

**Department of Regional Planning
Department Statement**

Board of Supervisors Meeting: April 29, 2025

Hearing on the appeal of Project No. R2014-00461-(3), Major Coastal Development Permit No. 201500099 and Variance No. 201500100, to authorize the construction of a 4,412-square-foot single-family residence, a 2,030-square-foot detached auxiliary building, and associated development, including 5,800 cubic yards of grading, the removal of three native trees, encroachments into the protected zones of 193 native trees, a driveway, a motor court, landscaping, hardscaping, retaining walls, an onsite wastewater treatment system, roof-mounted solar panels, two water wells, and two water tanks, on a 9,715-square-foot building site area located at 3300 Kanan Dume Road in the Rural Coastal – 20-Acre Minimum Required Lot Area (R-C-20) Zone within the Santa Monica Mountains Planning Area, applied for by Schmitz and Associates, Inc.

This agenda item is an appeal of the Regional Planning Commission's (Commission) decision to deny a Major Coastal Development Permit and a Variance authorizing the construction of a single-family residence, a detached auxiliary building that includes a guest house and a garage, and associated infrastructure, including a driveway, a motor court, landscaping, hardscaping, retaining walls, an Onsite Wastewater Treatment System (OWTS), roof-mounted solar panels, two water wells, and two water tanks on a 9,715-square-foot building site (Project). The Project also includes 5,800 cubic yards of grading, the removal of three native trees, consisting of one oak tree, one black walnut tree, and one toyon tree, and encroachments into the protected zones of 193 native trees, consisting of 190 oak trees, one bigpod ceanothus, one big-leaf maple tree, and one toyon tree.

The Project is located at 3300 Kanan Dume Road, also known as Assessor Parcel Number 4465-002-023, in the R-C-20 (Rural Coastal – 20-Acre Minimum Required Lot Area) Zone within the Santa Monica Mountains Planning Area (Project Site).

Pursuant to Santa Monica Mountains Local Implementation Program (LIP) Section 22.44.1150 (Variances), the Variance is required for the construction of a 1,550-foot-long driveway, which exceeds the 300-foot limitation in LIP Section 22.44.1920.C (Development Standards for Access Roads and Trails), as well as for the construction of an OWTS within the dripline of an oak tree, which does not meet the required 50-foot setback from the driplines of existing native trees, including oak trees, in LIP Section 22.44.1340.B.3.c (Water Resources).

On October 16, 2024, the Commission found the Project qualified for a Statutory Exemption pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15270 (Projects Which Are Disapproved) because CEQA does not apply to projects a public agency rejects or disapproves, and the Commission then denied the Major CDP and Variance. The applicant's representative, Schmitz and Associates, Inc. (Appellant), timely appealed the Commission's decision on October 18, 2024. The Department of Regional Planning (Department) recommends that the Board of Supervisors deny the appeal and uphold the Commission's denial of the Major CDP and Variance.

The Appellant contends that the building site is not visible from the Project Site, that all Transfer of Development Credit (TDC) procedures are to take place after Project approval and not before, and that the Appellant worked with the Department to provide sufficient materials related to, among other things, the alternative location proposed by the Department.

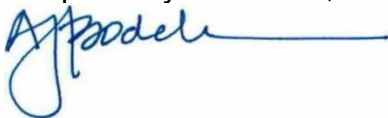
Based on the following analysis, the Project is inconsistent with the Santa Monica Mountains Local Coastal Program's Land Use Plan (LUP).

The Project is inconsistent with the LUP's guiding principle because it will result in significant impacts to existing coastal biological resources due to the proposed landform alteration and vegetation management.

Moreover, the Project is inconsistent with various Land Use and Housing LUP Policies because the Project does not appropriately minimize overall vegetation clearance, eliminate prohibited impacts to H1 Habitat, and reduce impacts to H1 Habitat, scenic resources, and public views. In addition, the Project does not propose, and the Appellant has not sought, a TDC. A TDC is required because a second residential unit is being proposed within the auxiliary building.

Furthermore, the Project is inconsistent with various Conservation and Open Space LUP Policies because the Project proposes prohibited development in H1 Habitat, proposes a majority of development in H1 and H2 Habitats as opposed to the lower priority H3 Habitat, does not preserve native trees to the maximum extent feasible, does not propose the minimum footprint needed to create a building site, and does not protect views nor minimize adverse impacts on scenic resources within Scenic Resource Areas.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Amy Bodek", followed by a horizontal line.

AMY J. BODEK, AICP
Director of Regional Planning

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