mapping Section of the Land Development Division of Public Works for the following mapping items; mathematical accuracy; survey analysis; and correctness of certificates, signatures, etc.

19. A final guarantee will be required at the time of filing of the final map with the Registrar-Recorder/County Clerk's Office.

20. Within 30 days of the approval date of this land use entitlement or at the time of first plan check submittal, the applicant shall deposit the sum of $2,000 (Minor Land Divisions) or $5,000 (Major Land Divisions) with Public Works to defray the cost of verifying conditions of approval for the purpose of issuing final map clearances. This deposit will cover the actual cost of reviewing conditions of approval for Conditional Use Permits, Tentative Tract and Parcel Maps, Vesting Tentative Tract and Parcel Maps, Oak Tree Permits, Specific Plans, General Plan Amendments, Zone Changes, CEQA Mitigation Monitoring Programs and Regulatory Permits from State and Federal Agencies (Fish and Game, USF&W, Army Corps, RWQCB, etc.) as they relate to the various plan check activities and improvement plan designs. In addition, this deposit will be used to conduct site field reviews and attend meetings requested by the applicant and/or his agents for the purpose of resolving technical issues on condition compliance as they relate to improvement plan design, engineering studies, highway alignment studies and tract/parcel map boundary, title and easement issues. When 80% of the deposit is expended, the applicant will be required to provide additional funds to restore the initial deposit. Remaining balances in the deposit account will be refunded upon final map recordation.

HCW

Prepared by Henry Wong Phone (626) 458-4915 Date 08-14-2006

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION
SUBDIVISION PLAN CHECKING SECTION
DRAINAGE AND GRADING UNIT

TRACT NO. 52419 **REV TENTATIVE MAP DATED 08/01/06**

DRAINAGE CONDITIONS

1. Provide drainage facilities to remove the flood hazard and dedicate and show necessary easements and/or right of way on the final map. This is required to the satisfaction of the Department of Public Works prior to the filing of the final map.
2. Place a note of flood hazard on the final map and delineate the areas subject to flood hazard. Show and label all natural drainage courses. Dedicate to the County the right to restrict the erection of buildings in the flood hazard area. This note will be allowed on lots 67 through 79. This is required to the satisfaction of the Department of Public Works prior to the filing of the final map.
3. A hydrology study for design of drainage facilities/delineation of flood hazard is required. Hydrology study must be submitted and approved prior to submittal of improvement plans. This is required to the satisfaction of the Department of Public Works prior to the filing of the final map.
4. Provide fee title lot for desilting inlets to the satisfaction of the Department of Public Works.
5. Notify the State Department of Fish and Game prior to commencement of work within any natural drainage course. If non-jurisdiction is established by the Department of Fish and Game, submit a letter of non-jurisdiction to Public Works (Land Development Division).
6. Contact the State Water Resources Control Board to determine if a Notice of Intent (NOI) and a Storm Water Pollution Prevention Plan (SWPPP) are required to meet National Pollution Discharge Elimination System (NPDES) construction requirements for this site.
7. Contact the Corps of Engineers to determine if a permit is required for any proposed work within the major watercourse. Provide a copy of the 404 Permit upon processing of the drainage plans. If non-jurisdiction is established by the Corps of Engineers, submit a letter of non-jurisdiction to Public Works (Land Development Division).
8. This site is located in Zone "A" per the Federal Flood Insurance Rate Map. Public Works, Watershed Management Division (626) 458-4322, should be contacted to obtain procedures for revising the flood insurance rate map once the storm drain facilities are constructed. Encroachment into FEMA Zone "A" is not permitted prior to obtaining a Conditional Letter of Map Revision (CLOMR) from FEMA.
9. Comply with the requirements of the approved revised drainage concept / Standard Urban Stormwater Mitigation Plan (SUSMP) plan dated 05/17/06, to the satisfaction of Public Works.
10. Prior to approval of any grading, storm drain, or other improvement plan and prior to recordation of any final map for this subdivision, notarized drainage covenants, in a form approved by Public Works, shall be obtained from all impacted offsite property owners, as determined by Public Works, and shall be recorded by the applicant. The number of offsite drainage covenants will be determined by Public Works based on hydrology and hydraulic studies which must be prepared by the applicant's consultants and submitted to Public Works for review and approval, in a format acceptable to Public Works. By acceptance of this condition, the applicant acknowledges and agrees that this condition does not require or otherwise involve the construction or installation of an offsite improvement, and that the offsite drainage covenants referenced above do not constitute an offsite easement, license, title or interest in favor of the County. Therefore, the applicant acknowledges and agrees that the provisions of Government Code Section 66462.5 do not apply to this condition and that the County shall have no duty or obligation to acquire by negotiation or by eminent domain any land or any interest in any land in connection with this condition.
11. Prior to recordation of the final map, form an assessment district to finance the future ongoing maintenance and capital replacement of SUSMP devices/systems identified on the latest approved Drainage Concept. The developer shall cooperate fully with Public Works in the formation of the assessment district, including, without limitation, the preparation of the operation, maintenance, and capital replacement plan for the SUSMP devices/systems and the prompt submittal of this information to Land Development Division. The developer shall pay for all costs associated with the formation of the assessment district. SUSMP devices/systems shall include but are not limited to catch basin inserts, debris excluders, biotreatment basins, vortex separation type systems, and other devices/systems for stormwater quality.

12. Prior to recordation of the final map, the developer shall deposit the first year's total assessment for the entire assessment district, based on the engineers estimate as approved by Public Works. This will fund the first year's maintenance after the facilities are accepted. The County will collect the second and subsequent years' assessment from the owner(s) of each parcel within the assessment districts.
13. Any encroachment into an adopted floodway may require floodway map revision(s) of ordinance map(s) 370 ML9-ML11.

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GRADING CONDITIONS:

1. A grading plan and soil and geology report must be submitted and approved prior to approval of the final map. The grading plans must show and call out the construction of at least all the drainage devices and details, the paved driveways, the elevation and drainage of all pads, and the SUSMP devices. The applicant is required to show and call out all existing easements on the grading plans and obtain the easement holder approvals prior to the grading plans approval.

AI Name GARY GUO Date 08/09/06 Phone (626) 458-4921

County of Los Angeles Department of Public Works
GEOTECHNICAL AND MATERIALS ENGINEERING DIVISION
GEOLOGIC AND SOILS ENGINEERING REVIEW SHEET
900 So. Fremont Ave., Alhambra, CA 91803
TEL. (626) 458-4925

DISTRIBUTION
1 Geologist
1 Soils Engineer
1 GMED File
1 Subdivision

TENTATIVE TRACT 52419
SUBDIVIDER Beautiful City Holdings Co.
ENGINEER Wagner Halladay, Inc.
GEOLOGIST Pacific Soils Engineering, Inc.
SOILS ENGINEER Pacific Soils Engineering, Inc.

TENTATIVE MAP DATED 8/01/06 (revised) Exhibit A (5/08/06)
LOCATION Agoura

REPORT DATE 11/9/05, 6/1/04, 6/30/03, 9/25/00, 5/15/00
REPORT DATE 11/9/05, 6/1/04, 6/30/03, 9/20/00, 5/15/00

[X] **TENTATIVE MAP FEASIBILITY IS RECOMMENDED FOR APPROVAL. PRIOR TO FILING THE FINAL LAND DIVISION MAP, THE FOLLOWING CONDITIONS MUST BE FULFILLED:**

[X] The final map must be approved by the Geology and Soils Sections to assure that all geotechnical (geology and soils) factors have been properly evaluated.

[X] A grading plan must be geotechnically approved by the Geology and Soils Sections. This grading plan must be based on a detailed engineering geology report and/or soils engineering report and show all recommendations submitted by them. It must also agree with the tentative map and conditions as approved by the Planning Commission. If the subdivision is to be recorded prior to the completion and acceptance of grading, corrective geologic bonds will be required.

[X] All geologic hazards associated with this proposed development must be eliminated,
or
delineate restricted use areas, approved by the consultant geologist and/or soils engineer, to the satisfaction of the Geology and Soils Sections, and dedicate to the County the right to prohibit the erection of buildings or other structures within the restricted use areas.

[X] The Soils Engineering review dated 8/24/06 is attached.

[X] **TENTATIVE MAP IS APPROVED FOR FEASIBILITY. THE FOLLOWING INFORMATION IS APPLICABLE TO THIS DIVISION OF LAND:**

[X] The subdivider is advised that approval of this division of land is contingent upon the installation and use of a sewer system.

[X] A geology and soils engineering report will be required prior to approval of building or grading plans.

[X] Geotechnical Recordation Map verification deposit estimate 6 hours.

Prepared by _____ Kevin Burger Reviewed by _____ Date August 7, 2006

:\Gmepub\Geology Review\Forms\Form02.doc
7/03

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
GEOTECHNICAL AND MATERIALS ENGINEERING DIVISION

SOILS ENGINEERING REVIEW SHEET

Address: 900 S. Fremont Ave., Alhambra, CA 91803
Telephone: (626) 458-4925
Fax: (626) 458-4913

District Office 9.1
Job Number LX001129 & GMTR
Sheet 1 of 1

Tentative Tract Map 52419

DISTRIBUTION:
___ Grading/ Drainage
___ Geo/Soils Central File
___ District Engineer
___ Geologist
___ Soils Engineer
___ Engineer/Architect

Location	Kanan Road and Cornell Road, Agoura
Developer/Owner	Beautiful City Holdings Co.
Engineer/Architect	Wagner Halliday, Inc.
Soils Engineer	Pacific Soils Engineering (101568-MP)
Geologist	Same as above

Review of:
Revised Tract Tentative Map and Exhibit A Dated By Regional Planning **8/1/06**
Soils Engineering and Geologic Reports Dated 11/9/05, 6/1/04, 9/25/00, and 5/15/00
Previous review sheet dated 6/5/06

ACTION:
Tentative Map feasibility is recommended for approval, subject to conditions below:

REMARKS:
1. At the grading plan review stage, provide information, analyses, and/or recommendations for the following:
   a. *Soils parameters.* Provide additional shear strength test results of various materials (in particular, shear strength parameters of the along bedding materials, fill material for proposed keystone walls, etc.) required for additional stability analyses as indicated below.
   b. *Slope stability analyses.* Provide additional stability analyses for slopes based on a 40 scale to substantiate those performed at a 100 scale. Also, provide global stability analyses of the relatively high retaining walls proposed (the tentative map shows walls of up to 28 feet are proposed), analyses of backcut required for the construction of these walls, and walls that will be subject to the potential surcharge due to adverse beddings. Indicate the various shear strength parameters used in the analyses, in the appropriate segments of each failure plane. Recommend mitigation if factors of safety are below County minimum standards.
   c. *Retaining walls.* Indicate the types of walls are proposed (e.g., keystone walls, crib walls, impact walls in areas with potential debris hazards, standard retaining walls, etc.) and provide additional analyses as indicated below.
   d. *Debris Impact walls.* If debris containment walls are proposed, the containment areas must be designed for 100 percent of the predicted debris flow volume. Therefore, provide data and analyses (e.g., areas to be mitigated, volume calculations of anticipated debris flow volume and containment volume, etc.) in support of the recommended mitigation measures.
   e. *Walls higher than 12 feet.* For walls in which the retained height is higher than 12 feet, the walls must be designed to resist the additional earth pressure due to seismic ground shaking. Therefore, provide seismic surcharge pressure distribution for retaining wall in which the retained height is higher than 12 feet as necessary.
   f. *Keystone walls or similar.* If Keystone walls or similar are proposed, then provide internal analyses (sliding, overturning, pull-out, etc.) of these walls. Indicate the various shear strength and seismic parameters used in the analyses. Also indicate and show on the plans the locations of Restriction Use Areas (RUA's) for all areas with geogrid reinforcement. Per County policy, all areas with geogrid reinforcement plus 10 feet beyond the geogrid reinforcement areas shall be designated as RUA's.
   g. *Rock fences.* Provide rockfall analyses to determine the kinetic energy of the falling rocks for use in the structural design of the proposed fences and the anticipated trajectory path of the falling rocks for use in the designed heights and locations of the proposed fences.
   h. *Debris basins.* Provide slope stability analyses considering rapid drawdown conditions for any debris basins with slopes steeper than 3:1 gradient and designed with outlet structures. Recommend mitigation if the factor of safety is below the minimum standard.
   i. *Grading adjacent to Kanan Road.* Provide additional recommendations for proposed grading adjacent to Kanan Road as stated in the 5/15/00 report.

2. At the grading plan review stage, submit two sets of grading plans to the Soils Section for verification of compliance with County codes and policies.

NOTE(S) TO THE PLAN CHECKER/BUILDING AND SAFETY ENGINEER:
ON-SITE SOILS ARE CORROSIVE TO FERROUS METALS AND HAVE A LOW TO HIGH EXPANSION POTENTIAL.

REGISTERED PROFESSIONAL ENGINEER
GAN LEM
NO. 2328
EXP. 6/30/07
GEOTECHNICAL
STATE OF CALIFORNIA

Prepared by _____ Date 8/7/06
Gan Lem

NOTICE: Public safety, relative to geotechnical subsurface exploration, shall be provided in accordance with current codes for excavations, inclusive of the Los Angeles County Code, Chapter 11.48, and the State of California, Title 8, Construction Safety Orders.
Gan:tract-52419x

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. A minimum centerline curve length of 100 feet shall be maintained on all local streets. A minimum centerline curve radius of 100 feet shall be maintained on all cul-de-sac streets. Reversing curves of local streets need not exceed a radius of 1,500 feet, and any curve need not exceed a radius of 3,000 feet.

2. The minimum centerline radius is 350 feet on all local streets with 64 feet of right of way and on all the streets where grades exceed 10 percent.

3. Compound curves are preferred over broken-back curves. Broken-back curves must be separated by a minimum of 200 feet of tangent (1,000 feet for multi-lane highways). If compound curves are used, the radius of the smaller curve shall not be less than two-thirds of the larger curve. The curve length of compound curves shall be adjusted to exceed a minimum curve length of 100 feet, when appropriate.

4. Curves through intersections should be avoided when possible. If unavoidable, the alignment shall be adjusted so that the proposed BC and EC of the curve through the intersection are set back a minimum of 100 feet away from the BCR's of the intersection.

5. Reversing curves and compound curves through intersections should be avoided when possible. If unavoidable, the minimum centerline radius of reversing curves and compound curves through intersections shall comply with design speeds per the Subdivision Plan Checking Section's "Requirements for Street Plans" and sight distances.

6. The minimum centerline radius on a local street with an intersection street on the concave side shall comply with design speeds per the Subdivision Plan Checking Section's "Requirements for Street Plans" and sight distances.

7. The centerline of all local streets shall be aligned without creating jogs of less than 150 feet. A one-foot jog may be used where a street changes width from 60 feet to 58 feet of right of way.

8. The central angles of the right of way radius returns shall not differ by more than 10 degrees on local streets.

9. Driveways will not be permitted within 25 feet upstream of any catch basins when street grades exceed 6 percent.

10. Provide minimum landing area of 100 feet for local collectors, 50 feet for local access roads, and 25 feet for cul-de-sacs at a maximum 3 percent grade on all "tee" intersections to the satisfaction of Public Works.

11. Provide property line return radii of 13 feet at all local street intersections.

12. Provide property line return radii of 27 feet or to the satisfaction of Public Works at the intersections of all local streets with Kanan Road and Cornell Road.

13. Provide intersection sight distance for a design speed at the following intersections to the satisfaction of Public Works:

    a. 55 mph (585 feet) on Cornell Road from Caleta Road (northerly direction); and

    b. 30 mph (310 feet) on "A" Street from "B" Street (northeasterly direction).

    Line of sight shall be within right of way or dedicate airspace easements to the satisfaction of Public Works. Additional on-site grading may be required. With respect to the position of the vehicle at the minor road, the driver of the vehicle is presumed to be located 4 feet right of centerline and 10 feet back the top of curb (TC) or flow line (FL) prolongation. When looking left, we consider the target to be located at the center of the lane nearest to the parkway curb. When looking right, the target is 6 feet from the centerline.

14. Dedicate right of way 40 feet from the latest IEC approved centerline on Cornell Road per C.S.B. 1099-1. Permission is granted to vacate right of way in excess of 40 feet from centerline on Cornell Road in the vicinity of Lot 71. Easement shall be provided for all utility companies that have facilities remaining within the vacated area.

15. Dedicate right of way 32 feet from centerline on Street "A" from Kanan Road to Street "B", Street D from Kanan Road to the knuckle, and Street E from Kanan Road to the knuckle to the satisfaction of Public Works. Dedicate additional right of way for a modified knuckle on Street "D" and Street "E" from Kanan Road to the knuckle to the satisfaction of Public Works. Design details for the knuckles as shown on the tentative map are not necessarily approved.

16. Dedicate right of way 30 feet from centerline on Street "A" from Street "B" to Street "C", Street "C" (plus additional right of way for a standard cul-de-sac bulb and knuckle), Street D south of the knuckle, and Street E south of the knuckle.

17. The extended length of Streets "D" and "E" over 700 feet must be approved by the Fire Department.

18. Dedicate right of way 29 feet from centerline plus additional right of way for a standard cul-de-sac bulb and knuckle on Street "B".

19. Dedicate slope easements along the property frontage on Kanan Road, Cornell Road, and Caleta Road to the satisfaction of Public Works.

20. Dedicate vehicular access rights on Kanan Road, Cornell Road (except to Lot 66), and Caleta Road. If the Department of Regional Planning requires the construction of a wall, complete access rights shall be dedicated.

21. Dedicate the right to restrict vehicular access on Cornell Road to Lot 66.

22. Make an offer of private and future right of way 30 feet from centerline on Street "F" plus additional right of way for a standard knuckle and a standard cul-de-sac bulb to the satisfaction of Public Works.

23. Make an offer of additional private and future right of way in the vicinity of the gated entrance on Street "F" to the satisfaction of Public Works.

23. Make an offer of future right of way 32 feet from centerline on Caleta Road. Road improvements are not required on Caleta Road.

24. Whenever there is an offer of a future street or private and future street, provide a drainage statement/letter.

25. Repair any broken or damaged pavement along the property frontage on Kanan Road and Cornell Road to the satisfaction of Public Works.

26. Construct curb, gutter, base, pavement, and sidewalk (adjacent to the property line) on all interior streets off Kanan Road. Permission to use the alternate street section (sidewalk adjacent to the curb) is denied. Also, alternative cross sections for Streets "A", "B", "C", "D", "E" with rural improvements are not approved by Public Works.

27. Construct parkway improvements (sidewalk, driveway, landings, etc.) that either serve or form a part of a Pedestrian Access Route to meet current Americans with Disabilities Act (ADA) requirements to the satisfaction of Public Works.

28. Construct inverted shoulder pavement 14 feet (lane width) and 4 feet (shoulder width) with concrete flow lines on Street "F" to the satisfaction of Public Works. Grade remaining parkway/shoulder at 2 percent cross-slope to the right of way to the satisfaction of Public Works.

29. Construct additional pavement (both on-site and off-site) on partially improved Kanan Road and Cornell Road to provide a striped left-turn lane, striped right-turn lane, and transition pavement for a 65 mph design speed on Kanan Road at Street "A"/Street "D"/ Street "E" and for a 55 mph design speed on Cornell Road at Street "F" to the satisfaction of Public Works. The minimum length of a left turn lane and right-turn lane on Kanan Road is 200 feet. Design details for the turning lanes and transitions as shown on the tentative map are not necessarily approved.

30. Construct drainage improvements and offer easements needed for street drainage or slopes to the satisfaction of Public Works. Construct adequate embankment protection, including a service road if required, along those portions of Cornell Road, Kanan Road, and all interior streets except Caleta Road located within flood plain boundaries or subject to inundation. Adequate freeboard shall also be provided.

31. Comply with the following street lighting requirements:

    a. Provide street lights on concrete poles with underground wiring along the property frontage on Kanan Road, and at the intersections of Kanan Road and Street A/Street D, Kanan Road and Street E, and Cornell Road and "F" Street with fixtures acceptable to Southern California Edison to the satisfaction of Public Works. Submit street lighting plans as soon as possible for review and approval to the Street Lighting Section of the Traffic and Lighting Division. For additional information, please contact the Street Lighting Section at (626) 300-4726.

    b. The operation and maintenance of the street lights on the private and future street shall remain the responsibility of the Developer / Property Owner / Home Owners Association until such time as the street(s) are accepted for maintenance by the County. Assessments will be imposed on portions of the development served by gated private and future streets (if any) as a result of benefits derived from existing or future street lights on adjacent public roadways.

c. The proposed development, or portions thereof, are not within an existing Lighting District. Annexation and assessment balloting are required. Upon tentative map approval, the applicant shall comply with conditions listed below in order for the Lighting District to pay for the future operation and maintenance of the street lights. The Board of Supervisors must approve the annexation and levy of assessment (should assessment balloting favor levy of assessment) prior to filing of the final subdivision maps for each area with the Registrar-Recorder/County Clerk.

(1) Request the Street Lighting Section to commence annexation and levy of assessment proceedings.

(2) Provide business/property owner's name(s), mailing address(es), site address, Assessor Parcel Number(s), and Parcel Boundaries in either Microstation or Auto CADD format of territory to be developed to the Street Lighting Section.

(3) Submit a map of the proposed development including any roadways conditioned for street lights that are outside the proposed project area to Street Lighting Section. Contact the Street Lighting Section for map requirements and with any questions at (626) 300-4726.

d. The annexation and assessment balloting process takes approximately ten to twelve months to complete once the above information is received and approved. Therefore, untimely compliance with the above will result in a delay in receiving approval of the street lighting plans or in filing the final subdivision map for recordation. Information on the annexation and the assessment balloting process can be obtained by contacting Street Lighting Section at (626) 300-4726.

e. For acceptance of street light transfer of billing, the area must be annexed into the Lighting District and all street lights in the development, or the current phase of the development, must be constructed according to Public Works approved plans. The contractor shall submit one complete set of "as-built" plans. Provided the above conditions are met, all street lights in the development, or the current phase of the development, have been energized, and the developer has requested a transfer of billing at least by January 1 of the previous year, the Lighting District can assume responsibility for the operation and maintenance of the street lights by July 1 of any given year. The transfer of billing could be delayed one or more years if the above conditions are not met. The Lighting District cannot pay for the operation and maintenance of street lights on gated private and future street(s).

32. Plant street trees on all interior streets off Kanan Road to the satisfaction of Public Works.

33. Provide and install street name signs prior to occupancy of buildings.

34. Install postal delivery receptacles in groups to serve two or more residential units.

35. Locate the entry gate (or key pad if one is provided) a minimum of 50 feet beyond the right of way of Cornell Road and construct a turnaround with a minimum radius of 32 feet preceding the gated entrance on Street "F" to the satisfaction of Public Works.

36. Underground all existing service lines and distribution lines that are less than 50 KV and new utility lines to the satisfaction of Public Works and Southern California Edison. Please contact Construction Division at (626) 458-3129 for new location of any above ground utility structure in the parkway.

37. Prior to final map approval, enter into an agreement with the County franchised cable TV operator (if an area is served) to permit the installation of cable in a common utility trench to the satisfaction of Public Works, or provide documentation that steps to provide cable TV to the proposed subdivision have been initiated to the satisfaction of Public Works.

38. Provide detailed Signing and Striping Plans (scale 1:40) on Kanan Road and Cornell Road along the property frontage and in the vicinity of the tract boundaries to the satisfaction of Public Works. The conceptual striping plans shown on the tentative map are not necessarily approved.

39. Comply with the mitigation measures identified in the attached memoranda/letters dated December 13, 2004; November 22, 2004; and March 24, 2004 from our Traffic and Lighting Division to the satisfaction of Public Works.

HCW

Prepared by John Chin Phone (626) 458-4915 Date 08-14-2006

December 13, 2004

TO: Tom Hoagland
Land Development Division

FROM: Bill Winter
Traffic and Lighting Division

TRIANGLE RANCH
TENTATIVE TRACT NO. 52419
CONDITIONAL USE PERMIT 97178
SCREENCHECK ENVIRONMENTAL IMPACT REPORT
AGOURA HILLS AREA

As requested, we have reviewed the above-mentioned document. The project site is generally located southwest and southeast of Kanan Road and Cornell Road, approximately one-third mile south of the Ventura Freeway in the unincorporated County area of Agoura Hills.

The proposed project consists of the construction of 81 single-family homes on approximately 320 acres. The proposed project is estimated to generate approximately 854 vehicle trips daily, with 67 and 89 vehicle trips during the a.m. and p.m. peak hours, respectively.

We generally agree with the report that the traffic generated by the project alone will not have a significant impact to any County or City roadways or intersections. However, the cumulative traffic generated by the project and other related projects will significantly impact the following City of Agoura Hills intersections. The proposed mitigation measures are subject to the approval of the City of Agoura Hills. The project will participate in a Traffic Improvement Fee program through the City of Agoura Hills Benefit Assessment Fee.

Kanan Road at Canwood Street

North approach: One left-turn lane, four through lanes, and one shared through/right-turn lane instead of one left-turn lane, three through lanes, and one shared through/right-turn lane (add a through lane).

South approach: One left-turn lane, two through lanes, and one shared through/right-turn lane instead of one left-turn lane, one through lane, and one shared through/right-turn lane (add a through lane).

KN

Kanan Road at Agoura Road

North approach: Two left-turn lanes, one through lane, and one exclusive right-turn lane instead of one left-turn lane, one through lane, and one exclusive right-turn lane (add a left-turn lane).

East approach: One left-turn lane, two through lanes, and one exclusive right-turn lane instead of one left-turn lane, one through lane, and one exclusive right-turn lane (add a through lane).

West approach: One left-turn lane, two through lanes, and one exclusive right-turn lane instead of one left-turn lane and one shared through/right-turn lane (add a through lane and an exclusive right-turn lane).

It is our understanding that the project traffic consultant, Kimley-Horn and Associates, Inc., has been in contact with the Agoura Hills City Engineer in order to determine if the City has adopted an improvement plan for the Kanan Road at Agoura Road intersection. The project shall also consult with the City of Agoura Hills regarding the feasibility of all of the proposed mitigation measures and shall pay its pro-rata share of the intersection improvements once they are identified.

We also agree with the mitigation proposed for the intersection of Kanan Road at Roadside Drive. This intersection will be integrated into the US 101/Kanan Road Interchange improvement project, and will no longer function as a stand-alone intersection. We generally agree with the study that the interchange improvement project addresses an existing need and that the project traffic does not represent a significant portion of the total traffic served by the interchange. Therefore, it will not be necessary to withhold building permits for the project until the interchange is in place.

We also agree with the study that the project will not have a significant impact on any Congestion Management Program monitored intersections, arterial, or freeway segment in the area.

The project shall continue to coordinate with the City of Agoura Hills and shall consult with Caltrans to determine whether they concur with the study's findings of the potential California Environmental Quality Act impacts within their jurisdiction.

If you have any questions regarding the review of the document, please contact Kristin Norman of our Traffic Studies Section at Extension 4766.

KN:cn
T-4\EIR04337.doc

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
www.ladpw.org

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

IN REPLY PLEASE
REFER TO FILE: T-4

November 22, 2004

Ms. Serine Ciandella
Kimley-Horn and Associates, Inc.
2100 West Orangewood Avenue, Suite 140
Orange, CA 92868

Dear Ms. Ciandella:

TRIANGLE RANCH
TENTATIVE TRACT NO. 52419
CONDITIONAL USE PERMIT 97178
TRAFFIC IMPACT ANALYSIS (MARCH 2004)
AGOURA HILLS AREA

As requested, we have reviewed the above-mentioned document. The project site is generally located southwest and southeast of Kanan Road and Cornell Road, approximately one-third mile south of the Ventura Freeway in the unincorporated County of Los Angeles area of Agoura Hills.

The proposed project consists of the construction of 81 single-family homes on approximately 320 acres. The proposed project is estimated to generate approximately 854 vehicle trips daily, with 67 and 89 vehicle trips during the a.m. and p.m. peak hours, respectively. Fifty-four lots will take access from Kanan Road and 27 lots through a gated entrance on Cornell Road.

We generally agree with the study that the interchange improvement project addresses an existing need and that the project traffic does not represent a significant portion of the total traffic served by the interchange. Therefore, it will not be necessary to withhold building permits for the project until the interchange is in place as mentioned in our March 24, 2004, memo.

The project shall participate in a Traffic Impact Fee as required by the City of Agoura Hills Benefit Assessment Fee for the proposed improvements at the intersections of Kanan Road at Canwood Street and Kanan Road at Agoura Road.

We also agree with the study that the project will not have any significant impact to the Congestion Management Program monitored locations.

We recommend that the City of Agoura Hills review this document to determine the potential California Environmental Quality Act (CEQA) impacts within their jurisdiction. Caltrans shall also be consulted to determine whether the project has a significant CEQA impact on the adjacent Ventura Freeway.

In order to complete our review, a 40-foot-scale site plan showing site access locations in relationship to adjacent intersections and driveways, and driveways opposite project frontage, shall be prepared and submitted to Traffic and Lighting Division for review and approval. Generally, site access should be designed to eliminate any potential conflicts between vehicles entering the site and parked vehicles on-site and/or on-site facilities, such as a trash pick-up area.

If you have any questions, please contact Ms. Kristin Norman of our Traffic Studies Section, Traffic and Lighting Division, at (626) 300-4766.

Very truly yours,

DONALD L. WOLFE
Interim Director of Public Works

WILLIAM J. WINTER
Assistant Deputy Director
Traffic and Lighting Division

KN:cn
EIR04264.doc

cc: City of Agoura Hills

bc: Land Development (Wong)

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

JAMES A. NOYES, Director

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
www.ladpw.org

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

IN REPLY PLEASE
REFER TO FILE: T-4

March 24, 2004

Ms. Serine Ciandella
Kimley-Horn and Associates, Inc.
2100 West Orangewood Avenue, Suite 140
Orange, CA 92868

Dear Ms. Ciandella:

TRIANGLE RANCH
TENTATIVE TRACT NO. 52419
CONDITIONAL USE PERMIT 97178
TRAFFIC IMPACT ANALYSIS (SEPTEMBER 2003)
AGOURA HILLS AREA

As requested, we have reviewed the above-mentioned document. The project site is generally located southwest and southeast of Kanan Road and Cornell Road, approximately one-third mile south of the Ventura Freeway in the unincorporated County area of Los Angeles.

The proposed project consists of the construction of 81 single-family homes on about 320 acres. The proposed project is estimated to generate approximately 854 vehicle trips daily, with 67 and 89 vehicle trips during the a.m. and p.m. peak hours, respectively. Fifty-four lots will take access from Kanan Road and 27 lots through a gated entrance on Cornell Road.

The traffic study shall be revised to include the following.

- The study assumes the completion of the Kanan Road interchange project. It should be noted that the issuance of a building permit for the project will be withheld until this interchange project is in place.

- A diagram showing proposed mitigation measures and future lane configurations for each intersection analyzed.

FILE COPY

- A traffic signal warrant analysis for the unsignalized intersections.

- Details for the proposed gated access ("H" Street-TT 52419) shall be provided. The gate shall be designed to handle anticipated queing and turn movement for a typical United Parcel Service delivery truck. Intercom location and lane configurations shall also be provided.

- The study shall be stamped and signed by a registered Professional Engineer in the State of California in the field of Civil or Traffic Engineering.

We recommend that the City of Agoura Hills review this document to determine the potential California Environmental Quality Act (CEQA) impacts within their jurisdiction. Caltrans shall also be consulted to determine whether the project has a significant CEQA impact on the adjacent Ventura Freeway.

If you have any questions, please contact Ms. Marian Guirguis of our Traffic Studies Section at (626) 300-4848.

Very truly yours,

JAMES A. NOYES
Director of Public Works

WILLIAM J. WINTER
Assistant Deputy Director
Traffic and Lighting Division

MG:cn
EIR03355

cc: Department of Regional Planning (Koutnik)

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - SEWER
TRACT NO. 52419 (Rev)

TENTATIVE MAP DATED 08-01-2006

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. The subdivider shall install and dedicate main line sewers and serve each lot with a separate house lateral or have approved and bonded sewer plans on file with Public Works.

2. Install off-site sewer mainlines to serve this subdivision to the satisfaction of Public Works.

3. A sewer area study for the proposed subdivision (PC 11843as, dated 02-22-2005) was reviewed and approved. No additional mitigation measures are required. The approved sewer area study shall remain valid for two years after initial approval of the tentative map. After this period of time, an update of the area study shall be submitted by the applicant if determined to be warranted by Public Works.

4. The subdivider shall determine from the Las Virgenes Municipal Water District where the connection to the trunk sewer system and disposal facilities of the District shall be made, and shall meet the requirements of the Water District for the use of the sewerage facilities. Acceptance by the District must be assured in writing.

5. Easements are required, subject to review by Public Works to determine the final locations and requirements.

HW

Prepared by Julian Garcia Phone (626) 458-4921 Date 08-14-2006

tr52419s-rev12.doc

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - WATER
TRACT NO.052419 (Rev.)

TENTATIVE MAP DATED 08-01-2006
EXHIBIT MAP DATED 08-01-2006

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. A water system maintained by the water purveyor, with appurtenant facilities to serve all lots in the land division, must be provided. The system shall include fire hydrants of the type and location (both on-site and off-site) as determined by the Fire Department. The water mains shall be sized to accommodate the total domestic and fire flows.

2. There shall be filed with Public Works a statement from the water purveyor indicating that the water system will be operated by the purveyor, and that under normal conditions, the system will meet the requirements for the land division, and that water service will be provided to each lot.

3. If necessary, install off-site sewer mainline to serve this subdivision to the satisfaction of Public Works.

4. Easements shall be granted to the County, appropriate agency or entity for the purpose of ingress, egress, construction, and maintenance of all infrastructures constructed for this land division to the satisfaction of Public Works.

5. Submit landscape and irrigation plans for each open space and landscape lot in the land division, with landscape area greater than 2,500 square feet, in accordance with the Water Efficient Landscape Ordinance.

6. If necessary, depict all line of sight easements on the landscape and irrigation plans.

+1cw

Prepared by Juan M Sarda Phone (626) 458-4921 Date 08-14-2006

tr52419w-rev12.doc

COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

WATER SYSTEM REQUIREMENTS - UNINCORPORATED

Subdivision No. TR 52419 Tentative Map Date 01-August-06, Ex. A

Revised Report yes

☐ The County Forester and Fire Warden is prohibited from setting requirements for water mains, fire hydrants and fire flows as a condition of approval for this division of land as presently zoned and/or submitted. However, water requirements may be necessary at the time of building permit issuance.

☒ The required fire flow for public fire hydrants at this location is **1250** gallons per minute at 20 psi for a duration of 2 hours, over and above maximum daily domestic demand. 1 Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.

☐ The required fire flow for private on-site hydrants is ____ gallons per minute at 20 psi. Each private on-site hydrant must be capable of flowing ____ gallons per minute at 20 psi with two hydrants flowing simultaneously, one of which must be the furthest from the public water source.

☒ Fire hydrant requirements are as follows:

Install 12 public fire hydrant(s). Verify / Upgrade existing ____ public fire hydrant(s).

Install ____ private on-site fire hydrant(s).

☒ All hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal. All on-site hydrants shall be installed a minimum of 25' feet from a structure or protected by a two (2) hour rated firewall.
- ☒ Location: As per map on file with the office.
- ☐ Other location: ____

☒ All required fire hydrants shall be installed, tested and accepted or bonded for prior to Final Map approval. Vehicular access shall be provided and maintained serviceable throughout construction.

☐ The County of Los Angeles Fire Department is not setting requirements for water mains, fire hydrants and fire flows as a condition of approval for this division of land as presently zoned and/or submitted.

☐ Additional water system requirements will be required when this land is further subdivided and/or during the building permit process.

☐ Hydrants and fire flows are adequate to meet current Fire Department requirements.

☐ Upgrade not necessary, if existing hydrant(s) meet(s) fire flow requirements. Submit original water availability form to our office.

Comments: **The proposed development shall comply with Fire Code section 1003.2.11 regarding Occupancies in Very High Fire Hazard Severity Zones and in the Malibu-Santa Monica Mountains or San Gabriel South face areas.If a water tank is installed a minimum paved access of 20' wide shall be provided. The exisitng fire hydrant located on the Northside of the fire station shall be relocated outside of the proposed street location ("F" street)**

All hydrants shall be installed in conformance with Title 20, County of Los Angeles Government Code and County of Los Angeles Fire Code, or appropriate city regulations. This shall include minimum six-inch diameter mains. Arrangements to meet these requirements must be made with the water purveyor serving the area.

By Inspector Janna Masi Date 10-August-06

COUNTY OF LOS ANGELES
FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

CONDITIONS OF APPROVAL FOR SUBDIVISION - UNINCORPORATED

Subdivision: TR 52419 Map Date 01-August-06, Ex. A

C.U.P. _____ Vicinity Malibu - 324A4

☐ **FIRE DEPARTMENT HOLD** on the tentative map shall remain until verification from the Los Angeles County Fire Dept. Planning Section is received, stating adequacy of service. Contact (323) 881–2404.

☒ Access shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 902 of the Fire Code, which requires all weather access. All weather access may require paving.

☒ Fire Department access shall be extended to within 150 feet distance of any exterior portion of all structures.

☐ Where driveways extend further than 300 feet and are of single access design, turnarounds suitable for fire protection equipment use shall be provided and shown on the final map. Turnarounds shall be designed, constructed and maintained to insure their integrity for Fire Department use. Where topography dictates, turnarounds shall be provided for driveways that extend over 150 feet in length.

☒ The private driveways shall be indicated on the final map as "Private Driveway and Firelane" with the widths clearly depicted. Driveways shall be maintained in accordance with the Fire Code.

☐ Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested and accepted prior to construction.

☒ This property is located within the area described by the Fire Department as "Very High Fire Hazard Severity Zone" (formerly Fire Zone 4). A "Fuel Modification Plan" shall be submitted and approved prior to final map clearance. (Contact: Fuel Modification Unit, Fire Station #32, 605 North Angeleno Avenue, Azusa, CA 91702-2904, Phone (626) 969-5205 for details).

☒ Provide Fire Department or City approved street signs and building access numbers prior to occupancy.

☐ Additional fire protection systems shall be installed in lieu of suitable access and/or fire protection water.

☐ The final concept map, which has been submitted to this department for review, has fulfilled the conditions of approval recommended by this department for access only.

☐ These conditions must be secured by a C.U.P. and/or Covenant and Agreement approved by the County of Los Angeles Fire Department prior to final map clearance.

☐ The Fire Department has no additional requirements for this division of land.

Comments: **Access as shown on the tentative map is approved at this time, therefore the tentative map is cleared for public hearing.**
Provide a gate detail for review and approval prior to the clearance of the final map. The gate design shall include the following criteria;
1. The keypad shall be setback from the right of way a minimum of distance of 50'.
2. Provide a minimum gate width of 20' for each, egress and ingress.
3. Prior to the gate provide a minimum turning radii of 32'.

By Inspector: *Janna Masi* Date 10-August-06

LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION

PARK OBLIGATION REPORT

Tentative Map # **52419**	DRP Map Date: **08/01/2006**	SCM Date: **08/14/2006**	Report Date: **08/10/2006**
Park Planning Area # **33B**	**AGOURA / CALABASAS**		Map Type: **REV. (REV RECD)**

Total Units **66** = Proposed Units **66** + Exempt Units **0**

Sections 21.24.340, 21.24.350, 21.28.120, 21.28.130, and 21.28.140, the County of Los Angeles Code, Title 21, Subdivision Ordinance provide that the County will determine whether the development's park obligation is to be met by:

1) the dedication of land for public or private park purpose or,
2) the payment of in-lieu fees or,
3) the provision of amenities or any combination of the above.

The specific determination of how the park obligation will be satisfied will be based on the conditions of approval by the advisory agency as recommended by the Department of Parks and Recreation.

Park land obligation in acres or in-lieu fees:

ACRES:	**0.58**
IN-LIEU FEES:	**$180,795**

Conditions of the map approval:

The park obligation for this development will be met by:

The payment of $180,795 in-lieu fees.

Trails:

Comments:

ZUMA RIDGE TRAIL - ~~Trail Report is pending.~~ For trail requirements, please contact Ken Slu, Trails Coordinator at (213) 351-5135.

Contact Patrocenia T. Sobrepeña, Departmental Facilities Planner I, Department of Parks and Recreation, 510 South Vermont Avenue, Los Angeles, California, 90020 at (213) 351-5120 for further information or an appointment to make an in-lieu fee payment.

For information on Hiking and Equestrian Trail requirements contact Trail Coordinator at (213) 351-5135.

By: _____
James Barber, Advanced Planning Section Head

Supv D 3rd
August 14, 2006 08:31:20
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LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION

PARK OBLIGATION WORKSHEET

Tentative Map #	**52419**	DRP Map Date: **08/01/2006**	SMC Date: **08/14/2006**	Report Date: **08/10/2006**
Park Planning Area #	**33B**	**AGOURA / CALABASAS**		Map Type: **REV. (REV RECD)**

The formula for calculating the acreage obligation and or In-lieu fee is as follows:

(P)eople x (0.003) Goal x (U)nits = (X) acres obligation

(X) acres obligation x RLV/Acre = In-Lieu Base Fee

Where:

P = Estimate of number of People per dwelling unit according to the type of dwelling unit as determined by the 2000 U.S. Census*. Assume * people for detached single-family residences; Assume * people for attached single-family (townhouse) residences, two-family residences, and apartment houses containing fewer than five dwelling units; Assume * people for apartment houses containing five or more dwelling units; Assume * people for mobile homes.

Goal = The subdivision ordinance allows for the goal of 3.0 acres of park land for each 1,000 people generated by the development. This goal is calculated as "0.0030" in the formula.

U = Total approved number of Dwelling Units.

X = Local park space obligation expressed in terms of acres.

RLV/Acre = Representative Land Value per Acre by Park Planning Area.

Total Units **66** = Proposed Units **66** + Exempt Units **0**

	People*	Goal 3.0 Acres / 1000 People	Number of Units	Acre Obligation
Detached S.F. Units	**2.91**	**0.0030**	**66**	**0.58**
M.F. < 5 Units	2.39	0.0030	0	0.00
M.F. >= 5 Units	2.17	0.0030	0	0.00
Mobile Units	2.50	0.0030	0	0.00
Exempt Units			0	
			Total Acre Obligation =	**0.58**

Park Planning Area = **33B AGOURA / CALABASAS**

Goal	Acre Obligation	RLV / Acre	In-Lieu Base Fee
@(0.0030)	0.58	$311,716	**$180,795**

Lot #	Provided Space	Provided Acres	Credit (%)	Acre Credit	Land
None					
			Total Provided Acre Credit:	**0.00**	

Acre Obligation	Public Land Crdt.	Priv. Land Crdt.	Net Obligation	RLV / Acre	In-Lieu Fee Due
0.58	0.00	0.00	0.58	$311,716	**$180,795**

COUNTY OF LOS ANGELES

DEPARTMENT OF PARKS AND RECREATION

"Creating Community Through People, Parks and Programs"

Russ Guiney, Director

August 14, 2006

NOTICE OF TRAIL REQUIREMENT FOR TRACT MAPS AND PARCEL MAPS

Map #: TR - 52419 Date on Map: Aug. 1, 2006

Provide a **20** foot easement for **Zuma Ridge Trail** to the satisfaction of the Department of Parks and Recreations' Standards. Because of the necessity to show the trail alignment as it pertains to topographical lines, all information pertaining to trail requirements must be shown on the Final Map.

X MAP APPROVED WITH THE FOLLOWING CONDITIONS:

1. Open Space Lot 71 must be dedicated to the Santa Monica Mountain Conservancy, National Park Services, or a public agency;
2. Resolution to Zuma Ridge Trail easement alignment must be shown before final map recordation and;
3. Provide funding for trail construction.

The exact following language must be shown for trail dedications on the final map.

Title Page: We hereby dedicate to the County of Los Angeles a **20** foot easement for Riding and Hiking purposes for the **Zuma Ridge Trail**.

Map Sheets: A **20** foot wide easement to the County of Los Angeles for Riding and Hiking purposes for the **Zuma Ridge Trail**.

X IF A WAIVER IS FILED, A PLAT MAP DEPICTING THE TRAIL MUST ACCOMPANY THE WAIVER.

For any questions concerning trail alignment or other trail requirements, please contact Ken Slu at 213-351-5135.

Ken Slu, Trails Coordinator

Planning and Development Agency • 510 South Vermont Ave • Los Angeles, CA 90020-1975 • (213) 351-5198

COUNTY OF LOS ANGELES
DEPARTMENT OF HEALTH SERVICES
Public Health

BRUCE A. CHERNOF, M.D.
Acting Director and Chief Medical Officer

FRED LEAF
CHIEF OPERATING OFFICER

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

Environmental Health
ARTURO AGUIRRE, Director

Bureau of Environmental Protection
Mountain & Rural/Water, Sewage & Subdivision Program
5050 Commerce Drive, Baldwin Park, CA 91706-1423
TEL (626)430-5380 · FAX (626)813-3016
www.lapublichealth.org/eh/progs/envirp.htm

BOARD OF SUPERVISORS

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Fifth District

August 7, 2006

RFS No. 06-0021635

Tract No. 52419

Vicinity: Agoura

Tentative Tract Map Date: August 1, 2006 (12th Revision)

The Los Angeles County Department of Health Services has no objection to this subdivision and **Vesting Tentative Tract Map 52419** has been cleared for public hearing. The following conditions still apply and are in force:

1. Potable water will be supplied by the **Las Virgenes Municipal Water District**, a public water system, which guarantees water connection and service to all lots.

2. Sewage disposal will be provided through the public sewer and wastewater treatment facilities of the **Las Virgenes Municipal Water District** as proposed.

If you have any questions or need additional information, please contact me at (626) 430-5380.

Respectfully,

Becky Valenti, E.H.S. IV
Mountain and Rural/Water, Sewage, and Subdivision Program

HALLADAY
&
MIM MACK
Incorporated

Civil Engineers
Surveyors

September 12, 2006 Job No. 210-03-05

Ms. Susie Tae
Department of Regional Planning
County of Los Angeles
320 W. Temple Street
Los Angeles, CA 90012

RE: Tentative Tract Map 52419
Conditional Use Permit Numbers 97-178 (3)

Dear Susie:

This proposed development for Tract 52419 does not at this time have architectural footprints defined for the proposed 66 homes.

In order to satisfy the County's requirements for processing the Conditional Use Permit, we have defined and shown on our Conditional Use Permit Site Plan Exhibit "A", proposed building pad limits.

These building pad limits were determined by indicating the front and rear-yard building setbacks at 20-feet from property lines, and side-yard building setbacks at 5-foot minimums. An additional 5-feet setback was added to side-yards abutting streets and three extra feet of setback were added in conditions where graded slopes lie between building pads.

Susie, I trust that this information will be sufficient for your requirements for the Conditional Use Permit. If you have any questions, please feel free to contact me.

Sincerely,

HALLADAY & MIM MACK, INC.

Dana S. Halladay
President

DSH:kw
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HALLADAY
&
MIM MACK
Incorporated

Civil Engineers
Surveyors

September 12, 2006 Job No. 210-03-05

Ms. Susie Tae
Department of Regional Planning
County of Los Angeles
320 W. Temple Street
Los Angeles, CA 90012

RE: Tentative Tract Map 52419
Development Schedule Pursuant to County Code Section 22.20.460(B)(3)(f)(8)

Dear Susie:

This purpose of this letter is to provide the development schedule required by County Code Section 22.20.460(B)(3)(f)(8), which requires approval of a progress schedule indicating the development of open space related to the construction of residential dwelling units.

Tract 52419 includes two enclaves of residential developments, which are separated generally by Cornell Road and which will have their grading and infrastructure improvements constructed by the master developer and the single family residences constructed by the same or different builders.

The enclave located westerly of Cornell Road, on both sides of Kanan Road, consists of 56 single family lots. This enclave is proposed as a somewhat typical residential subdivision and will likely be sold to a single merchant home builder. If approved by the Regional Planning Commission, roadway improvements will be rural in design, with no sidewalks, rolled curbs, and street lighting kept at a minimum for public safety. Grading and infrastructure construction for this enclave is anticipated to last 6 to 8 months. Home construction is expected to be complete in 18 months.

The enclave located easterly of Cornell Road consists of 10 home sites. Home sites in this enclave are expected to be developed either individually, or in small groups, possibly by a second builder. Roadway improvements will be rural in design, with no sidewalks, rolled curbs, and street lighting kept at a minimum for public safety. Grading and infrastructure construction for this enclave in anticipated to last 6 to 9 months. Home construction may potentially last up to three years if custom homes are constructed.

Sincerely,

HALLADAY & MIM MACK, INC.

Dana S. Halladay
President

DSH:kw

Corporate Office • 201 East Yorba Linda Blvd • Placentia, CA • 92870 • Tel 714/993-4500 • Fax 714/993-6837
Corona Office • 1181 California Ave., Suite 102 • Corona, CA • 92881 • Tel 951/278-9700 • Fax 951/278-2729
www.halladaymimmack.com

Burden of Proof for Requested Conditional Use Permit
Project No. 97-178-(3)
Vesting Tentative Tract No. 52419
Triangle Ranch Project

As required by County Code Section 22.56.040(A)(1), the requested use at the location will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area because:

1. **The project will provide the community with a substantial open space amenity.**

   - The project will preserve 283.71 acres as undisturbed permanent open space.

   - Areas to be preserved as open space include 94 percent of the onsite portion of Significant Ecological Area No. 6; 97.5 percent of the onsite Lyon's pentachaeta population (including the largest stand; with potential indirect impacts to 1.42 acres due to fuel modification); the majority of the Santa Monica Mountains dudleya population (with potential indirect impacts to 0.36 acres due to fuel modification); and the significant ridgelines on the property, including Ladyface Mountain.

2. **The project will be compatible with surrounding neighborhoods.**

   - The project proposes lot sizes, landscaping, lighting and architectural standards similar to and compatible with surrounding residential development and proposed commercial and multi-family development in the adjacent Agoura Village.

   - The project maintains the continuation of existing settlement patterns, as the project site is located between existing residential development, located further into the Santa Monica Mountains, and existing and proposed commercial and multi-family residential development located adjacent to the U.S. 101 Freeway.

   - The project site is located a quarter mile from the U.S. 101 Freeway.

   - The City of Agoura Hills is planning significant commercial and residential development for 135 acres located adjacent to the project site, as part of its proposed Agoura Village Specific Plan; full buildout of the Specific Plan would result in development of between 235 and 293 residential units and a total of up to 576,458 square feet of new office, retail, restaurant, movie theater complex, riding and equestrian center, community center and hotel building area, and redevelopment of the existing 372,042 square feet of office and retail space with a higher density development within the same footprint.

- Large lots with the ambiance of privacy and solitude are proposed, to avoid the common tract appearance of large houses squeezed onto smaller lots.

- Rural standards will be applied to development east of Cornell Road: no sidewalks, curbs or gutters will be provided, and street lighting will be kept at the minimum required for safety purposes.

- The applicant is requesting a waiver from standard Los Angeles County Subdivision Code requirements for the remaining homes located in enclaves west of Cornell Road, so that rural standards can also be maintained.

- The development east of Cornell Road is proposed to be a private and gated community. Proposed residences will be on large and custom lots (20,778 to 89,559 square feet lots).

- Proposed lots west of Cornell Road will range in size from 9,857 to 28,996 square feet.

- The project will construct curvilinear roads that follow the lay of the land, rather than rectilinear roads that are forced onto it.

3. The project will provide enhanced landscaping along Kanan and Cornell Roads.

- The project will plant native species around existing roadways, to enhance the aesthetics of this largely unmaintained stretch of Kanan and Cornell roads.

- All retaining walls are proposed to be crib walls, which will be vegetated and attractive.

- The project's landscaping plan will be approved by the County biologist and SEATAC, and will be incorporated into the project's CC&Rs.

4. The project proposes grading that will simulate natural contours.

- Variable slope grades and undulating "daylight" elevations are used to minimize the alteration of natural landforms and to smoothly transition manufactured slopes back into the natural contours of adjacent undisturbed areas.

- Grading is proposed on the gentler slopes and in undisturbed areas; 92.9 percent of the project's grading will occur in the less than 25 percent slope category (30.77 acres); 6.1 percent in the 25 to 50 percent slope category (2.02 acres); and 1.0 percent in the greater than 50 percent slope category (0.33 acres).

As required by County Code Section 22.56.040(A)(2), the requested use at the location will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site because:

1. **The project will be similar to and compatible with surrounding neighborhoods.**

   - The project maintains the continuation of existing settlement patterns.

   - The project proposes lot sizes compatible with surrounding development, with large and custom lots proposed near Cornell Road. Slightly smaller lots between 9,857 square feet and 28,996 square feet are proposed on Kanan Road, which is adjacent to the City's proposed high-density Agoura Village Specific Plan.

   - Rural standards will be applied to development east of Cornell Road: no sidewalks, curbs or gutters will be provided, and street lighting will be kept at the minimum required for safety purposes. The project proponent is requesting a waiver from standard Los Angeles County Subdivision Code requirements for the proposed residences located in enclaves west of Cornell Road, so that rural standards can be maintained.

   - The project offers large lots with the ambiance of privacy and solitude in a rural setting.

2. **The project will provide significant permanent open space for the community.**

   - The project clusters residential development on approximately 10 percent of the project site, thereby preserving 283.71 acres as permanent undisturbed open space. An additional 2.68 acres will be preserved in landscape lots and maintained by the homeowner's association and an additional 3.50 acres of natural terrain will be located within private backyards.

   - Open space preserved by the project will be dedicated to an appropriate conservation agency or will be maintained by the homeowner's association.

As required by County Code Section 22.56.040(A)(3), the requested use at the location will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare because:

1. **No structures will be located in geologically unstable areas and proposed grading will insure public safety.**

   - Proposed structures will not be located in areas characterized by unstable geologic conditions.

- The project generally limits development to the gentler slopes, with very limited grading occurring in the greater than 50 percent category; 92.9 percent of the project's grading will occur in the less than 25 percent slope category (30.77 acres); 6.1 percent in the 25 to 50 percent slope category (2.02 acres); and 1.0 percent in the greater than 50 percent slope category (0.33 acres).

- The project site is not within any Alquist-Priolo Special Studies Zone.

- No active or potentially active faults have been mapped on or near the project site.

- Portions of the project site are susceptible to seismically-induced landslides; however, implementation of the recommendations contained in the project's geotechnical reports and compliance with the Los Angeles County Building Code would reduce slope stability impacts to a less than significant level.

- The project will employ contour grading techniques to smoothly transition manufactured slopes back into the natural contours of adjacent undisturbed areas.

2. The project will employ water quality and flood control measures.

- The project will construct on-site storm drains, terrace drains and swales, debris basins and a separate storm drain system to convey 50-year storm runoff from the developed areas of the project to proposed urban storm water runoff basins or clarifiers, where first flush cleansing of urban runoff can be achieved. All storm water flows will be returned to natural drainage courses before discharging from the project site.

- The project will increase the amount of flat surface area, which creates more opportunities for groundwater infiltration, and will construct a debris and detention basin that is designed to release a controlled flow of runoff during peak storm conditions.

- Best Management Practices (BMPs) to reduce runoff and erosion will be employed.

- The project will reduce natural and barren land, thus reducing the amount of debris siltation reaching Medea Creek.

- Erosion control devises will be installed around all construction areas to insure that sediment is trapped and properly removed. Thus, the project will include provisions to prevent sediments and silts from entering and impacting storm drains and waterways.

- The project will prohibit the non-emergency storage of construction or landslide materials on the shoulders of roads adjacent to stream banks.

- Most proposed residential lots are sufficiently large to accommodate horse keeping. The project will locate livestock, including horses, in a manner that is protective of streams and natural drainages and the quality of water runoff and ground water.

- No buildings will be constructed within a 50-foot flood hazard from the Medea Creek capital flood plain boundary.

3. **The project will insure fire safety.**

- The project site is located approximately one-quarter mile south of the U.S. 101 Freeway, and along Kanan and Cornell roads.

- A County Fire Station is located adjacent to the project site, on Cornell Road.

- The project site is concentrated low on slopes, near existing roadways and in previously disturbed areas, and is accessible to emergency vehicles.

- All structures will be located along paved, all-weather, and accessible roads.

- The residential enclave to the east of Cornell Road will be private and gated, but will be accessible to emergency service personnel.

As required by County Code Section 22.56.040(B), 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 the Zoning Ordinance, or as is otherwise required in order to integrate the proposed use with the uses in the surrounding area because:

1. **The project will comply with County development standards.**

- The project will comply with the requirements of the Zoning Ordinance relating to yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in the Zoning Ordinance.

2. **The project site is sufficiently large.**

- The project proposed 66 lots on 320 acres.

- The project site is large enough to support large and some custom lots, while still preserving 90 percent of the property as open space and landscape lots and meeting County development standards.

As required by County Code Section 22.56.040(C)(1), the proposed site is adequately served by highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate because:

1. **The project is located along a County-designated major highway and proximate to the U.S. 101 Freeway.**

   - The project site is located approximately one-quarter mile south of the U.S. 101 Freeway, and along Kanan Road, a County-designated major highway (100-foot right-of-way), and Cornell Road, a County-designated secondary highway (80-foot right-of-way).

   - The project site is situated between existing residential development, located further into the Santa Monica Mountains, existing commercial development located along the U.S. 101 Freeway corridor. The City is proposing substantial mixed-use development for the area located adjacent to the project site, including up to 293 residential units and a total of up to 576,458 square feet of new office, retail, restaurant, community center, movie theater complex, riding and equestrian center, and hotel building area, and redevelopment of the existing 372,042 square feet of office and retail space with a higher density development within the same footprint.

   - All structures will be located along paved, all-weather, and accessible roads.

As required by County Code Section 22.56.040(C)(2), the proposed site is adequately served public or private service facilities as are required because:

1. **The project site is surrounded by existing and planned commercial and residential development.**

   - The project site is located approximately one-quarter mile south of the U.S. 101 Freeway, and along Kanan Road and Cornell Road.

   - The project site is located between existing residential development, located further into the Santa Monica Mountains, and existing commercial development located in the City of Agoura Hills, between the project site and the U.S. 101 Freeway. The adjacent 135 acres located in the City is planned for the City's Agoura Village Specific Plan, which proposes development of between 235 and 293 residential units and a total of up to 576,458 square feet of new office, retail, restaurant, community center, movie theater complex, equestrian riding center, and hotel building area, and redevelopment of the existing 372,042 square feet of office and retail space with a higher density development within the same footprint.

- The project maintains the continuation of existing settlement patterns and proposes lot sizes compatible with surrounding development.

- Commercial development is located nearby, approximately one-third mile north of the site, with businesses including gas stations, government facilities, recycling centers, small businesses, restaurants and office buildings.

- The project site is located approximately 12 miles southwest of Warner Center (a major retail and commercial center in the western San Fernando Valley) and approximately 6 miles east of the Cities of Thousand Oaks and Westlake Village.

2. The project can be provided with public services.

- The project can be provided with fire protection, police protection, schools, libraries, parks and recreation, water, sewers and other utilities. The project's impacts to all agencies providing these services will be less than significant with the implementation of mitigation measures.

Burden of Proof for Requested Conditional Use Permit for Development in a Significant Ecological Area
Project No. 97-178-(3)
Vesting Tentative Tract No. 52419
Triangle Ranch Project

As required by County Code Section 22.56.215(F)(2)(a), the requested development is designed to be highly compatible with the biotic resources present, including the setting aside of appropriate and sufficient undisturbed areas because:

1. **The project preserves 283.71 acres, 90 percent of the project site, as permanent undisturbed open space.**

   - The project clusters residential development on 10 percent of the project site, thereby preserving 283.71 acres as permanent undisturbed open space.
   - An additional 2.68 acres will be preserved in landscape lots and will be maintained by the homeowner's association.
   - An additional 3.50 acres of natural terrain will be located within private backyards.

2. **The development footprint preserves biotic resources.**

   - The development footprint is comprised of the least environmentally sensitive portions of the property, including previously disturbed land.
   - The project will preserve more than 94 percent of the onsite portion of the significant ecological area.
   - The project will directly impact only 0.23 acres of the 9.08 acres of Lyon's pentachaeta, with possible indirect impacts due to fuel modification of an additional 1.42 acres
   - The project will preserve the majority of the Santa Monica Mountains dudleya population (with potential indirect impacts to 0.36 acres due to fuel modification).
   - The project will preserve the significant ridgelines on the property, including Ladyface Mountain.
   - Open space preserved by the project will be dedicated to an appropriate conservation agency or will be maintained by the homeowner's association.
   - The project will not result in direct impacts to eleven of the fourteen sensitive plant species known to be present on the project site.

- Where County of Los Angeles Fire Department-required fuel modification zones may conflict with sensitive resources, individual lots have been sited to minimize impacts to nearby sensitive plant species.

- The project will limit clearing and grading of native vegetation to the minimum amount needed to create a building pad, allow access and provide fire protection.

- The project will preserve the majority of on-site oak woodland and riparian habitat, and any impact will be mitigated, including replacement.

- No direct impacts are anticipated to Medea Creek, to the willow riparian forest in Medea Creek or to wetlands.

- No buildings will be constructed within a 50-foot flood hazard setback from the Medea Creek capital flood plain boundary.

- The project will comply with all state and federal agency regulations, including on-site or off-site restoration.

- The project will not affect the existing habitat connections to open space south of the subject property and will not directly impact the Liberty Canyon wildlife movement corridor to the east.

- With the exception of fuel modification areas, the project will use exclusively native plant species to blend the development area with the natural character of the site and the surrounding environment.

- The project will use local building materials (e.g. local stone for entrance monuments, etc.) in order to blend the development area with the natural character of the site and the surrounding environment.

As required by County Code Section 22.56.215(F)(2)(b), the requested development is designed to maintain water bodies, water courses, and their tributaries in a natural state because:

1. **The project will employ measures to protect water courses and tributaries in their natural state.**

   - A total of 20,055 linear feet of drainages, contained in 12 jurisdictional drainages as determined by the Army Corp of Engineers and the California Department of Fish and Game, are located on the project site.

   - The project impacts less than 0.11 acres of the total 7.8 acres on the project site within the jurisdiction of the California Department of Fish and Game and 4.54 acres within the jurisdiction of the Army Corp of Engineers, resulting in impacts

to less than 2.4 percent of the Corps jurisdiction and less than 1.4 percent of the Fish and Game jurisdiction.

- The project maintains setbacks from water courses.

- No buildings will be constructed within a 50-foot flood hazard from the Medea Creek capital flood plain boundary. Thus, the project will provide setbacks from natural streams and drainages that are adequate to protect them from development impacts in high storm flows and open space will be preserved to protect streams and watersheds, to prevent vegetation clearance or grading of steep areas and to help reduce development-induced runoff.

- The project will not impact drainages "A," "B," "D," "G," "H," "I," "J," "K," "L," and "M."

- Both direct and indirect impacts to waters of the United States are less than significant.

2. The project will employ measures to protect water quality.

- The project will construct on-site storm drains, terrace drains and swales, debris basins and a separate storm drain system to convey 50-year storm runoff from the developed areas of the project to proposed urban storm water runoff basins or clarifiers, where first flush cleansing of urban runoff can be achieved.

- All storm water flows will be returned to natural drainage courses before discharging from the project site.

- The project will increase the amount of flat surface area, which creates more opportunities for groundwater infiltration, and will construct a debris and detention basin designed to release a controlled flow of runoff during peak storm conditions.

- Best Management Practices (BMPs) to reduce runoff and erosion will be employed.

- The project will reduce natural and barren land, thus reducing the amount of debris siltation reaching Medea Creek.

- The project is in accordance with the recommendations of the TMDLs for nutrients for the Malibu Creek Watershed and would be consistent with Section 303(d) of the Clean Water Act. The major non-point sources of nutrients are septic systems (40.4 percent for nitrogen; 53.9 percent for phosphorus), runoff and erosion from undeveloped areas (17.5 percent for nitrogen; 14.8 percent for phosphorus), runoff associated with agriculture and livestock, golf course

irrigation and fertilization, effluent irrigation, rising groundwater and atmospheric deposition, and runoff from residential and commercial areas. Only 0.2 percent of the average annual total nitrogen and phosphorus loadings into the Lower Medea Creek come from low density residential land uses. Lower Medea Creek carries approximately 5.4 percent of the Malibu Creek Watershed nitrogen load and 3.5 percent of the total watershed phosphorus load.

- The project proposes to be served by sewers and will not utilize septic systems.

- Erosion control devises will be installed around all construction areas to insure that sediment is trapped and properly removed. Thus, the project will include provisions to prevent sediments and silts from entering and impacting storm drains and waterways.

- The project will prohibit the non-emergency storage of construction or landslide materials on the shoulders of roads adjacent to stream banks.

As required by County Code Section 22.56.215(F)(2)(c), the requested development is designed so that wildlife movement corridors (migratory paths) are left in an undisturbed and natural state because:

1. **The project preserves substantial open space for wildlife movement and will not interfere with existing wildlife corridors.**

   - The project clusters residential development on 10 percent of the project site, near existing roadways and existing impediments to wildlife movement.

   - The project preserves 283.71 acres as permanent undisturbed open space, which will be utilized by area wildlife.

   - An additional 2.68 acres will be preserved in landscape lots and an additional 3.50 acres of natural terrain will be located in private backyards.

   - Existing onsite habitat linkages are located mainly along the ridgelines and in valleys. The project does not propose grading along ridgelines or in valleys, and will not impact these existing habitat linkages.

   - Wildlife movement across the site is already impeded by Kanan and Cornell roads and residential development along Medea Creek. Development is sited adjacent to these existing impediments.

   - Existing habitat connections to open space located southerly of the project, where most of the onsite wildlife movement is concentrated due to development to the north and the U.S. 101 Freeway, would remain largely unaffected by the project.

- The project will not develop within 50 feet of Medea Creek and will therefore not impede wildlife movement through the creek.

As required by County Code Section 22.56.215(F)(2)(d), the requested development retains sufficient natural vegetative cover and/or open spaces to buffer critical resource areas from said requested development because:

1. **The project preserves substantial open space in its natural state.**

   - The project clusters residential development on 10 percent of the project site, near existing roadways and on previously disturbed land.

   - The project preserves 283.71 acres in as undisturbed permanent open space.

   - An additional 3.50 acres of natural terrain will be located in private backyards.

   - Areas to be preserved as open space include more than 94 percent of the onsite portion of the significant ecological area; 97.5 percent of the onsite Lyon's pentachaeta population (including the largest stand; with potential indirect impacts to 1.42 acres due to fuel modification); the majority of the Santa Monica Mountains dudleya population (with potential indirect impacts to 0.36 acres due to fuel modification); and the significant ridgelines on the property, including Ladyface Mountain.

2. **The project preserves sensitive plants and the majority of the onsite portion of Significant Ecological Area No. 6.**

   - The project preserves more than 94 percent of the onsite portion of Significant Ecological Area No. 6.

   - The project will not directly impact the largest stand of the federally and state endangered Lyon's pentachaeta. The project will directly impact only 0.23 acres of the 9.08 acres of onsite Lyon's pentachaeta, with possible indirect impacts due to fuel modification of an additional 1.42 acres.

   - The project will directly impact only 0.09 acres of the Santa Monica Mountains dudleya, with possible indirect impacts due to fuel modification of 0.36 acres.

   - The project will not directly impact eleven of the fourteen sensitive plant species known to be present on the project site

   - Where County of Los Angeles Fire Department-required fuel modification zones may conflict with sensitive resources, individual lots have been sited to minimize impacts to nearby sensitive plant species.

- The project will limit clearing and grading of native vegetation to the minimum amount needed to create a building pad, allow access and provide fire protection.

- The project will preserve the majority of on-site oak woodland and riparian habitat, and any impact will be mitigated, including replacement.

- The project will comply with all state and federal agency regulations, including on-site or off-site restoration.

- With the exception of fuel modification areas, the proposed project will use exclusively native plant species to blend the development area with the natural character of the site and the surrounding environment.

3. **The project preserves Medea Creek.**

- No direct impacts are anticipated to Medea Creek, to the willow riparian forest in Medea Creek or to wetlands.

- No buildings will be constructed within a 50-foot flood hazard setback from the Medea Creek capital flood plain boundary.

As required by County Code Section 22.56.215(F)(2)(e), where necessary, fences or walls are provided to buffer important habitat areas from development because:

1. **Development will be sited to minimize impacts to important habitat areas and, where necessary, fences or walls will be provided to buffer important habitat areas from development.**

- Development has been sited to avoid direct impacts to the largest stand of the federally and state endangered Lyon's pentachaeta. The project will directly impact only 0.23 acres of Lyon's pentachaeta, with possible indirect impacts due to fuel modification of an additional 1.42 acres.

- The project will directly impact only 0.09 acres of the Santa Monica Mountains dudleya, with possible indirect impacts due to fuel modification of 0.36 acres.

- Where necessary, the project will use fences or walls to buffer these important habitat areas from development.

- The project will comply with all state and federal agency regulations, including on-site or off-site restoration.

As required by County Code Section 22.56.215(F)(2)(f), roads and utilities serving the proposed development are located and designed so as not to conflict with critical resources, habitat areas or migratory paths because:

1. **The project is clustered along existing highways and proposes minimal intrusion into the vast open space areas to be preserved by the project.**

   - The project clusters residential development on 10 percent of the project site, located along existing Kanan and Cornell Roads.

   - Clustering development along existing highways limits intrusion into the critical resources and habitat areas located within the onsite significant ecological area, within Medea Creek and at the ridgeline of Ladyface Mountain.

   - Proposed roads extend only so far as necessary to serve the proposed residences.

   - The project will preserve 283.71 acres, including more than 94 percent of the onsite portion of Significant Ecological Area No. 6, the largest stand of onsite Lyon's pentachaeta and the majority of Santa Monica Mountains dudleya, Medea Creek and the ridgeline of Ladyface Mountain, as permanent open space.

   - The project will limit clearing and grading of native vegetation to the minimum amount needed to create a building pad, allow access, and provide fire protection.

Burden of Proof for Requested Conditional Use Permit for Hillside Development
Project No. 97-178-(3)
Vesting Tentative Tract No. 52419
Triangle Ranch Project

As required by County Code Section 22.56.215(F)(1)(a), the proposed project is located and designed so as to protect the safety of current and future community residents, and will not create significant threats to life and/or property due to the presence of geologic, seismic, slope instability, fire, flood, mud flow, or erosion hazard because:

1. **No structures will be located in geologically unstable areas and proposed grading will insure public safety.**

   - Proposed structures will not be located in areas characterized by unstable geologic conditions. The project generally limits development to the gentler slopes, but limited slopes in excess of 25 percent will be graded.

   - The project site is not within any Alquist-Priolo Special Studies Zone.

   - No active or potentially active faults have been mapped on or near the project site.

   - Portions of the project site are susceptible to seismically-induced landslides; however, implementation of the recommendations contained in the project's geotechnical reports and compliance with the Los Angeles County Building Code would reduce slope stability impacts to a less than significant level.

   - Whenever possible, retaining walls will be crib walls, planted with evergreen vines to help minimize visual impacts. Manufactured slopes will be land-form graded.

   - Using retaining walls helps retain natural contours and minimize grading.

   - The project will employ contour grading techniques to smoothly transition manufactured slopes back into the natural contours of adjacent undisturbed areas.

2. **The project will employ water quality and flood control measures.**

   - The project will construct on-site storm drains, terrace drains and swales, debris basins and a separate storm drain system to convey 50-year storm runoff from the developed areas of the project to proposed urban storm water runoff basins or clarifiers, where first flush cleansing of urban runoff can be achieved. All storm water flows will be returned to natural drainage courses before discharging from the project site.

- The project will increase the amount of flat surface area, which creates more opportunities for groundwater infiltration, and will construct a debris and detention basin that is designed to release a controlled flow of runoff during peak storm conditions.

- Best Management Practices (BMPs) to reduce runoff and erosion will be employed.

- The project will reduce natural and barren land, thus reducing the amount of debris siltation reaching Medea Creek.

- Erosion control devises will be installed around all construction areas to insure that sediment is trapped and properly removed. Thus, the project will include provisions to prevent sediments and silts from entering and impacting storm drains and waterways.

- The project will prohibit the non-emergency storage of construction or landslide materials on the shoulders of roads adjacent to stream banks.

- Most proposed residential lots are sufficiently large to accommodate horse keeping. The project will locate livestock, including horses, in a manner that is protective of streams and natural drainages and the quality of water runoff and ground water.

- No buildings will be constructed within a 50-foot flood hazard from the Medea Creek capital flood plain boundary.

3. The project will insure fire safety.

- The project site is located approximately one-quarter mile south of the U.S. 101 Freeway, along the Kanan Road and Cornell Road.

- A County fire station is located adjacent to the project site, on Cornell Road.

- The project site is concentrated low on slopes, in previously disturbed areas, and is accessible to emergency vehicles.

- All structures will be located along paved, all-weather, and accessible roads.

- The residential enclave to the east of Cornell Road will be private and gated, but will be accessible to emergency service personnel.

As required by County Code Section 22.56.215(F)(1)(b), the proposed project is compatible with the natural, biotic, cultural, scenic and open space resources of the area because:

1. **The project preserves substantial open space.**

   - The project clusters residential development on 10 percent of the project site, thereby preserving 283.71 acres as permanent undisturbed open space. An additional 2.68 acres will be preserved in landscape lots and an additional 3.50 acres of natural terrain will be located in private backyards.

   - The most valuable biological resources are included within the open space area preserved by the project, including 94 percent of the onsite portion of Significant Ecological Area No. 6, the largest stand of Lyon's pentachaeta located on the project site, the majority of Santa Monica Mountains dudleya, and prominent ridgelines including Ladyface Mountain.

2. **The development footprint is located on the least environmentally sensitive portions of the property.**

   - The development footprint is comprised of the least environmentally sensitive portions of the property, including previously disturbed land.

   - All three enclaves are located in areas of prior disturbance, including grading and woodcutting activities near Cornell Road, a major fill site on Kanan Road, bee keeping operations and a smaller fill site near Medea Creek. Approximately 1 to 2 acres, located between Cornell and Kanan roads, approximately 800 feet south of Cornell Way was previously used as a dumpster storage yard.

3. **The project limits grading.**

   - Grading will be minimized by concentrating development on the gentler slopes.

   - The project limits grading in areas over 50 percent slope; 92.9 percent of the project's grading will occur in the less than 25 percent slope category (30.77 acres); 6.1 percent in the 25 to 50 percent slope category (2.02 acres); and 1.0 percent in the greater than 50 percent slope category (0.33 acres).

   - Contour grading techniques will be used to minimize the alteration of natural landforms and to smoothly transition manufactured slopes back into natural contours of adjacent land.

   - The project uses special architectural and design techniques to ensure that development conforms to the natural land form in areas over 25 percent slope.

4. **The project preserves significant biological resources.**

- The project will not directly impact twelve of the fourteen sensitive plant species known to be present on the project site.
- Development has been sited to avoid direct impacts to the largest stand of the federally and state endangered Lyon's pentachaeta. The project will directly impact only 0.23 acres of Lyon's pentachaeta, with possible indirect impacts due to fuel modification of an additional 1.42 acres.
- The project will directly impact only 0.09 acres of the Santa Monica Mountains dudleya, with possible indirect impacts due to fuel modification of 0.36 acres.
- Where County of Los Angeles Fire Department-required fuel modification zones may conflict with sensitive resources, individual lots have been sited to minimize impacts to nearby sensitive plant species.
- The project will limit clearing and grading of native vegetation to the minimum amount needed to create a building pad, allow access and provide fire protection.
- The project will preserve the majority of on-site oak woodland and riparian habitat, and any impact will be mitigated, including replacement.
- No direct impacts are anticipated to Medea Creek, to the willow riparian forest in Medea Creek or to wetlands.
- No buildings will be constructed within a 50-foot flood hazard setback from the Medea Creek capital flood plain boundary.
- The project will comply with all state and federal agency regulations, including on-site or off-site restoration.

5. **The project protects existing habitat linkages.**

- The project will not affect the existing habitat connections to open space south of the subject property and will not directly impact the Liberty Canyon wildlife movement corridor to the east.

6. **The project design will be compatible with the area's natural resources.**

- With the exception of fuel modification areas, the proposed project will use exclusively native plant species to blend the development area with the natural character of the site and the surrounding environment.

- The project will use local building materials (e.g. local stone for entrance monuments, etc.) in order to blend the development area with the natural character of the site and the surrounding environment.

7. The project protects views.

- The project takes steps to preserve views: it places development in enclaves to maximize undisturbed areas; it locates development on gentler slopes to minimize grading; it uses contour grading to keep natural contours and make graded areas blend into the adjacent natural open space areas; it provides landscaping to buffer views of proposed development; it provides setbacks from existing highways; it undergrounds all utilities; and it sites lots to avoid breaking ridgeline views.

- Where retaining walls are used to minimize grading, the walls are generally located in backyards and not visible from roadways. The project has reduced the heights of the few walls that may be visible from roadways, so that the maximum height of the wall along Kanan Road is now at ten feet and no walls are visible from Cornell Road. The wall behind Lots 1 through 4 remains 17 feet tall, but this wall has only limited visibility along Kanan Road. Where retaining walls are used, crib walls are proposed, which will be vegetated and attractive.

- The project has reduced building pad elevations by 5 to 23 feet along Kanan Road, and by 6 to 11 feet along Cornell Road.

- The project has reduced the height of manufactured slopes, so that the height of the largest fill slope is now at 29 feet.

8. The project will preserve the onsite archaeological site.

- No development will occur in the small midden deposit/habitation site containing scientific information useful for the understanding of the prehistory of this portion of Southern California. This archaeological site will be preserved as open space.

9. The project is compatible with surrounding neighborhoods.

- Large building pads and lots are proposed similar to existing surrounding neighborhoods.

- The project will provide large lots offering the ambiance of privacy and solitude in a rural setting. The development east of Cornell Road is proposed to be a private and gated community. Proposed residences will be on large and custom lots (20,778 to 89,559 square feet lots). Rural standards will be applied: no sidewalks, curbs or gutters would be provided, and street lighting would be kept at the minimum required for safety purposes.

- Proposed residences located in enclaves west of Cornell Road will range in size from 9,857 to 28,996 square foot lots. The project proponent will request a waiver from standard Los Angeles County Subdivision Code requirements for these residential enclaves, so that rural standards will be maintained.

- The project maintains the continuation of existing settlement patterns, as the project site is located between existing residential development, located further into the Santa Monica Mountains, and existing commercial development located adjacent to the U.S. 101 Freeway.

- The project site is located a quarter mile from the U.S. 101 Freeway.

- The City of Agoura Hills is planning significant commercial and residential development for 135 acres located adjacent to the project site, as part of its proposed Agoura Village Specific Plan; full buildout of the Specific Plan would result in development of between 235 and 293 residential units and a total of up to 576,458 square feet of new office, retail, restaurant, movie theater complex, riding and equestrian center, community center and hotel building area, and redevelopment of the existing 372,042 square feet of office and retail space with a higher density development within the same footprint.

As required by County Code Section 22.56.215(F)(1)(d), the proposed development demonstrates creative and imaginative design, resulting in a visual quality that will complement community character and benefit current and future community residents because:

1. **The project will complement and be compatible with surrounding neighborhoods.**

   - The project maintains the continuation of existing settlement patterns, as the project site is located between existing residential development, located further into the Santa Monica Mountains, and existing commercial development located adjacent to the U.S. 101 Freeway.

   - The project will provide large lots and building pads, similar to existing surrounding development.

   - The development east of Cornell Road is proposed to be a private and gated community. Proposed residences will be on large and custom lots (20,778 to 89,559 square feet lots). Rural standards will be applied: no sidewalks, curbs or gutters would be provided, and street lighting would be kept at the minimum required for safety purposes.

   - Proposed residences located in enclaves west of Cornell Road will range in size from 9,857 to 28,996 square foot lots. The project proponent will request a waiver

from standard Los Angeles County Subdivision Code requirements for these residential enclaves, so that rural standards will be maintained.

- The project will construct curvilinear roads that follow the lay of the land, rather than rectilinear roads that are forced onto it.

- To avoid the appearance of mass grading, the project site has been designed to avoid the site's steeper slopes, in most instances.

- The City of Agoura Hills is planning significant commercial and residential development for 135 acres located adjacent to the project site, as part of its proposed Agoura Village Specific Plan; full buildout of the Specific Plan would result in development of between 235 and 293 residential units and a total of up to 576,458 square feet of new office, retail, restaurant, movie theater complex, riding and equestrian center, community center and hotel building area, and redevelopment of the existing 372,042 square feet of office and retail space with a higher density development within the same footprint.

As required by County Code Section 22.56.215(F)(1)(c), the proposed project is conveniently served by neighborhood shopping and commercial facilities because:

1. **The project site is located proximate to existing and planned commercial land uses.**

- The project site is located approximately one-quarter mile south of the U.S. 101 Freeway.

- Commercial development is located nearby, approximately one-third mile north of the site, with businesses including gas stations, government facilities, recycling centers, small businesses, restaurants and office buildings.

- The project site is located approximately 12 miles southwest of Warner Center (a major retail and commercial center in the western San Fernando Valley) and approximately 6 miles east of the Cities of Thousand Oaks and Westlake Village.

- The City of Agoura Hills is planning significant commercial and residential development for 135 acres located adjacent to the project site, as part of its proposed Agoura Village Specific Plan; full buildout of the Specific Plan would result in development of between 235 and 293 residential units and a total of up to 576,458 square feet of new office, retail, restaurant, movie theater complex, riding and equestrian center, community center and hotel building area, and redevelopment of the existing 372,042 square feet of office and retail space with a higher density development within the same footprint..

As required by County Code Section 22.56.215(F)(1)(c), the proposed project can be provided with essential public services without imposing undue costs on the total community because:

1. **The project is located proximate to development and can be provided with public services without imposing undue costs on the community.**

   - The project can be provided with fire protection, police protection, schools, libraries, parks and recreation, water, sewers and other utilities. The project's impacts to all agencies providing these services will be less than significant with the implementation of mitigation measures.

   - The project site is located proximate to development, between existing residences located further into the Santa Monica Mountains and existing commercial development located along the U.S. 101 Freeway corridor. Therefore, the project does not represent leapfrog development and can be provided with adequate infrastructure without imposing undue costs on the community.

As required by County Code Section 22.56.215(F)(1)(c), the proposed project is consistent with the objectives and policies of the General Plan and the Santa Monica Mountains North Area Plan (the "Plan") because:

1. **The project's proposed density is consistent with the land use designations depicted for the property in the North Area Plan.**

   - After substantial study and extensive hearings before the Regional Planning Commission and the Board of Supervisors in connection with the Santa Monica Mountains North Area Plan, the project site was depicted within the Residential Planned Development zoning category and the Mountain Lands 5 and Mountain Lands 2 land use designations of the recently adopted North Area Plan.

   - These designations were precisely applied to the property in contemplation of this project and the density proposed by the current design is consistent with the carefully selected designations.

2. **The project promotes Plan goals and policies relating to environmental preservation.**

   - The project clusters residential development on 10 percent of the project site, thereby preserving 283.71 acres as permanent undisturbed open space.

   - An additional 2.68 acres will be preserved in landscape lots and an additional 3.50 acres of natural terrain will be located in private backyards.

- The development footprint is located along existing highways and is comprised of the least environmentally sensitive portions of the property, including previously disturbed land.

- Areas to be preserved as open space include more than 94 percent of the onsite portion of the significant ecological area; 97.5 percent of the onsite Lyon's pentachaeta population (including the largest stand; with potential indirect impacts to 1.42 acres due to fuel modification); the majority of the Santa Monica Mountains dudleya population (with potential indirect impacts to 0.36 acres due to fuel modification); and the significant ridgelines on the property, including Ladyface Mountain.

- Preserving 90 percent of the subject property as open space limits ridgeline development (Policies IV-5, IV-13 and IV-31); limits grading (Policies IV-9, IV-16, IV-11 and IV-16); preserves natural environments and scenic beauty (Policies IV-16 and IV-31); maximizes the amount of open space (Policy IV-16); and preserves open space corridors and significant natural features (Policies VI-6, IV-9 and IV-8).

- The proposed concentration of residential development maximizes open space and avoids, to the extent feasible, development of sensitive environmental resources, on-site wildlife corridors and habitat linkages with adjacent open space (Policies IV-5, IV-13, IV-31, IV-9, IV-16, IV-11, IV-16, IV-31, IV-16, VI-6, IV-9, IV-8 and VI-24).

- Siting the development footprint in the least environmentally sensitive portions of the property limits ridgeline development (Policies IV-5, IV-10, IV-13, IV-31); limits grading (Policies IV-9, IV-16, IV-11); preserves natural environments and scenic beauty (Policies IV-16, IV-31); preserves open space corridors and significant natural features (Policies VI-6, IV-9, IV-8); protects ridgelines and natural-appearing views from surrounding vantage points (Policy IV-13); preserves topographic features of high scenic value such as Ladyface Mountain, preserves the area's hillside backdrop to the extent feasible (Policy IV-31); sites buildings so as to be compatible and harmonious with the surrounding environment (Policy IV-34); and structures development so that the pattern and character of planned development is compatible with and complementary to open space resources (Policy IV-42).

- Dedicating open space preserved by the project to an appropriate conservation agency promotes Plan goals encouraging the preservation of open space in perpetuity. (Policies IV-8 and IV-44).

3. The project promotes Plan goals and policies relating to biological resources.

- The project will not impact directly eleven of the fourteen sensitive plant species known to be present on the project site.

- The project preserves the largest stand of the federally and state endangered Lyon's pentachaeta. The project will directly impact only 0.23 acres of Lyon's pentachaeta, with possible indirect impacts due to fuel modification of an additional 1.42 acres.

- The project will directly impact only 0.09 acres of the Santa Monica Mountains dudleya, with possible indirect impacts due to fuel modification of 0.36 acres.

- The project will preserve the majority of on-site oak woodland and riparian habitat, and any impact will be mitigated, including replacement.

- The project will preserve Medea Creek, the willow riparian forest in Medea Creek, and onsite wetlands.

- No buildings will be constructed within a 50-foot flood hazard setback from the Medea Creek capital flood plain boundary.

- The project will comply with all state and federal agency regulations, including on-site or off-site restoration.

- The project will not affect the existing habitat connections to open space south of the subject property and will not directly impact the Liberty Canyon wildlife movement corridor to the east.

- With the exception of fuel modification areas, the project will use exclusively native plant species to blend the development area with the natural character of the site and the surrounding environment.

- The project will use local building materials (e.g. local stone for entrance monuments, etc.) in order to blend the development area with the natural character of the site and the surrounding environment.

- Siting development to avoid direct impacts to eleven sensitive plant species and to minimize impacts to the Lyon's pentachaeta preserves plant communities (Policies IV-3c and d); limits disturbance of protected biotic resources within designated habitat areas of rare, threatened or endangered species (Policy IV-3b); establishes, where possible, buffer zones adjacent to areas of important preserved biological resources (Policy IV-6); sites, where possible, structures so that no vegetation clearance encroaches on adjacent properties (Policy IV-33); and limits clearing

and grading of native vegetation to the minimum amount needed to create a building pad, allow access and provide fire protection (Policy IV-24).

- Preserving oak woodland, riparian habitat and Medea Creek preserves plant communities (Policies IV-3c and d); establishes buffer zones adjacent to areas of important preserved biological resources (Policy IV-6); and limits the extent of vegetation clearance to that required for fire safety and sites, where possible, structures so that no vegetation clearance encroaches on adjacent properties (Policy IV-33).

- Emphasizing native species and local building materials promotes Plan goals and policies encouraging the use of native plant species (Policies IV-7, IV-25 and VI-27).

4. The project promotes Plan goals and policies relating to visual resources.

- The project takes steps to preserve views: it places development in enclaves to maximize undisturbed areas; it locates development on gentler slopes to minimize grading; it uses contour grading to keep natural contours and make graded areas blend into the adjacent natural open space areas; it provides landscaping to buffer views of proposed development; it provides setbacks from existing highways; it undergrounds all utilities; and it sites lots to avoid breaking ridgeline views.

- Siting lots and roadways to avoid breaking ridgeline views, by concentrating development on gentler slopes and in disturbed areas and using landscaping and setbacks to buffer views promotes Plan goals relating to view preservation (Policies IV-29 and VI-17).

5. The project promotes Plan goals and policies relating to noise.

- Off-site noise impacts derived from traffic pattern changes will be less than significant.

- On-site noise impacts from vehicle noise on Kanan Road would be reduced to less than significant levels with mitigation. Short-term construction-related noise impacts will be significant.

- By reducing on-site noise impacts to a less than significant level and by avoiding significant impacts from traffic pattern changes, the project substantially conforms to Plan policies requiring development projects to demonstrate that no adverse noise effects on the adjacent uses will occur from the project and that no adverse noise effects will occur on the project from adjacent influences, if the project is proposed within a 60dBS or greater CNEL noise contour and would create or impact noise sensitive land uses (Policy V-24).

6. **The project promotes Plan goals and policies relating to the preservation of rural character.**

- The project offers large lots offering the ambiance of privacy and solitude in a rural setting. The development east of Cornell Road is proposed to be a private and gated community. Proposed residences will be on large and custom lots (20,778 to 89,559 square feet lots). Rural standards will be applied: no sidewalks, curbs or gutters would be provided, and street lighting would be kept at the minimum required for safety purposes.

- Proposed residences located in enclaves west of Cornell Road will range in size from 9,857 to 28,996 square foot lots. The project proponent will request a waiver from standard Los Angeles County Subdivision Code requirements for these residential enclaves, so that rural standards will be maintained.

- The project will construct curvilinear roads that follow the lay of the land, rather than rectilinear roads that are forced onto it.

- To avoid the appearance of mass grading, the proposed project site has been designed to avoid the site's steeper slopes, in most instances.

- Large building pads and lots are proposed to avoid the common tract appearance of large houses squeezed onto smaller lots.

- The project proposes no commercial development.

- Providing large and custom lots, applying rural standards and maintaining substantial setbacks from roads, the project is consistent with Plan goals and policies encouraging the provision and protection of features that contribute to rural character and rural lifestyles, in addition to maintaining low densities within rural areas (Policy VI-13).

7. **The project is compatible with existing development patterns.**

- The project is consistent with Plan goals and policies encouraging development compatible with existing development patterns.

- The project maintains the continuation of existing settlement patterns.

- The project site is located a quarter mile from the 101 Freeway and is surrounded by residential development on both its northerly and southerly boundaries.

- The project site is situated along major highways, between existing residential and commercial development, including an area proposed for substantial mixed use development as part of the City's proposed Agoura Village Specific Plan.

- The project proposes lot sizes compatible with surrounding development.

- Rural standards will be applied to development east of Cornell Road: no sidewalks, curbs or gutters would be provided, and street lighting would be kept at the minimum required for safety purposes. The project proponent is requesting a waiver from standard Los Angeles County Subdivision Code requirements for the proposed residences located in enclaves west of Cornell Road, so that rural standards will be maintained.

- The project site's proximity to the US 101 Freeway and existing nearby residential and commercial development, as well as the application of rural standards and the development of lot sizes compatible with neighboring developments, promotes Plan policies encouraging development compatible with existing development patters. The project uses architectural and siting features that are compatible with adjacent existing and planned developments (Policy VI-15); limits requirements for curb, gutters, sidewalks, and streetlights to urban/suburban areas, unless required by public safety considerations (Policy VII-5); and limits the intensity of development in rural and mountainous areas to that which can be provided with adequate access that does not create significant adverse impacts (Policy VII-15).

8. The project promotes Plan goals and policies relating to wildlife movement.

- Approximately 90 percent of the project site will be preserved as open space and utilized by area wildlife.

- Existing onsite habitat linkages are located mainly along the ridgelines and in valleys. The project does not propose grading along ridgelines or in valleys, and will not impact these existing habitat linkages.

- Wildlife movement across the site is already impeded by Kanan and Cornell roads and residential development along Medea Creek. Development is sited adjacent to these existing impediments.

- Existing habitat connections to open space located southerly of the project, where most of the onsite wildlife movement is concentrated due to development to the north and the U.S. 101 Freeway, would remain largely unaffected by the project.

- The project will not develop within 50 feet of Medea Creek and will therefore not impede wildlife movement through the creek.

- By preserving approximately 90 percent of the project site as permanent open space and avoiding impacts to existing habitat connections, the project places emphasis on the preservation of large, unbroken blocks of natural open space and wildlife habitat areas and protects the integrity of habitat linkages (Policy IV-1).

9. The project promotes Plan goals and policies relating to grading and geology.

- The project proposes grading on 33.1 acres, or 10 percent of the project site.
- Grading is proposed on the gentler slopes and in undisturbed areas; 92.9 percent of the project's grading will occur in the less than 25 percent slope category (30.77 acres); 6.1 percent in the 25 to 50 percent slope category (2.02 acres); and 1.0 percent in the greater than 50 percent slope category (0.33 acres).
- The project will employ contour grading techniques to smoothly transition manufactured slopes back into the natural contours of adjacent undisturbed areas.
- Variable slope grades and undulating "daylight" elevations are used to minimize the alteration of natural landforms and to smoothly transition manufactured slopes back into the natural contours of adjacent undisturbed areas.
- Proposed structures will not be located in areas characterized by unstable geologic conditions.
- The project site is not within any Alquist-Priolo Special Studies Zone.
- No active or potentially active faults have been mapped on or near the project site.
- Portions of the project site are susceptible to seismically-induced landslides; however, implementation of the recommendations contained in the project's geotechnical reports and compliance with the Los Angeles County Building Code would reduce slope stability impacts to a less than significant level.
- Utilizing land-form and contour grading techniques promotes Plan policies requiring that manufactured slopes in excess of ten vertical feet be land-form graded (Policy IV-12) and other policies encouraging use of land-form grading techniques to recreate a natural hillside appearance (Policies V-2 and IV-32).
- Avoiding development in areas characterized by unstable geologic conditions and limiting grading of slopes in excess of 25 percent promotes Plan policies restricting structures for human occupation in areas characterized by unstable geologic conditions, and limiting grading of slopes in excess of 25 percent (Policy V-18); and Plan policies providing that, in areas susceptible to potential seismically induced landslides, avoidance of development over the implementation of engineering solutions should be emphasized (Policy V-1).

10. The project promotes Plan goals and policies relating to fire protection.

- The project site is located approximately one-quarter mile south of U.S. 101 (Ventura Freeway), along the Kanan Road and Cornell Road.

- A fire station is located adjacent to the project site, on Cornell Road.
- The project site is concentrated low on slopes, along existing highways, and is accessible to emergency vehicles.
- The project will provide County of Los Angeles Fire Department-required fuel modification zones.
- All structures will be located along paved, all-weather, and accessible roads.
- The residential enclave to the east of Cornell Road will be private and gated, but will be accessible to emergency service personnel.
- The project's location near the U.S. 101 Freeway and along a major freeway, the concentration of development low on slopes and the siting of development to minimize impact to nearby sensitive plant species minimizes the threat of loss from wildland fires while avoiding the need for massive vegetation clearance (Policy V-12); places a higher priority on avoiding development than on designing mitigation measures that would require intrusive fuel breaks and fuel modification areas (Policy V-10); and locates structures along a paved, all-weather, and publicly accessible road in a manner which avoids the need for firefighters to move equipment on to private properties without adequate turnaround space (Policy V-16).

11. The project promotes Plan goals and policies relating to clustering or development.

- The project will cluster residential development to preserve 281.42 acres of permanent open space, substantial coast live oaks and largest stand of on-site Lyon's pentachaeta, the majority of the Santa Monica Mountains dudleya, prominent ridgelines , including Ladyface Mountain, and more than 94 percent of the onsite portion of Significant Ecological Area No. 6, which results in a more desirable and environmentally sensitive development plan that preserves significant environmental features.
- The project concentrates residential development on the least environmentally sensitive portions of the property, including previously disturbed land, in order to maximize open space and to avoid, to the extent feasible, sensitive environmental resources, on-site wildlife corridors and habitat linkages with adjacent open space.
- Areas preserved as open space will be restricted to open space in perpetuity.
- The project maintains the continuation of existing settlement patterns, as it is located a quarter mile from the 101 Freeway and is surrounded by residential development on both its northerly and southerly boundaries.

- The project proposes lot sizes compatible with surrounding residential development.

- The project preserves the area's semi-rural ambiance by maintaining development setbacks from public roadways, minimizing or avoiding street lighting, and avoiding construction of sidewalks, curbs and gutters.

- By preserving substantial open space and the area's semi-rural appearance through the maintenance of rural development standards and the development of large and custom lots similar to the surrounding development, the resulting intensity and character of the developed area is compatible with the surrounding environment; and lot coverage and pad grading will not result in an urban-subdivision appearance.

- In addition, by providing substantial public amenities such as the preservation of 90 percent of the project site as permanent open space and additional protection of environmentally sensitive lands, the project complies with Plan criteria for clustered development proposals (Policy VI-18).

12. The project promotes Plan goals and policies relating to water quality.

- The project will construct on-site storm drains, terrace drains and swales, debris basins and a separate storm drain system to convey 50-year storm runoff from the developed areas of the project to proposed urban storm water runoff basins or clarifiers, where first flush cleansing of urban runoff can be achieved. All storm water flows will be returned to natural drainage courses before discharging from the project site.

- The proposed project increases the amount of flat surface area, which creates more opportunities for groundwater infiltration, and constructs a debris and detention basin that is designed to release a controlled flow of runoff during peak storm conditions (Policy IV-28).

- Best Management Practices (BMPs) to reduce runoff and erosion will be employed.

- The project will reduce natural and barren land, thus reducing the amount of debris siltation reaching Medea Creek.

- Erosion control devises will be installed around all construction areas to insure that sediment is trapped and properly removed. Thus, the project will include provisions to prevent sediments and silts from entering and impacting storm drains and waterways (Policy IV-22);

- The project will prohibit the non-emergency storage of construction or landslide materials on the shoulders of roads adjacent to stream banks (Policy IV-23).

- Most proposed residential lots are sufficiently large to accommodate horse keeping. Thus, the project will locate livestock, including horses, in a manner that is protective of streams and natural drainages and the quality of water runoff and ground water (Policy IV-26).

- No buildings will be constructed within a 50-foot flood hazard from the Medea Creek capital flood plain boundary. Thus, the project will provide setbacks from natural streams and drainages that are adequate to protect them from development impacts in high storm flows (Policy IV-27) and open space will be preserved to protect streams and watersheds, to prevent vegetation clearance or grading of steep areas and to help reduce development-induced runoff (Policy IV-45).

- By constructing on-site storm drains, terrace drains and swales, debris basins and a separate storm drain system, by creating more opportunities for groundwater infiltration, by employing Best Management Practices (BMPs) to reduce runoff and erosion, by reducing the amount of debris siltation reaching Medea Creek, by installing erosion control devices and by avoiding development in the Medea Creek floodplain, the project promotes Plan policies relating to the protection of Malibu Creek and other key watersheds, and the prevention of negative impacts of urban and stormwater runoff in streams, to Santa Monica Bay and to beaches (Policies IV-1 and IV-19).

13. The project promotes Plan goals and policies relating to agency interaction.

- The project is consistent with the Plan goal of harmony between the differing missions of the individual agencies involved in the planning area.

- The project will comply with the applicable regulations of all local, state and federal agencies involved in the planning process.

14. The project is consistent with Figure 1 of the Plan relating to location and intensity of development.

- The project's location and intensity conforms to the environmental threshold carrying capacities as outlined in Figure 1 ~ 'Environmental Thresholds and Appropriate Levels of Development' (Plan Policy VI-2).

- In areas with significant environmental features where a certain degree of development may be tolerated without significant environmental impacts (provided that development is appropriately clustered), where those areas have either (1) hillsides with a slope between 25 and 50 percent; (2) high water runoff; (3) habitat areas of "candidate" species, riparian and wetland vegetative

communities, woodland areas, and areas that provide connectivity between core wildlife habitats where few linkage options are available; or (4) lands mapped as part of a County Significant Ecological Area (SEA) or a SEA buffer area (although development may be clustered into the least sensitive portions of the site in order to preserve and protect natural features), land use should be limited to undeveloped and developed recreation and low intensity rural use.

- The project clusters residential development on gentler slopes in the least environmentally sensitive portions of the property, including previously disturbed land, in order to maximize open space and to avoid, to the extent feasible, sensitive environmental resources, on-site wildlife corridors and habitat linkages with adjacent open space.

- 283.71 acres of the more environmentally sensitive portions of the project sitewill be preserved as permanent undisturbed open space. An additional 2.68 acres will be preserved in landscape lots and an additional 3.50 acres of natural terrain will be located in private backyards.

- Development has been sited to avoid direct impacts to the largest stand of on-site populations of the federally and state endangered Lyon's pentachaeta.

- The project sites and designs the proposed development to protect significant vistas and features.

- The project seeks to preserve views of Ladyface Mountain and major ridgelines by siting lots and roadways to avoid breaking ridgeline views and by concentrating development in disturbed areas. There will be a loss of views of Ladyface Mountain from Kanan Road.

- Contour grading techniques will be used to minimize the alteration of natural landforms and to smoothly transition manufactured slopes back into natural contours of adjacent land.

15. The project appropriately balances competing Plan policies.

- When reviewing a project for consistency with a general plan, it is important to always keep in mind that strict consistency with a plan is not required. See *Families Unafraid to Uphold Rural Etc. County v. Board of Supervisors*, 62 Cal.App.4th 1332, 1336 (1998).

- Perfect conformity with each and every Plan policy is not required and is an impossible and inappropriate task given the wide range of competing interests that the Plan attempts to promote.

- Because the various policies promoted by a general plan attempt to balance a range of competing interests, the governmental decisionmaker must be allowed to weigh and balance a plan's policies when applying them, and it has broad discretion to construe its policies in light of the plan's purposes. See *Families Unafraid*, 62 Cal.App.4th at 1336. It follows that it impossible for a project to be in perfect conformity with each and every policy set forth in the plan. See *Families Unafraid*, 62 Cal.App.4th at 719-20 and *Defend the Bay v. City of Irvine*, 119 Cal.App.4th 1261 (2004).

- Consequently, the law provides that a proposed project is consistent with a general plan if it is in overall harmony with the plan, furthers one or more plan policies and does not conflict with mandatory plan policies. See *Sequoyah Hills Homeowners Ass'n v. City of Oakland*, 23 Cal.App.4th 704 (1993).

- The planning commission can rely on a substantial body of factual evidence to conclude that the Triangle Ranch project is consistent with the North Area Plan.

- The project is in perfect conformity with the vast majority of the applicable goals and policies and there is substantial evidence that the project advances, in most respects, the remaining applicable goals and policies.

Burden of Proof for Requested Oak Tree Permit
Project No. 97-178-(3)
Vesting Tentative Tract No. 52419
Triangle Ranch Project

As required by County Code Section 22.56.2100(A)(1), construction of the project will be accomplished without endangering the health of the remaining oak trees on the subject property because:

- Residential building pads are designed to avoid impacts to remaining trees.
- Proposed roads are located to avoid impacts to remaining oak trees.
- The project will permanently preserve more than 280 acres (88 percent of the subject property) as habitat and open space, which will protect the health of the remaining oak trees.
- The oak trees that will not be impacted by the project will be fenced during construction to ensure their protection from possible equipment damage.

As required by County Code Section 22.56.2100(A)(2), the removal or relocation of the oak trees will not result in soil erosion through the diversion or increased flow of surface waters which cannot be satisfactorily mitigated because:

- Of the 136 oak trees on or adjacent to the project site, the project proposes to remove only 16 trees and will retain 120 trees, or 88 percent.
- Oak trees proposed for removal do not currently provide significant erosion control to the area.
- The project incorporates appropriate erosion control measures to protect the health and safety of future and current residents in the area.

As required by County Code Section 22.56.2100(A)(3), at least one of the following findings apply:

1. **The removal or relocation of oak trees proposed is necessary as continued existence at present locations frustrates the use of the property to such an extent that (i) alternative development plans cannot achieve the same permitted density or the cost of such alternative would be prohibitive or (ii) placement of such trees precludes the reasonable and efficient use of the property for a use otherwise authorized.**

- The 16 oak trees proposed for removal are located within the project footprint and are thus unavoidable and necessary for the project to be constructed.

- The project appropriately clusters development on 38.58 acres of the 320-acre project site (of which 10.2 acres are previously disturbed), which precludes siting development so as to avoid removal and encroachment into the protected zone of a limited number of oak trees.

- The project will preserve the vast majority of the on-site oak trees within 280 acres of permanently preserved open space, and the limited impacts to oak trees allow for development of the site that promotes the Santa Monica Mountains North Area Plan.

2. **That the oak trees proposed for removal or relocation interfere with utility services or streets and highways, either within or outside of the subject property, and no reasonable alternative to such interference exists other than removal of the trees.**

- A portion of the 16 proposed oak trees removals are necessitated by road construction, drain installation and construction.

As required by County Code Section 22.56.2100(A)(4), the removal of oak trees proposed will not be contrary to or be in substantial conflict with the intent and purpose of the oak tree permit procedure because:

- The 320-acre project site, including 280 acres of open space, is sufficiently large to provide adequate land for the planting of replacement oak tress in areas with favorable conditions for their preservation and propagation while at the same time enhancing the character of the site and surrounding area.

- The project mitigation plan proposes to plant replacement oak trees throughout the project site.

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June 22, 2006

Regional Planning Commissioners
Los Angeles County Department of Regional Planning
Hall of Records
320 W. Temple St.
Los Angeles, CA 90012
FAX: 213-626-0434

RE: CUP and Oak Tree Permit Case Nos 97-178(3)

Dear Commissioners,

I am opposed to the latest plan for Triangle Ranch because it still has not addressed many of the concerns of the community, primary of which is that it is an urban development that would be imposed upon a rural area. Specifically, the following community concerns have been neither explored nor solved in the most recent issuance of *Design Guidelines* and accompanying maps. To the contrary, they have been ignored.

Traffic and Safety: The two entrances from the west side of Kanan will establish an unsafe situation as most of the exiting traffic will have to make a left turn across oncoming traffic to enter the northbound lane. On weekends, beach traffic backs up as much as four miles from the freeway, making this turn virtually impossible. Frustrated and desperate drivers cause accidents. The south driveway, closest to the blind turn on Kanan, should be eliminated to reduce the additional danger due to lack of visibility.

Viewshed: Kanan Road is an L.A. County designated scenic highway. The developers have not yet addressed how their development will affect the viewshed of Ladyface Mountain. The homes along Kanan and appearance of the retaining walls are of particular concern.

North Area Plan: Contrary to the NAP, this is still an urban development in a rural setting. The lots are small for the area and the houses will be lined up ticky-tacky style along suburban streets. Because this subdivision does not follow natural landforms, it will require extensive grading and towering retaining walls.

Water Quality and Riparian Habitat: The ten homes along Medea Creek will adversely affect water quality because any chemicals used in these yards will drain directly into the creek, and riparian habitat, which normally filters pollutants, will be greatly diminished as a result of clearing 200' from each structure as required by the Fire Department.

Endangered and Threatened Plant Species: Much of this property is an SEA because of lyons pentachaeta and dudleya cymosa ovatifolia. There are several other unusual plants, as well as a lichen species that has only been found in a couple of other locations in the whole country. Will garden plants from the new homes escape and crowd out the natives? Fire Department regulation clearing will result in much of the lyons pentachaeta on the west side of Kanan being exterminated. How can this be acceptable?

Oak Trees: Adequate protection of the existing Heritage Oaks has not yet been achieved. The northern driveways off Kanan Road could easily be realigned to save additional oak trees.

Animals/Wildlife Corridors: The developer has not submitted a plan to show how the wildlife corridors will be protected. This property is adjacent to the Abrams property (now owned by the Santa Monica Mountains Conservancy), widely viewed as a corridor into the central portion of the mountains from the Liberty Canyon underpass, which provides about the only freeway crossing in the Santa Monica Mountains for wildlife from the north side of the freeway to the south.

Parks and Trails: Triangle Ranch is either adjacent or contiguous with several publicly owned properties. If this property is not sensitively developed, it will diminish the value of the public investment in the mountains. A large section of the Simi to the Sea (aka Zuma Ridge Trail) transverses the project site from north to south. It is important that trail protection be a condition of any approval.

Because Triangle Ranch is at the Kanan Road entrance into the heart of the Santa Monica Mountains National Recreation Area, the developer has a very special responsibility to create a subdivision that will make a statement to passing motorists and community residents that, since they left the City of Agoura Hills behind, they have entered into a different zone. Sage Community has yet to accomplish this. Please keep it foremost in your minds as review this application.

Sincerely,

print name: CARLOS J. ROCHA, Architect

address: 3700, CORNELL RD.
AGOURA, CA 91301

June 22, 2006

Regional Planning Commissioners
Los Angeles County Department of Regional Planning
Hall of Records
320 W. Temple St.
Los Angeles, CA 90012
FAX: 213-626-0434

RE: CUP and Oak Tree Permit Case Nos 97-178(3)

Dear Commissioners,

I am opposed to the latest plan for Triangle Ranch because it still has not addressed many of the concerns of the community, primary of which is that it is an urban development that would be imposed upon a rural area. Specifically, the following community concerns have been neither explored nor solved in the most recent issuance of *Design Guidelines* and accompanying maps. To the contrary, they have been ignored.

Traffic and Safety: The two entrances from the west side of Kanan will establish an unsafe situation as most of the exiting traffic will have to make a left turn across oncoming traffic to enter the northbound lane. On weekends, beach traffic backs up as much as four miles from the freeway, making this turn virtually impossible. Frustrated and desperate drivers cause accidents. The south driveway, closest to the blind turn on Kanan, should be eliminated to reduce the additional danger due to lack of visibility.

Viewshed: Kanan Road is an L.A. County designated scenic highway. The developers have not yet addressed how their development will affect the viewshed of Ladyface Mountain. The homes along Kanan and appearance of the retaining walls are of particular concern.

North Area Plan: Contrary to the NAP, this is still an urban development in a rural setting. The lots are small for the area and the houses will be lined up ticky-tacky style along suburban streets. Because this subdivision does not follow natural landforms, it will require extensive grading and towering retaining walls.

Water Quality and Riparian Habitat: The ten homes along Medea Creek will adversely affect water quality because any chemicals used in these yards will drain directly into the creek, and riparian habitat, which normally filters pollutants, will be greatly diminished as a result of clearing 200' from each structure as required by the Fire Department.

Endangered and Threatened Plant Species: Much of this property is an SEA because of lyons pentachaeta and dudleya cymosa ovatifolia. There are several other unusual plants, as well as a lichen species that has only been found in a couple of other locations in the whole country. Will garden plants from the new homes escape and crowd out the natives? Fire Department regulation clearing will result in much of the lyons pentachaeta on the west side of Kanan being exterminated. How can this be acceptable?

Oak Trees: Adequate protection of the existing Heritage Oaks has not yet been achieved. The northern driveways off Kanan Road could easily be realigned to save additional oak trees.

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Sincerely,

John W Sneddon *print name:* JOHN W SNEDDON

address: 6355 Topanga Cyn Blvd #225
Woodland Hills CA 91367

PAGE 2082

June 22, 2006

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Los Angeles County Department of Regional Planning
Hall of Records
320 W. Temple St.
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1 of 2 pages

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Sincerely,

print name: Sarah Savedra

address: 30473-114 Mulholland Hwy
Agoura CA 91301

2 pages

REGIONAL PLANNING COMMISSION
SEPTEMBER 20, 2006
AGENDA ITEM NO. 8 a, b, c

TR 52419

ADDITIONAL

MATERIAL

AND

CORRESPONDENCE

COUNTY OF LOS ANGELES

DEPARTMENT OF PARKS AND RECREATION

"Creating Community Through People, Parks and Programs"

Russ Guiney, Director

September 19, 2006

TO: Frank Meneses, Division Administrator
Department of Regional Planning
Susan Tae, Supervising Regional Planner
Department of Regional Planning

FROM: Larry Hensley, Chief of Planning
Planning Division,

SUBJECT: REGIONAL PLANNING COMMISSION APPROVAL OF TENTATIVE TRACT MAP NO. 52419

The Department of Parks and Recreation has determined the Zuma Ridge Trail (a.k.a. Simi to the Sea Trail) easement as currently shown following Medea Creek on the West side of Cornell Rd. on Tentative Tract Map 52419 would not be a suitable location for this trail. Due to Federal changes and restrictions brought about by the enactment of the National Pollution Discharge Elimination System (NPDES), the Clean water Act, the reduction to the Total Maximum Daily Load (TMDL), trash and foreign matter within rivers, streams, and water courses, and non-disturbance of riparian and significant habitat areas, is now mandated. As a result of these constraints, the Department has revised many proposed trails to locations that do not impact water courses as would be the case with the current Zuma Ridge Trail alignment adjacent to Medea Creek. Single family residential developments south of Medea Creek have also blocked off proposed trails connections, which restricts the Department's ability to provide trail connectivity to other public agencies trails. Current easements south of Medea Creek are also not suitable for either equestrian or hiking use.

The Department is striving to ensure that the final trail realignment would provide possible connectivity with all other agencies' trails in this area. The Department has coordinated with the City of Agoura Hill, National Park Service, and Santa Monica Mountains Conservancy, and the Department of Regional Planning regarding the preferred trail location. Due to the City of Agoura Hills not implementing a master trails plan and having not determined a final location for their proposed equestrian center, a final County trail alignment decision connecting to that proposed facility can not be made at present.

The Department currently recommends approval of the tentative tract map with the following conditions before final map recordation:

1. The Applicant shall conduct a feasibility study for the alignment of the Zuma Ridge Trail dedicated easement with other existing and proposed trail developments that may be adjacent to or within the tract map boundaries by working with the Department of Parks and Recreation and Department Regional Planning, interested members of the community, the National Park Service, the City of Agoura Hills, the Santa Monica Mountains Conservancy and any other jurisdictional agencies. The study shall identify all environmental constraints for the proposed Zuma Ridge Trail realignment. The purpose of the trails feasibility study is to determine the best route for the trail either on or off the property.

2. Upon completion of the feasibility study, the Applicant shall submit findings to the Department and the appropriate public agencies for review and comment. The Department shall analyze all recommended trail realignment options and work with the Applicant on the most feasible option;

3. If, based on the feasibility study, it is determined that a particular trail alignment is feasible, the Applicant shall design any proposed final trail realignment utilizing the Department's Trails Standards after the Department's review and comment on the feasibility study. Prior to the Department's construction of the trail, the Department will initiate the required environmental review process as required by CEQA and;

4. The Applicant shall provide a payment of $60,000 payable to the Department of Parks and Recreation for the future construction of the trail. This $60,000 is not based on a specific trail alignment, but based on the Department's rough cost of constructing a trail for approximately 2 miles. This amount may increase or decrease by 10 per cent based on the final alignment selected. This payment will be placed into an interest bearing account to be used specifically for the development of this trail.

5. If the Applicant deeds any portion of the Open Space area to a public entity and the proposed final trail alignment traverses this Open Space, the Applicant shall provide a clause in the deed requiring the accepting public entity to comply with all regulatory processes and approvals. The Applicant shall also dedicate an easement for the selected trail route within the property boundaries where the Open Space is not transferred to a public agency.

If you have any questions, please contact Ken Slu, Trails Coordinator, at 213-351-5135.

LH:c:Regional Plannning Triangel TR52419 Ver06

cc: Ben Saltsman, Third Supervisorial District
Larry Hafetz, County Counsel
Daryl Koutnik, Regional Planning
Patrick Reynolds, Parks and Recreation
Ken Slu, Parks and Recreation

COUNTY OF LOS ANGELES

FIRE DEPARTMENT

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

P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

September 15, 2006

Julie T. Moore, Assistant Section Head
Department of Regional Planning
Zoning Permits Section
320 West Temple Street
Los Angeles, CA 90012

Dear Ms. Moore:

OAK TREE PERMIT #97-178, LIVE OAK RANCH PROJECT, AGOURA (SECOND ADDENDUM)

We have reviewed the "Request for Oak Tree Permit #97-178" generally located at the intersection of Kanan and Cornell Roads 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 Tree Life Concern Inc., the consulting arborist, dated September 13, 2004, last Addendum dated September 11, 2006, and map dated September 12, 2006.

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 $600. Such fees shall be used to compensate the County Forester $100 per inspection to cover expenses incurred while inspecting the project to determine the permittee's compliance with the conditions of approval. The above fees provide for one (1) initial inspection of temporary fencing (required to secure the protected zone of all remaining Oak trees), prior to the commencement of construction and five (5) 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 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 AND ENCROACHMENT:

7. This grant allows the removal of twenty-one (21) trees of the Oak genus (*Quercus agrifolia*) identified as Tree Numbers 14, 18, 19V, 21, 22, 23, 24, 25H, 26, 27, 28, 29HV, 30, 31, 32, 33, 34, 66, 98V, 99, and 107 on the applicant's site plan and Oak Tree Report.

   This grant allows encroachment within the protected zone of eleven (11) trees of the Oak genus identified as Tree Numbers 5, 6, 7, 10, 20H, 41, 42, 65HV, 97, 100H, and 103H on the applicant's site plan map 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 (2) 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 ten to one (10:1) for each Heritage Oak Tree removed for a total of twenty (20) trees. Additionally, the permittee shall provide mitigation trees of the oak genus at a rate of four to one (4:1) for each non-heritage tree removed for a total of seventy-six (76) trees. The total mitigation requirement is ninety-six (96) mitigation trees.

    The permittee shall provide mitigation trees of the Oak genus at a rate of four to one (4:1) for any tree specified above that dies as a result of the approved encroachments.

11. Each mitigation tree shall be at least a 24" box specimen in size and measure two (2) inches or more in diameter one (1) foot above the base. Free form trees with multiple stems are permissible; the combined diameter of the two (2) largest stems of such trees shall measure a minimum of one (1) inch in diameter one (1) foot above the base.

12. Mitigation trees shall consist of seventy (70) *Quercus agrifolia* and twenty-six (26) *Quercus lobota* grown from a local seed source.

13. Mitigation trees shall be planted within one (1) year of the permitted Oak tree removals. Additional mitigation trees shall be planted within one (1) year of the death of any tree, which results from its permitted encroachment. 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 (323) 890-4330.

Very truly yours,

DAVID R. LEININGER, CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

DRL:sc

Enclosure

TREE LIFE CONCERN INC.

"Dedicated to the Protection and Preservation of Trees"

~~February 7~~, 2006
September 11,

SAGE COMMUNITY GROUP, INC.
3 Corporate Plaza, Ste. 102
Newport Beach, CA 92660
Attn: Ms. Diane Fradkin

RE: **ADDENDUM II - Oak Tree Report - LIVE OAK RANCH** – (Corner of Kanan and Cornell Roads) (Los Angeles County Project No. 97-178) Vesting Tentative Tract No. 52419

For Subdivision Purposes (Site Plan – 66 Lots) and Oak Removal Permit

BACKGROUND INFORMATION

This addendum to the 9-13-04 Oak Tree Report prepared by Tree Life Concern, Inc. addresses the changes in the scope of the subject project that have resulted in the several tree count changes. The total number of oak tree removals will be increased by two, from 19 to 21. The number of oak trees listed as "impacted" has been increased from six to eleven.

The "addendum" Tree Location map (Oak Tree – 66 Lot Exhibit) shows the location of all on-site trees including the current changes to the planned project and the specific changes to the Tree Removal/Tree Impact lists.

Robert W. Wallace
Registered Consulting Arborist

SUMMARY OF DATA (ADDENDUM 2-7-06)

Total number of oak trees shown on TLM over 8" dia. on map - - - - - - - 136

Total number of dead oak trees - 0

Total number of oak trees to be removed (excl. dead trees) - - - - - - - - - - 21
(#14,18,19V,21,22,23,24,25H,26,27,28,29HV,30,31,32,33,34,66,98V,99,107)

Total number of oak trees to be impacted by construction (within their Protective Zones) - 11
(#5,6,7,10,20H,41,42,65HV,97,100H,103H,)

Total number of oak trees not dead, not to be removed, and/or not to be impacted - 104
(#1H,2,3,4,5,6,8H,9,10,11V,12,13,15,16,17H,35,36V,37V,38V,39,40V,
43,44V,45V,46V,47V,48V,49V,50V,51V,52V,53V,54V,55V,56V,57V,58V,
59V,60,61,62V,63H,64V,67V,68V,69,70H,71V,72V,73V,74,75,76,77,78,
79,80,81,82,83,84,85,86,87,88,89,90,91H,92V,93V,94,95,96,97H,101,
102V,104,105,106V,108,109,110H,111,112V,113H,114H,115,116,117,
118V,119V,120,121,122,123,124HV,125,126H,127,128,129H,130,131,132V,
133,134HV,135V,136V)

REMOVALS (21)

There are two trees added to "Removal" list taken from the "Impacted" list (#21 & 107). The mitigation tree planting for the loss of two additional oaks has been increased to reflect those two oak tree removals.

Remove for Grading

Oak #'s 14,18,19,22,23,26,27,28,29,30,31,32,98,99

Remove for Roadway Improvements

Oak #'s 21,24,33,34,66,107

Remove for Storm Drain Construction

Oak #25

Mitigation Measures and Comments

1. Twenty-one oak trees (#14,18,19V,21,22,23,24,25H,26,27,28,29HV,30,31,32, 33,34,66,98V,99,107) are to be removed for construction purposes. The County of Los Angeles requires that each of the 19 protected (non-heritage) oak trees removed for construction be replaced on a 2:1 ratio with two 24" box size oak trees. This would result in at least thirty-eight 24" box size oaks being planted on-site as mitigation. In addition, the Ordinance requires that each of the two Heritage oaks that are proposed for removal be replaced on a diameter-inch per diameter-inch basis. These two Heritage oaks (#25H (31"+18") and 29HV (40") have a combined diameter of 89 diameter inches (see chart, Tree Removals for Construction).

   Following are the suggested mitigation for these losses:

   a. Install 50 fifteen-gallon size oak trees @1" diameter each.
   b. Install 15 twenty-four inch box size oaks @2" diameter each.
   c. Install 2 forty-eight inch box size oaks (in prominent locations) @5" diameter each.

   Total = 67 trees equaling 90 diameter inches

   These (67 + 38 = 105) mitigation plantings should be divided evenly between Valley oak (*Quercus lobata*) and California Live oak (*Quercus agrifolia*).

IMPACTED TREES (11)

Oak #'s 5,6,7,10,20,41,42,65,97,100,103

#5 Grading for slope development (road construction) – encroachment within southern dripline – Monitor all construction activities within the PZ

#6 Grading for slope development (road construction) – encroachment within southern dripline – Monitor all construction activities within the PZ

#7 Encroachment 4' within the south dripline during grading for Street - Monitor all construction activities within the PZ

#10 Grading for slope development (road construction) – encroachment within eastern dripline – Monitor all construction activities within the PZ

IMPACTED TREES (11)

#20H Grading for slope development at southwest quadrant. Install retaining wall at this point to maintain natural grade level. Grading for Street within north canopy quadrant – Monitor all encroachments

#41 Grading for slope development – encroachment within dripline - Monitor all encroachments

#42 Grading for slope development – encroachment within dripline - Monitor all encroachments

#65HV Grading within northwestern dripline for slope development and for drain construction - Monitor all encroachments

#97H Grading and slope development at northwest quadrant near Street east of Kanan Road – Monitor all encroachments

#100H To be encroached upon during Street construction within the southwest dripline to a point 15' from the main trunk – Monitor encroachment

#103 To be encroached upon during Street construction within the southwest dripline – Monitor encroachment

ANGEL LAW Law Offices of Frank P. Angel

3250 Ocean Park Blvd., Suite 300
Santa Monica, CA 90405-3219
Tel: (310) 314-6433
Fax: (310) 314-6434

September 19, 2006

Ms. Susan Tae, AICP
County of Los Angeles
Department of Regional Planning
Lands Division Section
320 West Temple Street
Los Angeles, CA 90012

Re: DEIR for Vesting Tentative Tract Map No. 52419 (Triangle Ranch); Conditional Use Permit No. 97-178/Oak Tree Permit 97-178; Los Angeles County Regional Planning Commission Hearing on September 20, 2006

Dear Ms. Tae,

This firm represents residents of the Santa Monica Mountains who are concerned about the adverse environmental effects of a proposed residential subdivision known as the "Triangle Ranch" project. We submit the following comments on the Draft Environmental Impact Report ("DEIR") in supplement to comments we submitted for the Regional Planning Commission's June 28, 2006 hearing.

As an initial matter, we note that staff's cover letter for the September 20, 2006 hearing makes several recommendations to bring the revised project into compliance with the Santa Monica Mountains North Area Plan ("SMMNAP"), such as removal of the residential lots that have been added east of Cornell Road and elimination of direct impacts to endangered Lyon's pentachaeta. We whole-heartedly support those recommendations. However, as described below, we believe the project applicant must further modify this project in order for the project to be appropriate for the area and to be consistent with the SMMNAP. Furthermore, our comments will describe several aspects of the DEIR for Triangle Ranch that we believe render the DEIR insufficient as an environmental disclosure document under the California Environmental Quality Act (Public Res. Code §§ 21000 et seq. ["CEQA"]).

The most recent revised project design, submitted September 1, 2006 to the RPC, does little to remedy the environmental damage that will be caused by the project. The extent of the changes to the project in the most recent design are removal of four homes from west of Kanan Road and relocation of these four homes to the residential cluster east of Cornell Road. While the removal of the homes from west of Kanan avoids direct impact

to the pentachaeta population due to lot grading and residence construction, it still appears there will be impacts from fuel modification and landscaping in that north-west cluster area. Therefore, the removal of these four homes does not completely eliminate direct impacts to this federally endangered species, as required by SMMNAP Policy IV-3, which requires development designs that protect and preserve significant viable habitat areas.

To make matters worse, the four homes removed from the cluster west of Kanan are placed in the Significant Ecological Area No. 6 east of Cornell Road. This does not make sense. Not only does this "solution" create more development in a protected area, but the four homes have been placed in an area where they will create additional direct impacts to the pentachaeta population east and south of the fire station. Direct impacts from these relocated homes will be further exacerbated by impacts from fuel modification and landscaping. The project applicant, at the very least, should be required to eliminate ALL direct and indirect impacts to the pentachaeta as well as the dudleya populations (east and west of Kanan and Cornell) by a reduction in residences to be built and a modification of landscape and fuel modification plans.

Furthermore, even though Commissioner Helsley specifically requested the applicant to revise the design of the residential cluster between Cornell and Kanan Roads at the June 28, 2006 hearing, nothing has been done to reduce the potential impacts to Medea Creek in this area. The revised design still puts significant grading less than 500 feet from the banks of Medea Creek. Such grading, combined with landscaping and ongoing horticultural maintenance, for the houses between Street D and Medea Creek has the potential to create significant adverse water quality impacts, contrary to the conclusions of the DEIR.

PROJECT ALTERNATIVES

We reemphasize that at the June 22, 2005 hearing before the Los Angeles County Regional Planning Commission ("RPC"), County staff recommended that the project be redesigned to conform to the parameters of Alternative 4, as outlined in the DEIR. At the June 28, 2006 hearing, the applicant submitted a project design for 66 homes, not 44, as called for by Alternative 4. Now, the project applicant has submitted a design that will cause essentially the same impacts as the design submitted for the June 28 hearing.

The DEIR acknowledges that Alternative 4 is the "environmentally superior alternative." (DEIR V-60.) However, the DEIR does not explain why Alternative 4 is not the preferred project alternative. Compared to the proposed revised 66-home project, Alternative 4 would have a substantially reduced impact on the environment with regard to landform alteration, habitat disturbance, air quality and noise impacts, scenic resources, traffic, and public resources. (See DEIR, Table V-3; page V-60.) Less homes will also have less impact on water quality, a critical concern in the Malibu Creek Watershed, which is listed by the federal Environmental Protection Agency as impaired for several pollutants. Without further information, the DEIR cannot conclude that there

are "no feasible alternatives which would substantially lessen the significant environmental effects of the environment." (CEQA § 21002.) Substantial evidence in the DEIR does not support such a conclusion.

It must also be noted that the project applicant's financial aims are not, in themselves, sufficient reason to destroy valuable habitat and unique natural resources. "The fact that an alternative may be more expensive or less profitable is not sufficient to show that the alternative is financially infeasible. What is required is evidence that the additional costs or lost profitability are sufficiently severe as to render it impractical to proceed with the project." *Citizens of Goleta Valley v. Board of Supervisors* (1988) 197 Cal.App.3d 1167, 1181 (*Goleta I*).

MITIGATION MEASURES

The master landscape plan, relied on in the DEIR as a mitigation measure for water quality impacts (DEIR mitigation measure E-25) is not adequately described in the DEIR or in the revised Design Guidelines. The DEIR states that the landscape plan will mitigate impacts to water quality from pesticides, herbicides, etc. by specifying procedures for the proper use of those products. However, without a specific description of the proper procedures, it is unknown whether these procedures will indeed be adequate. Furthermore, it is unclear how or if these procedures will be enforceable. Will they be included in the CC&Rs? Agencies approving a project "shall provide that measures to mitigate or avoid significant effects on the environment are fully enforceable through permit conditions, agreements, or other measures" (CEQA § 21081.6, subd. (b)), and must adopt a monitoring program to ensure that the mitigation measures are implemented. (CEQA § 21081.6, subd. (a).) The purpose of these requirements is to ensure that feasible mitigations measures will actually be implemented as a condition of development and not merely adopted and then neglected or disregarded. (*Federation of Hillside & Canyon Associations v. City of Los Angeles* (2000) 83 Cal.App.4th 1252, 1260-61; *Environmental Council of Sacramento v. City of Sacramento* (2006) 06 C.D.O.S. 8512.) Neither the DEIR or the revised design guidelines provide for a monitoring program to ensure that the mitigation measures for water quality impacts are actually implemented.

The revised guidelines merely describe the particular vegetation that may be used in the landscaping design. There is no adequate description of how far from building pads the landscaping measures will be implemented and thus it is impossible to gauge the true impact of the landscaping aspect of this project to surrounding native plant life and sensitive and endangered species.

The mitigation section for water quality impacts due to construction activity states that "drainage plans" render mitigation unnecessary. (DEIR III.E-26.) However, precisely which "drainage plans" render mitigation measures unnecessary is not described. Presumably, the drainage plan for construction activity is the storm water pollution prevention program ("SWPPP") and the General Construction Activity Storm Water

Permit ("GCASWP"). However, the DEIR does not specify which precise measures the project will implement to comply with the GCASWP and the SWPPP. This is an improper deferral of mitigation measures.

Furthermore, the DEIR's statement that "mitigations measures are not required under CEQA" puts the cart before the horse. (DEIR III.E-26.) The basis for this statement is the implementation of (undescribed) mitigation measures pursuant to the SWPPP and the GCASWP. Clearly, without these implementation measures, the impacts to water quality from construction activities *would indeed be significant*, and this is why mitigation measures, such as the SWPPP and GCASWP are necessary. The DEIR's conclusions regarding mitigation measures for construction impacts are based a faulty premise and are inappropriate to provide the RPC and the Los Angeles County Board of Supervisors with an adequate environmental disclosure document for this project.

Mitigation measure E-24 is also improperly deferred. There is no description of how often roadways and driveways will be swept, or on what basis this mitigation measure is considered completely effective to reduce impacts from hydrocarbons.

WATER QUALITY

The DEIR states that the project will reduce barren land and thus reduce the amount of debris reaching Medea Creek. (DEIR III.E-19.) However, debris may also be produced from landscaping associated with residential development, including horticultural waste, everyday trash, etc. This inaccurate description of debris reduction renders the DEIR's discussion of water quality impacts inadequate under CEQA. Furthermore, there is no description of how the DEIR calculates that development of 48.6 acres will result in a reduction of 2,890 cubic yards of debris. If the slopes of Ladyface Mountain and the hills below (an area certainly larger than the project site) only produce 2,700 cubic yards of debris, how is it the DEIR concludes that the project site produces 2,890 cubic yards of debris? What is more, the DEIR's conclusion that debris removal capability coupled with energy dissipaters (III.E-19) would ensure that the proposed project would not violate any water quality standards or waste discharge requirements is unsupported in light of the faulty debris removal analysis.

TRAFFIC ANALYSIS

The DEIR and its appendices do not provide an analysis of weekend traffic. In order to accurately analyze the true traffic impacts of the proposed project, the DEIR should analyze traffic on the weekends, when beach and vacation traffic is at its most intense. The DEIR's failure to include an analysis of weekend traffic precludes the RPC and the Board of Supervisors from making an informed decision about the project's traffic impacts.

Furthermore, the DEIR does not adequately analyze the potential for traffic accidents caused by the entry points for the different residential clusters. Specifically, the entrance

to the cluster east of Cornell Road, just north of the fire station, is currently sited on the south side of a hill. Traffic traveling from the north on Cornell Road climbs this small hill, often in excess of 50 miles per hour, and crests the hill just before it reaches the left turn for the entrance to the eastern cluster. Such southbound traffic will be unable to see cars waiting to make the left turn to enter the eastern cluster until it is too late. Even with the placement of a left turn lane here, the danger remains. This hazardous blind spot has the potential to cause severe traffic accidents. The DEIR should address this potential threat to human safety.

BIOLOGICAL IMPACTS

The DEIR's analysis of the project's potential impacts to biological impacts is inadequate. Specifically, the DEIR should analyze the project's potential impacts to the mountain lion, bobcat, and other large mammals. A National Park Service study indicated that these mammals are being poisoned by chemicals put out in residential communities to kill rodent pests. (See attachments.) The Triangle Ranch project will place a large residential population in the largely undisturbed habitat of mountain lions, bobcats, coyotes, etc. Future residents may use rodenticides to combat rodent pests. The DEIR should discuss the project's potential to increase fatalities in large mammal populations.

The DEIR's analysis of cumulative impacts to biological resources is inadequate. First, discussion in other sections of the DEIR of other impacts cannot substitute for a focused discussion of cumulative impacts to biological resources. Furthermore, the EIR makes an unsupported conclusion on page III.F-49 that because impacts from water quality, noise, and light and glare are less than significant, the combined impacts of those factors to biological resources will be insignificant. This type of reasoning misses the point of cumulative impacts analysis pursuant to CEQA, which is to guard against "environmental damage [that] often occurs incrementally from a variety of small sources." (*Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 720.) Significant environmental impacts should not be overlooked by "focusing on individual impacts rather than their collective significance." (*Communities for a Better Environment v. California Resources Agency* (2002) 103 Cal.App.4th 98, 118.) The cumulative impacts analysis must take into account all impacts caused by the project and other past, present or foreseeable projects and gauge the overall effect to the biological resources of the project area.

CONCLUSION

On behalf of our clients, we submit that the DEIR as currently drafted is not adequate as an informational document and cannot form the basis for a decision regarding the true environmental impacts of the project. We urge the Regional Planning Commission to require that the EIR be revised to more accurately reflect the project's impacts. We further urge the Commission to require the project applicant to redesign the project in conformance with the parameters of Alternative 4, as described in the DEIR.

Thank you for this opportunity to comment on the DEIR for the Triangle Ranch project.

Sincerely,

LAW OFFICES OF FRANK P. ANGEL

Matthew Heerde

Enc: 2

The Malibu Times

Print Page

Pest control industry voices opposition to rodenticide bill

Following the revelation that wildlife in the Santa Monica Mountains is being killed by anticoagulants found in over-the-counter rodenticides, a bill was introduced that would give counties the ability to ban rodenticide sales.

By Kevin Connelly/Special to The Malibu Times

Opposition to a bill introduced by Assemblymember Fran Pavley that would authorize the board of supervisors in individual counties to prohibit the sale of poisons containing anticoagulants has been voiced by the pest control industry.

Officials from the SMMNRA found this mountain lion dead in the Santa Monica Mountains in December of 2004. They later discovered the mountain lion died of anticoagulant poisoning.

This comes after the scientists from the National Park Service have found that local carnivores in the Santa Monica Mountains are being killed by exposure to anticoagulants, which they say are found in many over-the-counter rodenticides that target rats, mice, ground squirrels and various other rodents. Pavley introduced the bill in February based on these findings.

Harvey Logan, vice president of Pest Control Operators of California, said he and the PCO are opposed to the bill. "We are opposed unless it is amended," he said in a telephone interview. "I can't imagine places like San Francisco without these rodenticides when it is already crawling with rats. Diseases borne by rats can be incredible; they can lead to a devastating loss of human life with diseases like the bubonic plague."

Logan said the PCO has talked to Pavley's office and is willing to work with the assembly member to get the bill amended.

On behalf of Pavley, spokesperson Nate Solov defended the bill. "[Many groups] are interested in this bill," he said in a telephone interview. "The state is spending large amounts of money on endangered species. Environmental and animal rights groups are interested in the bill because wildlife is dying from anticoagulant poisoning. Chemical companies are against it because it directly affects their profit margin."

Glenn Brank, spokesperson for California's Department of Pesticide Regulation, said the DPR is aware of the legislation, but has not yet taken a position, although he did say the bill was in conflict with state law. Brank said individual counties couldn't pass ordinances regulating private-property pest control.

He was also skeptical about the enforceability of the bill, pointing out that individuals could leave a county banning anticoagulant sales to acquire the rodenticides. On the federal level, Brank said the DPR has been awaiting a response from the United States Environmental Protection Agency regarding anticoagulants since 2001.

"Our interests are the same [as Pavley's]," Brank said. "We want to protect people and the environment. The solution should be enforceable and reasonable. We have to find a way to both protect wildlife and control rodents which can spread disease."

Brank did not know when the DPR would take a position on the bill. The NPS began a study on the effect of urbanization on carnivores in 1996. This study indicated that, from 1997-2000, at least one bobcat and nine coyotes died as a result of chemical poisoning. The scientists at a March 22 conference in Thousand Oaks said they had not yet completed their study, but insisted this pattern has increased dramatically since 2000. In December of 2004, scienists said two of the eight mountain lions living in the Santa Monica Mountains were found dead. Examinations conducted by the California Animal Health and Food Safety Laboratory found the mountain lions died directly of anticoagulant poisoning. Of the remaining six in the area, four are the kittens of these poisoned mountain lions.

Dr. Raymond Sauvajot, chief of planning for the Santa Monica Mountains National Recreation Area, listed the four anticoagulants that have been found in the infected carnivores: brodifacoum, bromadialone,

diphacinone and difethialone. He said these anticoagulants are commonly found in over-the-counter rodenticides.

"This is the furthest thing we imagined we'd discover," Sauvajot said. "It's something we just stumbled across in our studies. I don't suspect that people are intentionally poisoning the wildlife. Anticoagulants are out there and they are widely used. People using [rodenticides] do not see their other ecological effects."

In layman's terms, anticoagulants reduce the blood-clotting functions of warm-blooded animals and, in turn, can cause an animal to bleed to death internally.

Wildlife ecologist Seth Riley said because their study was confined to carnivores in the Santa Monica Mountains, the problem could be much more widespread in terms of other wildlife in the Santa Monica Mountains as well as wildlife in separate locales.

"We really got lucky to find this," Riley said. "It would be interesting to see if animals lower on the food chain are being affected. It could be happening with hawks and other wildlife as well. If these animals are lost, they may be hard to get back."

Still, scientists have not directly linked rodenticides to the death of wildlife. "We know anticoagulants are contributing to the death of wildlife in the Santa Monica Mountains," said Charles Taylor, chief of external affairs for the SMMNRA. "We suspect that anticoagulants are getting into [the ecosystem] through rodenticides because mice and rodents are becoming infected and secondarily infecting [other animals], but we cannot prove that yet as we have not done a study for it."

United States Department of the Interior

NATIONAL PARK SERVICE
Santa Monica Mountains National Recreation Area
401 West Hillcrest Drive
Thousand Oaks, California 91360-4223

IN REPLY REFER TO:
D30(SAMO)

February 2, 2006

Mr. Joseph T. Edmiston, FAICP
Santa Monica Mountains Conservancy
5750 Ramirez Canyon Road
Malibu, California 90265

Dear Joe:

Per our discussion on January 25, 2006 the National Park Service is requesting a $125,000 grant from the Santa Monica Mountains Conservancy to construct two miles of the Backbone Trail in the Santa Monica Mountains National Recreation Area.

The work consists of preparing environmental compliance, performing field surveys, engineering and staking trail alignment, brushing the alignment, constructing the tread, and constructing drainage structures and retaining walls per NPS trail construction handbook standards. Directional and informational signs will also be installed. The work area consists of steep and rocky terrain between the Etz Meloy Motorway and Encinal Canyon Road in Los Angeles County. The proposed alignment is located on NPS property. We propose to begin construction this spring and complete the project by December 31, 2006.

As we discussed, the grant of funds will enable the park service to redirect other discretionary funds to continue our joint mountain lion study, including collaring additional lions in the Rim of the Valley. This effort will yield useful science to assist both our agencies with management of parklands and wildlife.

Please let me know if you need additional documentation to support this request. Thank you for your consideration.

Sincerely,

Woody Smeck

Woody Smeck
Superintendent

Conservation Biology of Mountain Lions in the Santa Monica Mountains and Southern California

Winter 2006 – Winter 2007 Research Priorities

Mountain lion research in the Santa Monica Mountains and surrounding areas has yielded exciting and critically important information about wildlife conservation in urban areas. Available support has carried our work through 2005, but in order to continue the research, additional funding is needed. We are currently requesting $125,000 to support research activities through the end of 2006 and the beginning of 2007. With this support, we will specifically:

- Radio-collar and monitor survival and dispersal of the four young mountain lions during their crucial months of maturity to adulthood.
- Recapture and continue to track P1, the adult male in the Santa Monica Mountains, and locate and radio-collar any new lions in the Santa Monica Mountains and Simi Hills, where anticoagulant poisons pose additional risks.

The overall goal of our work is to understand the ecology and movement patterns of mountain lions in the highly urbanized and fragmented landscape in and around the Santa Monica Mountains. None of the larger blocks of open space in the Santa Monica Mountains and adjacent Simi Hills and Santa Susana Mountains are large enough by themselves to sustain mountain lion populations over the long-term. Consequently, documenting movement and survival through these areas, and particularly whether or not mountain lions can cross major highways, will be critical for developing conservation strategies for this species. Additional background on our targeted goals is described below.

Monitoring survival and dispersal of mountain lion kittens

Since September 2004, we have been radio-tracking a litter of four lion kittens in the Santa Monica Mountains using implanted radio-transmitters. Because these transmitters are approaching the end of their battery life, we are now recapturing the animals and attaching more powerful GPS collars. To date, we have succeeded in radio-collaring three of the four juvenile lions. The GPS collars are already providing us with a great deal of valuable movement data, and ultimately will inform us about dispersal patterns and where the animals settle down. In recent months, the two young males have traveled to the farthest reaches of the Santa Monica Mountains, adjacent to the 405 Freeway to the east (male P8) and out to the agricultural expanse of the Oxnard plain to the west (male P5). So far we have not documented any mountain lions crossing the 101 Freeway.

The next year will be critical for the kittens, particularly the two males, because the Santa Monica Mountains likely do not contain sufficient area for the two young males and P1 to coexist. This is the first time that lion kittens have been monitored from birth to dispersal age in an urban landscape, and we have an unprecedented opportunity to directly observe if and where connectivity exists between the Santa Monica Mountains and adjoining areas of open space.

Tracking mountain lions in the Santa Monica Mountains and Simi Hills
We have thus far located and radio-tracked two adult mountain lions, P1 and P2, in the Santa Monica Mountains, neither of which crossed the 101 Freeway to the Simi Hills. We have an excellent 3-year picture of their movements, activity, home ranges, and food habits. These long-term data give us important information about the suitability of habitat for lions in these mountains, as well as the ability of mountain lions to coexist with people in the challenging landscape of southern California. It is important to follow up on known resident lions, as well as to capture and radio-track other individuals that appear in the Santa Monica Mountains or Simi Hills, particularly ones that may move in across freeways from other large blocks of open space. For example, in the spring of 2004 an uncollared young male mountain lion was killed by a vehicle on Malibu Canyon road, in the middle of the Santa Monica Mountains.

Identifying landscape connectivity and wildlife movement corridors
An important objective of this study is to identify landscape-level linkages and wildlife movement corridors, using mountain lions as indicators for these connections. We currently have an unprecedented opportunity to directly observe if and where connectivity for mountain lions exists between the Santa Monica Mountains and adjoining mountain ranges and open spaces. The GPS data we are collecting delivers fine-scale movements of animals, which will enable us to identify potential wildlife corridors as well as barriers to movement (such as roads or freeways). From this, we can determine whether identified corridors are protected, and whether additional habitats need to be acquired. Animal movement data can also be incorporated into GIS-based models to identify barriers to movement, rank alternative landscape configurations, and estimate optimal configuration of corridors.

Tracking the effects of anticoagulant rodenticides
In fall of 2004, two collared lions in the Simi Hills area died directly from anticoagulant rodenticide poisoning. More recently, testing of P2 (the female mountain lion killed this summer by her former mate, P1) also revealed exposure to anticoagulants. This was surprising and potentially alarming since P2 lived entirely with the Santa Monica Mountains, an area considerably less urban than the Simi Hills. This further underscores the pressing need to monitor and document if and how anticoagulants continue to impact mountain lions and other wildlife species in this region.

All of these issues are critically important for understanding the long-term survival and movement patterns of mountain lions in this region, and will provide information needed for mountain lion conservation in many other areas facing similar threats from urban encroachment.

Subject: VTTM 52419
Date: 9/20/06
A. Chavez / S. Ta

Thank you, Honorable Planning Commissioners, for the opportunity to speak on the subject of Triangle Ranch. My name is Colleen Holmes, President of the Cornell Preservation Organization aka: CPO.

We are disheartened that with all of our efforts in meeting with the developer, that the plan does not show substantial changes, as we had expected. It has gone from 71 to 66 homes, even after the Planning Staff had recommended Alternative 4.

Still issues are unresolved. Project redesign is still inappropriate

Grading –
Grading and building has increased with the most current plan within the SEA. It has increased from 157,600 cubic yards (6 homes) to 161,600 (10) homes. The knoll in the SEA (that may still have a large stand of Lyon's pentachaeta on it), is now graded with stepped lots creating a manufactured un-natural slope. Grading along Medea Creek's banks on the Medea Creek Strip is still shown on the plan. CPO does not see a reason for this, and has shown the applicant alternative locations for an entry point that would avoid major encroachment on sensitive habitat. Still no grading plans have been provided after raising this issue on many occasions which accurately depicting the grading studies for this project. Although attempts have been made by the applicant to show how softening would occur along Kanan Road, major grading would still need to occur. Owning my own successful landscape firm, it would be difficult to create the look that they are showing on their concept plans without substantial grading. The area shown lushly planted out is extremely rocky, often ladened with solid rock outcroppings. How will they provide adequate soil for even native plants to establish themselves? It is a conceptual plan that does not provide the community with the answers that we deserve and the future generations leading into the entrance of the Santa Monica Mountains under Lady Face Mountain. It is inconsistent with the North Area Plan, grading an estimate of 353,700 cubic yards of dirt, and certainly is not compatible with the Significant Grading and Ridgeline Ordinance that was passed recently under the North Area Plan.

Conceptual Landscape Plans –
The applicant has submitted design guidelines that do not adequately express their intent on their project. Although, it does show that they plan to use a native plant material palette (which is good), it does not clearly define to the community a final landscape plan depicting elevations, and lay-outs. It is a very broad brush stroke and does not take into consideration the topography of the land. It is not adequate in our opinion.

Trails – Although, CPO has had discussions with the applicant, and the applicant stated that a trail connection defining would occur, the plan does not depict the discussions that we have had showing the Zuma Ridge Trail aka Simi to the Sea Trail. This trail has been connected through Agoura Hills and is the only North South Trail in the Santa Monica Mountains. Where the applicant is showing the trail, is the not the location that we asked them to include it so that it would truly benefit those in the future. CPO believes this is a critical issue.

Cummulative Impacts –

The DEIR's analysis of the cumulative impacts of Triangle Ranch and other related projects such as Agoura Village, Oak Creek Apartments, Vintage Homes, Heschel School is inadequate. How are all of these potential projects or approved projects along with this proposed project, impact this sensitive environment? Erosion in the creek, pollution in the creek, loss of habitat, severing of critical wildlife linkages have not be adequately addressed in the DEIR. We believe this issue needs to be further addressed.

Please make the right decision today and do not approve this plan. CPO has been striving to try to come up with a plan that the community, the founding fathers of the NAP, and future generations can except. This was the only project that was allowed to be upgraded in density during the approving of the NAP. It went from N-5 to N-2.

20-30 homes should be the maximum allowed build-out in the significant unique property.

Do not allow it to move forward until it is right.

Thank you for your time -

Colleen Holmes

Subject: VTTM 52419

Date: 9/20/06

A. Chavez / S Tae

DESIGN BEFORE YOU AND IT IS MY GOAL TO HIGHLIGHT JUST A FEW KEY ISSUES.

- FIRST, LET ME INCORPORATE ALL OUR PREVIOUS COMMENTS. CPO DOES NOT BELIEVE THAT THE COUNTY HAS ADEQUATELY RESPONDED TO OUR COMMENTS SUBMITTED ON THE PROJECT EIR.

- IN THE REMAINDER OF MY COMMENTS I WANT TO FOCUS ON THE MAJOR ISSUES OF INCONSISTENCY THE WE BELIEVE JUSTIFY, NO REQUIRE, DENIAL OF THE TRIANGLE RANCH PROJECT DESIGN BEFORE YOU

- COUNTY GENERAL PLAN POLICY REQUIRES THAT SEAs MUST BE PRESERVED AND ENHANCED FOR FUTURE RESIDENTS AND THAT ANY PROPOSED USE MUST DEMONSTRATE A DEVELOPMENT IS "HIGHLY" COMPATIBLE WITH RESOURCE VALUES IN AN SEA. CPO DOES NOT BELIEVE THE RPC CAN MAKE A SUBSTANTIATED FINDING THAT THIS PROJECT IS CONSISTENT WITH THIS POLICY.

- NAP POLICY IV-3d REQUIRES THAT NO NET REDUCTION IN THE # OF SPECIAL PLANTS BE PERMITTED BY A PROJECT. TRIANGLE RANCH IS

CLEARLY NOT CONSISTENT WITH THIS POLICY AS DESIGNED

- NAP POLICY IV-9 REQUIRES PROTECTION OF NATURAL FEATURES WITHIN THE PLAN AREA. TRIANGLE RANCH IMPOSES SIGNIFICANT GRADING WITH MAJOR CUT SLOPES IN THE SEA AND ON LADY FACE SLOPES. AGAIN, TRIANGLE RANCH IS NOT CONSISTENT WITH THIS POLICY.

- NAP POLICY IV-13 REQUIRES PROJECTS TO ADAPT TO THE NATURAL HILLSIDE TOPOGRAPHY. TRIANGLE RANCH BRUTALLY CARVES THE LANDSCAPE AND THEREFORE VIOLATES THIS POLICY WITH MAJOR CUTS, SIGNIFICANT EARTH MOVEMENT AND NONCONFORMANCE WITH ADAPTATION TO THE NATURAL HILLSIDE TOPOGRAPHY.

- NAP POLICY IV-18 REQUIRES AN ADEQUATE LANDSCAPE PLAN FOR DEVELOPMENTS WITHIN THE PLAN AREA. NO FORMAL LANDSCAPE PLAN HAS BEEN SUBMITTED AND THIS PROJECT CANNOT DEMONSTRATE CONSISTENCY WITH THIS POLICY.

- NAP POLICY VI-13 REQUIRES A PROJECT TO BE

- INTRODUCTION

- TRIANGLE RANCH PROJECT

- AT IT'S LAST MEETING THE REGIONAL PLANNING COMMISSION DEFINED A SET OF CRITERIA FOR REDESIGNING THE TRIANGLE RANCH PROJECT.

- THE PROJECT BEFORE YOU DOES NOT INCORPORATE THE CHANGES THAT THE APPLICANT WAS DIRECTED TO BRING BACK TO THIS MEETING OF THE COMMISSION.

- THE COMMISSION MAY APPROVE THE PROJECT BEFORE IT TODAY, BUT THIS PROJECT DOES NOT MEET THE COMMISSION'S DIRECTIONS AND CPO DOES NOT BELIEVE THE PROJECT BEFORE YOU IS CONSISTENT WITH EITHER THE COUNTY GENERAL PLAN OR THE NORTH AREA PLAN.

- YOU HAVE BEEN GRACIOUS ENOUGH TO ALLOW CPO REPRESENTATIVES A FINAL OPPORTUNITY TO SUBMIT COMMENTS FOR YOUR CONSIDERATION, AND FOR THIS COURTESY I THANK YOU.

- BUT MAJOR PROBLEMS EXIST WITH THE PROJECT

CONSISTENT WITH THE LOCAL COMMUNITY. THIS PROJECT IMPOSES A SUBURBAN RESIDENTIAL SUBDIVISION IN A RURAL RESIDENTIAL COMMUNITY. TRIANGLE RANCH IS STILL TOTALLY INCOMPATIBLE AND INCONSISTENT WITH OUR EXISTING COMMUNITY.

I DON'T HAVE TIME TO REVIEW EVERY POLICY WITH WHICH TRIANGLE RANCH IS INCONSISTENT. BUT YOU CAN SEE THE RATIONALE BEHIND CPO'S POSITION, AND THIS POSITION IS FURTHER SUPPORTED BY ADDITIONAL POLICY CONFLICTS LISTED IN CHAPTER iik OF THE EIR.

CPO SUBMITS THAT THE RPC CANNOT LEGITIMATELY MAKE THE FINDINGS THAT THE TRIANGLE RANCH IS CONSISTENT WITH THE CGP AND NAP. THE HARD DATA IN THE MATTER BEFORE YOU CLEARLY DEMONSTRATES THAT THIS PROJECT IS NOT CONSISTENT WITH THE APPLICABLE PLANS.

THUS, CPO CONCLUDES THAT THE RPC MUST DENY THE PROJECT IN ITS PRESENT DESIGN CONFIGURATION, OR VIOLATE BOTH THE CGP AND NAP.

Subject: VTTM 52419

Thank you, Honorable Planning Commisioners for the opportunity to speak to you. My name is _____, I reside in Agoura at _____. I would like to express the importance of the SEA and the Biological Resources for the Triangle Ranch project. 9/20/06 S. Tae / A. Chang

Historically, SEA's were developed because the County was under a State Mandate to identify the valuable natural resources of LA County. Over the past 25 years, since the SEA's have been in effect, scientific research has shown that isolated islands of flora and fauna cannot survive without protection. As you know, the County of Los Angeles is now in the process of seeking a better system of protecting wildlife linkages, and habitats, for flora and fauna.

The Original SEA designation for the Triangle Ranch project managed was given a primary classification of 5 and a secondary classification of 7 on the England and Nelson report. There are 8 criteria that designate an SEA. Since that time, further scientific study has shown that it meets all the 8 criteria to make it an extremely valuable natural resource, and it has since been upgraded to reflect this. Its classification is a primary class #1 which means that it is a (core) habitat for rare, endangered, or threatened plant or animal species. This property type of SEA is considered a watershed SEA.

The property offers fresh water sources, nesting sites, plentiful food sources, protective shelter and wildlife movement areas, in terms of supporting wildlife and plants One of the unique features of the Santa Monica Mountains is that approximately 15% of all plant species occurring in California can be found in the Santa Monica Mountains and over 30% (275 species) were observed at this special site, including several sensitive species, according to the Biota Report. The Lyon's pentachaeta, a flower on the site, is a State and federally listed endangered plant along with the Santa Monica Mountains Dudleya which is federally threatened. This site has many rare plants. There are 87 oak trees on the site. The Valley Oak woodlands, (Quercus lobata) are considered an endangered habitat on the global and state lists. This site holds the most extensive population of Lyon's pentachaeta in the Santa Monica Mountains. Not protected in this plan.

The site boasts a critical habitat linkage that provides linkage across Kanan and Cornell Roads. The choke point at Liberty Canyon, which is a freeway underpass, is the only way that the wildlife can cross under the Ventura Freeway within the North Area Plan, which is 32 square miles. Triangle Ranch is adjacent to this choke point.

The NAP states on page A-96 paragraph 5 " A biological issue in the Santa Monica Mountains area is the preservation of habitat connectivity and linkages. The National Park Service, California Department of Fish and Game, and the Santa Monica Mountains Conservancy have all expressed concerns about the adverse effects of urbanization, particularly the fragmentation of habitat areas." It is critical that we don't further cripple wildlife movement in Medea Creek Valley and the NAP.

Lady Face Mountain flanks the other half of the property and is the most prominent land form in the area, visible from the Ventura Freeway Corridor from Calabasas to Thousand Oaks. It is dearly loved and protected in the city of Agoura Hills. It stands at a commanding 1900' elevation and acts as the steward to the Santa Monica Mountains National Recreational Area. National Park Service proposes to acquisition it in the future to further complete captivating more parks for all to enjoy.

This property is located within the Medea Creek watershed. This watershed is comprised of 4 subdrainages, Medea Creek, Lindero Canyon Creek, Palo Comado Canyon and Cheseboro

Canyon Creek,. These are considered Blue Line Streams, which are federally protected. In addition to these named streams, there are 2 unnamed Blue Line Stream drainages and 17 tributary natural drainages that feed into the Blue Line Streams. The convergence of all the streams and tributaries feeds into Medea Creek which makes its way down to Malibou Lake. Since the developing and concrete channeling of the streams upstream from the Medea Watershed, there have been 14 major floods since 1928. Nine (9) of those floods occurred within the 90's decade. The watershed needs to be preserved not destroyed so that waters will be retained and not allowed to flood and damage homes and habitats downstream. Allowing homes to be built instead of protecting sensitive and already impaired watersheds is a silent monster that will come back to haunt all those involved if this is not dealt with responsibly.

If I could leave you with one thought today, Honorable Planning Commissioners it is this, take a stand NOW, don't allow this monstrous development go into the Santa Monica Mountainss.. Give back what the community wants. Give to the future generations this magnificent steward that has sat majestically through aeons of time as a priceless gift to us all.

Colleen Holmes

Subject: VTTM 52419

Date: 9/20/16

A. Chavez / S. Tae

Mary Altmann
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MARY ALTMANN in pro per

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

MARY ALTMANN
Petitioner

v.

CITY OF AGOURA HILLS CITY COUNCIL
Respondent,

Case No.

PETITION FOR WRIT OF MANDATE,

CALIFORNIA ENVIRONMENTAL QUALITY ACT, AGOURA HILLS MUNICIPAL CODE; CALIFORNIA GOVERNMENT CODE.

INTRODUCTION

1. This action challenges the approval by the Agoura Hills City Council ("Council") of the approval of a resolution no. 06-1419 adopted by the City Council of the City of Agoura Hills certifying the program environmental impact report ("EIR") for the Agoura Village Specific Plan ("AVP"); adopting a statement of overriding considerations, adopting a mitigation monitoring and reporting program associated with this project, and adopting the Agoura Village Specific Plan, Resolution No. 06-1420; a resolution of the City Council of Agoura Hills approving a general plan amendment (CASE NO. 06-GPA-001), Resolution No. 06-1421; a resolution approving an amendment to the Ladyface Mountain Specific Plan (CASE NO. 06-SPA-001), approving Ordinance No. 06-334; an ordinance approving a zone change (CASE NO. 06-ZC-001), and an ordinance of the City of Agoura Hills approving a zoning ordinance amendment (CASE NO. 06-ZOA-001).

2. The Agoura Village Specific Plan consists of new development of up to 293 residential units, a total of up to 576,458 square feet of new office, retail, restaurant and hotel building area on vacant land, and rezoning of the existing 372,042 square feet of office and retail space to add greater density.

3. The 135 acre project area is located in the City of Agoura Hills, in western Los Angeles County. The project area is located around the intersection of Kanan and Agoura Roads, and contains a portion of Ladyface Mountain 1,790 feet above sea level. Three creeks, Medea,

Lindero (both blue line streams) and Chesebro Creek flow through the western and central portions of the project area, and proved well-developed wetland and riparian ecosystems. Natural willow riparian forest, valley and coast live oak savannah, venturan coastal sage scrub, annual grassland, and rare and endangered species inhabit the site.

PARTIES

4. Petitioner, Mary Altmann, submitted comments into the record, addressed the council both at the planning commission level and council level. Petitioner's interests will be irreparably injured if the approved project at issue is allowed to remain based upon the illegal approval contested herein. Petitioner is beneficially interested in Respondent's faithful performance of its legal duties as referenced herein.

5. Respondent, The City of Agoura Hills City Council ("The Council") is a duly organized City Council in the State of California and as such is capable of suing or being sued. Respondent is sued herein for abusing its discretion in the approval of a resolution of the City Council of the City of Agoura Hills certifying the program environmental impact report ("EIR") for the Agoura Village Specific Plan ("AVP"); adopting a statement of overriding considerations, adopting a mitigation monitoring and reporting program associated with this project, and adopting the Agoura Village Specific Plan, Resolution No. 06-1420; a resolution of the City Council of Agoura Hills approving a general plan amendment (CASE NO. 06-GPA-001), Resolution No. 06-1421; a resolution approving an amendment to the Ladyface Mountain Specific Plan (CASE NO. 06-SPA-001), approving Ordinance No. 06-334; an ordinance approving a zone change (CASE NO. 06-ZC-001), and an ordinance of the City of Agoura Hills approving a zoning ordinance amendment (CASE NO. 06-ZOA-001). Respondent abused its discretion when it

when approving the project contested herein because it failed to enforce The Government Code of the State of California, the California Environmental Quality Act ("CEQA") and the Municipal Code of Agoura Hills, or have substantial evidence to support its decision.

HISTORY

6. The concept of Agoura Village began in 1997-1998 by a previous City Council. The Vision of Agoura Village was to create a unique pedestrian friendly village in a semi-rural natural environment.

7. Public workshops were held during the initial phase of the strategic plan for the Agoura Village Plan.

8. On June 22, 2002 the Agoura Village Task Force, consisting of the City Council, Planning Commission, property owners and businesses met for the first time.

9. On or around February 10, 2005 a notice of preparation for a draft environmental impact report ("DEIR") was circulated.

10. November 18, 2005 a the DEIR was published.

11. The comment period for the DEIR was November 15, 2005 to Jan 3rd 2006, yet comments were considered until January 24, 2006.

12. April 20, 2006 the City of Agoura Hills Planning Commission had a public hearing regarding the project at issue and approved it on a 4-0 vote

13. May 24, 2006 the Agoura Hills City Council held a public hearing regarding the project at issue, and continued the meeting although attempted to close the public comment portion.

14. June 14, 2006 the Agoura Hills City Council held a public hearing and reopened the public comment period, and approved the resolution certifying the program environmental impact report ("EIR") for the Agoura Village Specific Plan ("AVP"); adopting a statement of overriding considerations, adopting a mitigation monitoring and reporting program associated with this project, and adopting the Agoura Village Specific Plan, Resolution No. 06-1420; a resolution of the City Council of Agoura Hills approving a general plan amendment (CASE NO. 06-GPA-001), Resolution No. 06-1421; a resolution approving an amendment to the Ladyface Mountain Specific Plan, and Waive the First Reading in Full and Introduce, by Title only, Ordinance (CASE NO. 06-SPA-001), Ordinance No. 06-334; an ordinance approving a zone change (CASE NO. 06-ZC-001), and Waive the First Reading in Full and Introduce, by Title only, No. 06-335 an ordinance of the City of Agoura Hills approving a zoning ordinance amendment (CASE NO. 06-ZOA-001) with a 5-0 vote.

15. June 28, 2006 the Agoura City Council held a public hearing and approved Ordinance No. 06-334; approving a zone change (CASE NO. 06-ZC-001), Ordinance No. 06-335; an ordinance of the City of Agoura Hills approving a zoning ordinance amendment (CASE NO. 06-ZOA-001) with a 5-0 vote.

16. A notice of determination was filed June 29, 2006.

EXHAUSTION OF ADMINISTRATIVE REMEDIES AND INADEQUATE REMEDIES AT LAW

17. Petitioner, other agencies, interested groups, and individuals made oral and written comments on the Agoura Village Specific Plan and DEIR and raised each of the legal deficiencies asserted in this petition.

18. Petitioner pleaded with the City of Agoura Hills to take an appeal on this case.

19. Petitioner performed all conditions precedent to filing this action by complying with the requirements of Public Resource Code section § 21167.5 in filing notice of this action.

20. Petitioner has no adequate remedy at law unless the Court grants the requested writ of mandate requiring the Council to set aside its approval of the adoption of the Agoura Village Specific Plan, the certification of the EIR and mitigation and monitoring program, the General Plan amendments, and the zone amendments and changes associated with this project. In the absence of such remedy, the Respondent's approval will remain in effect in violation of the California Government Code, CEQA, and the Agoura Hills Municipal Code. A large urban development will commence affecting the lives, well- being and safety of the residents of Agoura and the surrounding communities. The project would take a significant toll on the natural environment including rare and endangered species. Beginning the process will be the initial applications of three large projects in which the zoning is pre-approved by this plan. The community will suffer the damage to the environment of these projects plus the up-zoning of the improved area, all of which has had no adequate environmental review.

21. Respondent's actions in approving the Agoura Village Specific Plan, certifying The FEIR, approving the mitigation and monitoring program, the general plan amendments and the zone changes and amendments associated with this action constitute a prejudicial abuse of discretion in that the respondent failed to proceed in the manner required by law and its decision is not supported by substantial evidence as follows:

FIRST CAUSE OF ACTION
VOTER CONSIDERATION OF AMENDMENT
(VIOLATION OF AGOURA HILLS MUNICIPAL CODE)

22. Petitioner hereby incorporates by reference the allegations contained in Paragraphs 1 through 21, inclusive.

23. Part 3. General Plan and Specific Plans 9821.5 –"Voter consideration of amendments effecting open space - states that no amendment to the general plan or a specific plan that would result in a redesignation of property dedicated as open space …shall be effective for any purpose unless such amendment is first approved by the voters of the city by a 2/3 vote of those voting on the question."

24. The AVSP includes the redesignation of open space. Therefore, the AVSP must be voted on in a general election by the voters of Agoura Hills.

SECOND CAUSE OF ACTION
INADEQUATE ALTERNATIVE ANALYSIS
VIOLATION Of CEQA

25. Petitioner hereby incorporates by reference the allegations contained in paragraphs 1 through 24, inclusive.

26. The Final EIR fails to specifically identify feasible alternatives which would avoid or substantially lessen any of the significant effects of the project (CEQA Guidelines 15126.6 (a), (c)). The FEIR should also identify an environmentally superior alternative among the other alternatives proposed in the EIR (CEQA Guidelines 15126.6 (e)(2)). The FEIR fails to address viable alternatives to lessen the impacts of the project, and cursory alternatives are listed but are not adequately and earnestly considered, which is a violation of CEQA.

27. Despite Petitioner's repeated requests for compliance of said obligations, Respondent acted in contravention of its duties by approving the FEIR, AVSP, statement of overriding consideration and related ordinances. The decision by respondent not to modify the EIR to be factual, sufficiently detailed and believable is invalid under the California Code of Civil Procedure, because it exceeds Respondent's jurisdiction and constitutes an abuse of discretion in that the respondent violated it's duties under CEQA. Respondent thereby violated its duties to conform to the requirements of CEQA and the CEQA guidelines, the Agoura Hills Municipal Code and California Government Code. Accordingly, the adoption of the approved the resolution certifying the program EIR for AVSP; adopting a statement of overriding considerations, adopting a mitigation monitoring and reporting program associated with this project, and adopting the AVSP, adopting Resolution No. 06-1420; adopting resolution No. 06-1421; adopting ordinance No. 06-334, and approving a zone change No. 06-335 an ordinance of the City of Agoura Hills approving a zoning ordinance amendment must be set aside.

THIRD CAUSE OF ACTION
VIOLATION OF GOVERNMENT CONSISTENCY REQUIREMENT

28. Petitioner hereby incorporates by reference the allegations contained in paragraphs 1 through 27, inclusive.

29. "No specific plan may be adopted or amended unless the proposed plan or amendment is consistent with the general plan." (Government Code section 65454.)

30. The general plan and its parts must comprise an integrated, internally consistent statement of policies for the adopting agency. (Government Code section 65300.5.)

31. The general plan amendment and specific plan are inconsistent with the Agoura Hills general plan.

32. The inconsistencies between the general plan and the specific plan include, but are not limited to, provisions for building heights and adequate parking.

33. Building heights in the general plan are limited to 35 feet or less throughout the City.

34. In violation of this polity, the AVSP specifically allows building heights up to 45 feet and allows removal of even that limit under certain conditions.

FOURTH CAUSE OF ACTION
FAILURE TO ADEQUATELY ADVERTISE HEARING
(VIOLATION OF AGOURA HILLS MUNICIPAL CODE)

35. Petitioner hereby incorporates by reference the allegations contained in paragraphs 1 through 34, inclusive.

36. The Agoura Hills Municipal Code 9804.4 E. 7.b imposes upon the City a clear, present and mandatory duty to include a description of the project, number of units, etc. on the hearing sign posted at the project site notifying the public of the hearing.

37. The project description was not included on the sign, as required by law, as referenced by pictures submitted in the record by Citizens for Sensitive Development.

38. The sign was not updated to reflect the continued hearing dates of June 14, 2006 and June 28, 2006.

39. Agoura Hills Municipal Code 9804.4 E. 9. States "failure to properly post a public hearing sign shall result in continuance of the scheduled public hearing".

40. Therefore, the hearing for the Agoura Village Specific Plan and related actions are not valid, a continuance must occur, and a proper sign is required to be posted with the required information to notify the public of the new public hearing date.

41. This is a case in point in a series of deliberate actions to exclude the public from the knowledge of and participation in the process of the Agoura Village Plan. This is noted by the letter by Ken and Barbara Handler, dated February 10, 2005, in which they allege the City Council is acting in a suspicious and misleading way in relation to the release of information about the project.

42. Staff mislead Mary Altmann in erroneously telling her that the ASVP does not affect the Ladyface Mountain specific plan, and the clerk did not provide access to the record when requested (as referenced in the Citizens for Sensitive Development dated May 24, 2006).

43. It is also appropriate to note that although the City of Agoura Hills distributes quarterly newsletter to each home in Agoura Hills, no mention was made of the Agoura Specific Village Plan proposed, and a survey of residents conducted in the Fall of 2005, scheduled to be released in April 2006, regarding future development in Agoura Hills has yet to be released.

44. The EIR for the project was not made available in the Agoura library as noted by two patrons attempting to access the report, despite the EIR's statement that it would be available there.

FIFTH CAUSE OF ACTION
DELIBERATE MISREPRESENTATION OF PROJECT DENSITY
CEQA VIOLATION

45. Petitioner hereby incorporates by reference the allegations contained in paragraphs 1 through 44, inclusive.

46. CEQA states that an EIR shall include a good faith disclosure of impacts. Yet the Agoura Village Plan DEIR, FEIR, staff comments, resolution text, and reasons in the city council oral argument for approval purports the mistruth that the AVSP would result in "roughly the same overall density of development as allowed under the current general plan".

47. Under the AVSP proposed, the possible commercial development is 948,500 square feet of commercial development plus the addition of 293 residences. The current maximum buildout under the General Plan would be 952,970 square feet, and would not include the addition of residences. The residences do not have a cap of square footage in the AVSP. The additional square feet could easily be 500,000 to 600,000, so the total of the AVSP could be 1.5 million square feet or more, not including any discretionary increases, which are not yet defined, and does not include the bulk/mass of the parking structures.

48. The Planning Commission and City Council based it's consideration and approval on this as fact and other faulty analysis presented by staff and the drafters of the EIR, and as stated in Resolution No. 06-1419, which also makes this erroneous finding on Section 14.4. The FEIR response to comments also states that the AVSP would be roughly the same square footage of the old plan.

49. The City Council, in their closing remarks as a reason for approval of the AVSP, they referred to a cap on the square footage on the residential development, (which does not exist in the AVSP) and that the AVSP is the same overall density as the current General Plan, which is just purporting false information to the public.

SIXTH CAUSE OF ACTION
INADEQUATE REVIEW OF BIOLOGICAL IMPACTS IN VIOLATION OF CEQA

50. Petitioner hereby incorporates by reference the allegations contained in paragraphs 1 through 49, inclusive.

51. The EIR fails to adequately show the mapping of three Federally endangered plant species project area which are Lyon's Pentachaeta, Dudleya Cymosa ssp. Marcescens, and the threatened Agoura Hills dudleya cymosa spp.agourensis.

52. In addition, Tuck (Texosporium sancti-jacobi), a globally rare soil lichen, is on the project site. As such the Tuck is considered a rare species regardless of appearance on a formal list for the purposes of CEQA compliance. (Guidelines, Section 15380, subsections b and d).

53. The FEIR fails to adequately study the Western Pond Turtle, a California species of concern inhabiting the Malibu Canyon Watershed, wherein the three streams run through the project, is a part.

54. No study was conducted on how this development could impact the Red Legged Frog, (which was added to the Federally Endangered list in 1996) on site, in the surrounding areas, or downstream from the project, although it has been found in the Malibu Creek Watershed, in which this project is located.

55. These and other rare and endangered biologic populations must be clearly mapped, and effects to these species revealed, and the mitigation believable and viable, otherwise this constitutes a "take" of endangered species, which would violate the Endangered Species Act. Many of these species have been already been mapped in the project location by prior studies. The FEIR fails to disclose this information, making the analysis of the project impacts impossible to calculate.

48. The FEIR does not adequately analyze the indirect impacts of the proposed project to listed plants and threatened species, and illegally defers and delays mitigation, which is a violation of CEQA.

SEVENTH CAUSE OF ACTION
INADEQUATE PROJECT REVIEW AND MITIGATION
VIOLATION OF CEQA

49. Petitioner hereby incorporates by reference the allegations contained in paragraphs 1 through 48, inclusive.

50. There are three large developments that were approved in concept and in zoning by the AVSP.

51. Plot plans are in the file of the Agoura Village Plan for two of three of those developments. Because information was readily available regarding these projects, the EIR should have included analysis of their impacts.

52. The environmental impacts including project footprints, estimated grading requirements and where the dirt will go, fuel modification plans, drainage plans and environmental impacts related to traffic improvements must be presented clearly and considered at this time of the zone change.

53. The FEIR fails to adequately study native grasslands, oaks, native trees and other habitat on the project site and give quantitative analysis for loss of plant, amphibian and animal species.

54. The FEIR fails to adequately address the use of Kanan Road as a major artery to Malibu, commuter and beach traffic, and the sole evacuation route in case of wildfire for the residents in the unincorporated area of Los Angeles County.

55. In approval of the project, a condition was made by the council that if the roundabout which was a traffic flow mitigation measure did not work after six months, it will be abandoned. If the roundabout is abandoned, then Agoura Road will need to be widened and the heritage oaks along the road removed. The FEIR failed to address the environmental impact of this consequence.

56. If the roundabout is cancelled, the project becomes retroactively not in compliance

with the General Plan, which states that the Level of Service (LOS) at any lighted intersection should not go below a C rating. The FEIR shows the Kanan and Agoura Road intersection will be below this level of service.

57. The Council attempted to circumvent their obligations under the law by replacing the traffic light with a roundabout, then changing it back again, violating the General Plan, and avoiding disclosure of the impacts to the Heritage Oak Trees (violation of CEQA).

58. Traffic mitigation measures do not have clear and present funding sources. The FEIR fails to adequately address the cost of the traffic improvements, where the money will come from for these improvements, and when the improvements will be commence.

59. The FEIR fails to be specific on the development allowed, such as allowing "a 120 room hotel or 50 residential homes". The impact of the two are very different and must be studied and incorporated individually into the FEIR, including how this will affect traffic and the project footprint considering the rare and endangered species on the project site.

59. The FEIR contains no sight line studies, no adequate elevation drawings, no proposed simulated views from the freeway so the visual impacts cannot accurately be projected.

60. The approval of FEIR allows segmentation of the approval process explicitly prohibited by the CEQA. The Council is attempting to approve this massive upzoning now and consider environmental impacts on a case by case basis later, after the zoning is a foregone conclusion.

61. The City Staff uses the reasoning that a program EIR does not have to consider such effects or mitigation, and only a general report is needed, which is a violation of CEQA, which states the EIR should commiserate with the action at hand, in this case the zone changes and proposed traffic improvements.

62. The FEIR and statement of overriding considerations violates CEQA in that it renders unsubstantiated conclusions to significant environmental impacts. "One major purpose of an EIR is to inform other government agencies, and the public generally, of the environmental impact of a proposed project (citations), and to demonstrate to an apprehensive citizenry that the agency has in fact analyzed and considered the ecological implications of its action. A simple resolution or ND, (or in this case inadequate FEIR, inadequate mitigation and monitoring, and statement of overriding consideration) stating that the project will have no significant environmental effect, (or in this case that the effects will be sufficiently mitigated for approval) cannot serve this function." No Oil, Inc. v. City of Los Angeles, supra, 13 Cal.3d 68 at page 86, 118 Cal.Rptr. 34, at page 46, 529 P.2d 66, at page 78, the court so observed. Furthermore, "mere conclusions simply provide no vehicle for judicial review", (Citizens Association for Sensible Development of Bishop Area v. County of Inyo (1985) 172 Cal.App.3d 151 at 171.)

PRAYER FOR RELIEF

WHEREFORE. Petitioner prays for entry of judgment as follows:

1. For a Peremptory Writ of Mandate directing: Respondent to vacate and set aside the adoption of resolution no. 06-1419 certifying the program EIR for AVSP; the adoption of statement of overriding considerations, adoption of a mitigation monitoring and reporting program associated with this project, the adoption of the AVSP, the adoption of Resolution No. 06-1420; the adoption of resolution No. 06-1421; the adoption of ordinance No. 06-334, and

approval of zone change No. 06-335 and an ordinance of the City of Agoura Hills approving a zoning ordinance amendment must be set aside.

2. Project procedure to comply with the Agoura Hills Municipal Code, including the election process specified for the redesignation of open space zoning.

3. Project to comply with the Agoura Hills Municipal code and General Plan.

4. Project to comply with the requirements of CEQA adequately addressing the environmental impacts as listed in this petition for relief.

5. Respondent to prepare, circulate, and consider a new and legally adequate Environmental Impact Report to comply with CEQA in any subsequent action taken to approve of the project.

2. For its costs of suit.

3. For an award of attorney fees.

4. For other equitable or legal relief that the Court considers just and proper, including but not limited to fees pursuant to government code section 800, allowing a $7500 award when it is proven that the action by the public agency is arbitrary or capricious.

Dated: _____

VERIFICATION

I, Mary Altmann, petitioner, am authorized to execute this verification on behalf of myself. I have read the foregoing petition and complaint and I am familiar with its contents. The facts recited in the petition and complaints are true to my personal knowledge.

I declare under penalty of perjury under the laws of the state of California the foregoing is true and correct.

Executed this 19 th day of July, 2006, at Agoura, California.

_____

MARY ALTMANN