



**PUBLIC REQUEST TO ADDRESS
THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, CALIFORNIA**

Correspondence Received

MEMBERS OF THE BOARD

HILDA L. SOLIS
HOLLY J. MITCHELL
LINDSEY P. HORVATH
JANICE HAHN
KATHRYN BARGER

			The following individuals submitted comments on agenda item:	
Agenda #	Relate To	Position	Name	Comments
4.		Favor	Erik Yesayan	
			melina curko	
			Tiffany Perry	For the reasons presented by the Applicant and project proponents, the Board should grant the appeal and approve the Project.
		Oppose	Allisa Park	
			Kyle Katarn	Bad choice
		Item Total	5	
Grand Total			5	



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Amy J. Bodek, AICP
Director

Dennis Slavin
Chief Deputy Director

October 16, 2018

TO: David W. Louie, Chair
Elvin W. Moon, Vice Chair
Doug Smith, Commissioner
Laura Shell, Commissioner
Pat Modugno, Commissioner

FROM: Joshua Huntington, AICP
Coastal Permits Section

ASH

Project No. R2014-00461-(3) – Major Coastal Development Permit No. RCDP-201500099 Variance No. RCDP-201500100 - RPC Meeting: October 17, 2018 - Agenda Item: 8

The above-mentioned item is a request to authorize the construction of a 8,724-sq. ft., 40-foot-tall single-family residence with an attached 1,290-sq. ft., five-car garage, and associated infrastructure including a 1,550-foot-long driveway, a motor court, landscaping, hardscaping, retaining walls, a private septic system, two water wells, two water tanks, 6,300 cubic yards of grading, a 9,000-sq. ft. building site area, and native tree impacts. Staff recommends denial.

Please find, enclosed, correspondence from Lisa Weinberg, attorney of an owner of a nearby property. This correspondence for the above referenced item was received on October 16, 2018, after the hearing package was submitted to the Regional Planning Commission.

If you need further information, please contact Joshua Huntington, AICP, at (213) 974 - 1522 or jhuntington@planning.lacounty.gov. Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

RG:JH

Enclosure(s): Correspondence from Lisa Weinberg, neighbor's attorney

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

* a professional corporation

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

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

October 16, 2018

Sent Via Email: zoningldcc@planning.lacounty.gov

Los Angeles County Regional Planning Commission
c/o Department of Regional Planning
320 West Temple Street, 13th Floor
Los Angeles, California 90012

Re: Los Angeles County Regional Planning Commission Hearing October 17, 2018
Agenda Item No. 8
Project No. R2014-00461-(3)
3300 Kanan Road (APN 4465-002-023)

Dear Commissioners:

This law firm represents Deborah Scapara and Willowby Properties Trust. Enclosed is an exhibit which shows three neighboring lots, APN Nos. 4465-002-023 ("Parcel 23") (the parcel seeking approvals), 4465-002-028 ("Parcel 28"), and 4465-002-027 ("Parcel 27"), the latter of which is my clients' undeveloped parcel. Highlighted in yellow is an existing driveway/access road that pre-dates the construction of Kanan Road, and that historically has been used by the owners of these three lots to access their properties.

We have learned that the County on October 17, 2018 is considering approvals for a single-family home to the owner of nearby Parcel 23. One of the reasons for the staff recommending denial appears to be that Parcel 23 is accessed by an easement over this existing driveway/access road on Parcel 28 which exceeds 300 feet in length.

Even though the County's Santa Monica Mountains Local Coastal Program Local Implementation Program provides at §22.44.1920(C)(1)(c) that, under circumstances that exist here, the County may approve a variance to this standard, the County has, to date, refused to do so.

My clients are extremely concerned about this aspect of the County's decision. Like Parcel 23, our clients' lot is accessed from the same existing driveway easement over Parcel 28. As is evident from the attached exhibit, my clients' lot has ***no other access to a public street***. Without the use of the easement over Parcel 28, my clients' lot, Parcel 27, is ***landlocked***. The easement over Parcel 28 is

a way of necessity for Parcel 27. If the County denies the use of this easement to Parcel 23 and Parcel 27, this will constitute a taking of all economic use of Parcel 27 and my clients will be entitled to significant compensation.

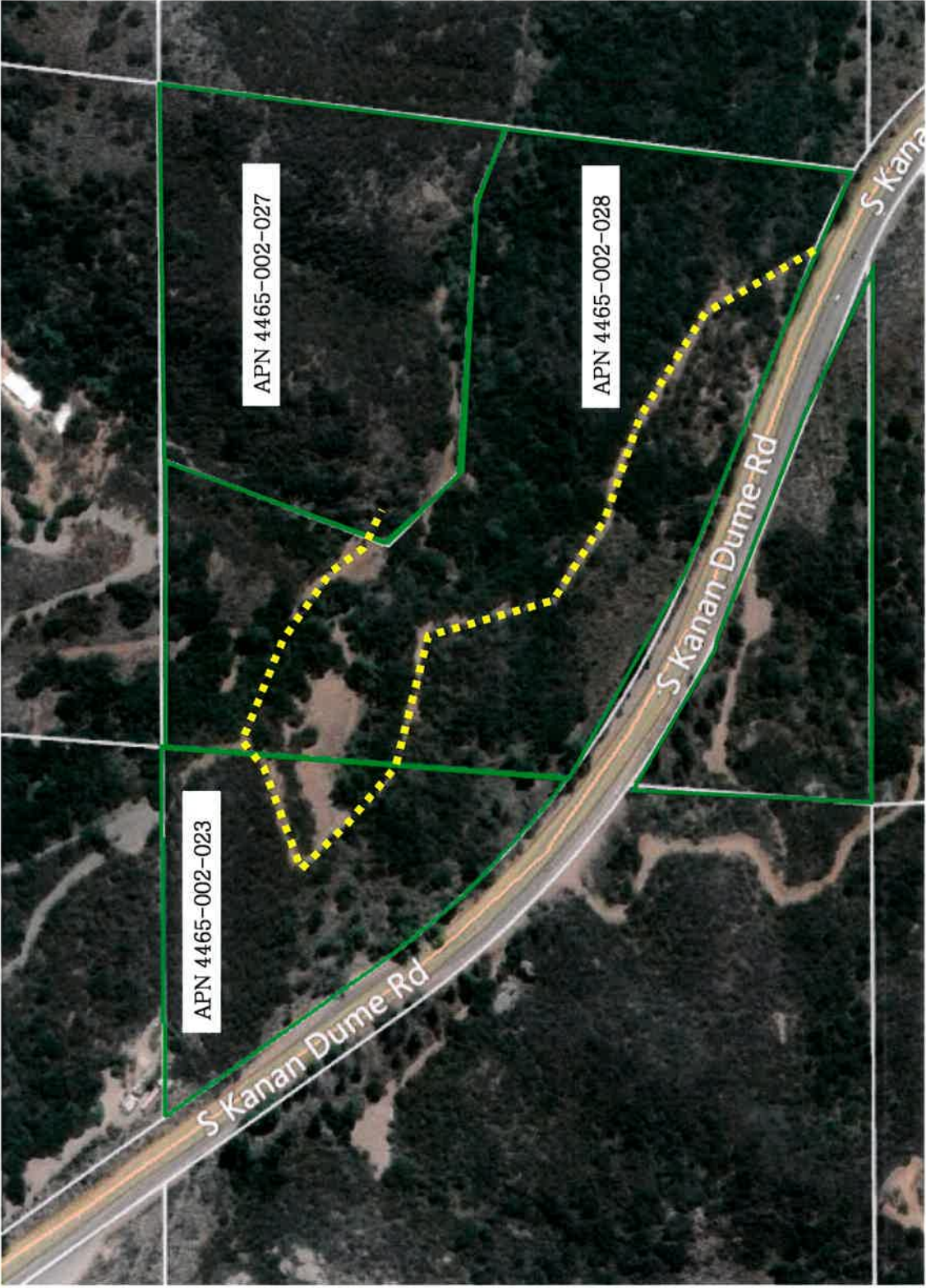
When I received a copy of the Staff Report for this matter, I called Don Schmitz, who is listed as the project applicant. Mr. Schmitz told me that he had spoken to Josh Huntington at the Department of Regional Planning about this access issue as it affects Parcel 27, and that Mr. Huntington had said that the County would deal with the issue "down the road." It is critical that the Planning Commission address this issue now as a refusal to allow use of the driveway/access road to Parcel 23 directly implicates the access to my clients' lot, Parcel 27. My clients' Parcel 27 will have no access and will be totally landlocked should the Planning Commission determine that the driveway/access road cannot be used, even with a variance, to support the development of the adjacent properties. The Staff Report should have included this information and dealt with the repercussions to all adjacent properties.

We ask that the County reject the Staff's position regarding a variance for the use of the easement over Parcel 28 and grant approval to the owner of Parcel 23. Please do not hesitate to contact me at any time with any questions or comments you may have.

Sincerely,

GAINES & STACEY LLP

By 
LISA A. WEINBERG



Erik Yesayan

1000 N. Central Ave., #300

Glendale, CA 91202

eyesayan@pattern.la

(818) 269-6622

Monday, May 26, 2025

Board of Supervisors

Los Angeles County

500 West Temple Street

Los Angeles, CA 90012

Re: Letter of Support for Appeal – Project No. R2020-00709-(5); Plan Amendment No. RPPL2020004464, Zone Change No. RPPL2020004465, Conditional Use Permit No. RPPL2020004466, Parking Permit No. RPPL2020004467, and Environmental Assessment No. RPPL2020004468

Dear Honorable Supervisors,

I am writing to express my support for the appeal of the above-referenced project. As a professional in the field of urban planning with extensive experience navigating land use issues throughout Los Angeles County, I believe this project represents a responsible and thoughtful approach to balancing development with the County's environmental and community priorities.

The project proposes a single-family residence that remains entirely within the maximum building site area of 10,000 square feet, as permitted under the Santa Monica Mountains Local Coastal Program (SMM LCP) and Title 22 of the County Code. It achieves this while preserving substantial open space on a 36-acre lot and adhering to key goals such as viewshed protection, minimizing grading (limited to 4,000 cubic yards of cut and fill), and protecting sensitive hillside resources.

Importantly, the proposed home is sited in a way that minimizes impacts to scenic corridors and avoids encroachment into significant natural resource areas. The applicant has demonstrated a clear commitment to fitting sensitively into the surrounding environment — a goal that the SMM LCP and County's General Plan both strongly encourage.

Denying this appeal would create an impractical barrier for development in this region, making it virtually impossible for property owners to utilize their land even when they comply with the County's carefully established standards. This project reflects the very

type of careful, environmentally conscious development the County envisions — and it should be supported.

For these reasons, I respectfully urge the Board to grant the appeal and allow this well-considered project to proceed.

Thank you for your consideration.

Sincerely,

Erik Yesayan

Principal of Pattern Planning & Development, Inc.

May 22, 2025

RE: Hearing on Appeal of Project No. R2014-00461-(3) for the Construction of a Single-Family Residence in the Santa Monica Mountains Planning Area

To the Honorable Board of Supervisors,

I am writing in regard to Agenda Item No. 4, Project No. R2014-00461-(3), which is scheduled to be heard before your Board on Tuesday, May 27th.

On February 20, 2014—eight months prior to the certification of the Santa Monica Mountains Local Coastal Program (LCP) in October 2014—the subject application was submitted to the Department of Regional Planning. The proposal included the construction of a single-family residence, improvements to an existing access road, and associated grading.

What followed was an extensive and rigorous review process: five iterations of the project design; a detailed analysis of an alternative building site at the direction of Planning staff; substantial revisions to plans and technical studies; three Environmental Review Board (ERB) hearings; and two Regional Planning Commission hearings, the most recent in October 2024. In total, this represents more than ten and a half years of exhaustive review and refinement.

Throughout this process, the applicant complied with all requests from Planning staff—including relocating the proposed residence to the site identified by the ERB as optimal. Despite these efforts, the project was ultimately denied, primarily due to fuel modification impacts within H1 habitat areas.

Staff's Board Letter suggests the applicant could have worked with staff to identify a project scope that would be recommended for approval. However, staff made clear from the outset that they would not support any project resulting in impacts to H1. As ERB staff have acknowledged, impacts to H1 habitat on this property are unavoidable, regardless of where the residence is located. The applicant has taken every feasible measure to minimize those impacts, while also adhering to the broader goals and policies of the LCP. The underlying basis for denial appears to be an implicit position that no development should occur on this property at all.

A letter submitted to Planning staff—supported by technical studies, appraisals, and cost analyses—demonstrates that the County-proposed alternative site is economically infeasible. Development at that location would exceed the appraised value of the home and property by \$2 to \$5 million, depending on the size of the home. Limiting development to that site would result in a regulatory taking. Moreover, construction in that location would require additional grading, result in greater disruption to the landform, increase visual impacts from Kanan Dume Road (a designated Scenic Highway), and still not avoid impacts to H1 habitat.

There is clear precedent for approving projects with unavoidable fuel modification impacts within H1, so long as the primary development is located outside H1 and the project remains consistent with the LCP as a whole. This approach has been consistently supported by the Coastal Commission. A denial based solely on fuel modification within H1 would set a dangerous precedent—effectively prohibiting hundreds of similarly situated property owners from ever building on their land, and exposing the County to further regulatory takings claims.

In addition, Staff's Board Letter references the visibility of story poles from the project site. Please see the attached packet, which documents that the story poles are not visible from Kanan Dume Road. These photos were taken when the house was originally proposed at 35 feet in height. The design has since been revised and reduced to 18 feet, making the structure even less visible from public viewpoints.

After more than a decade of effort, the property owners—who had long envisioned retiring on this lot with their children and grandchildren—are now unable to proceed due to declining health and depleted financial resources.

Attached is a comprehensive packet that outlines the history of the project, the extensive studies and revisions undertaken, and the merits of the current proposal. We respectfully urge the Board to consider these facts and the broader implications of this decision.

Sincerely,

Don Schmitz, AICP

President, Schmitz and Associates



SCHMITZ & ASSOCIATES, INC.

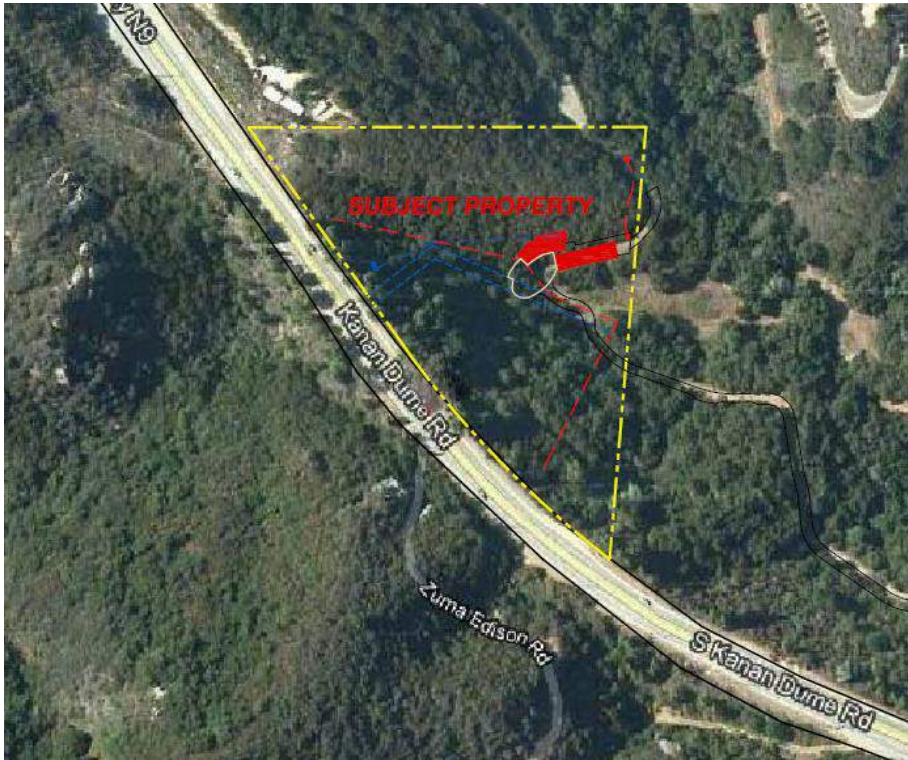
3300 Kanan Dume Road

APN: 4465-002-023

Project Number R2014-00461-(3)

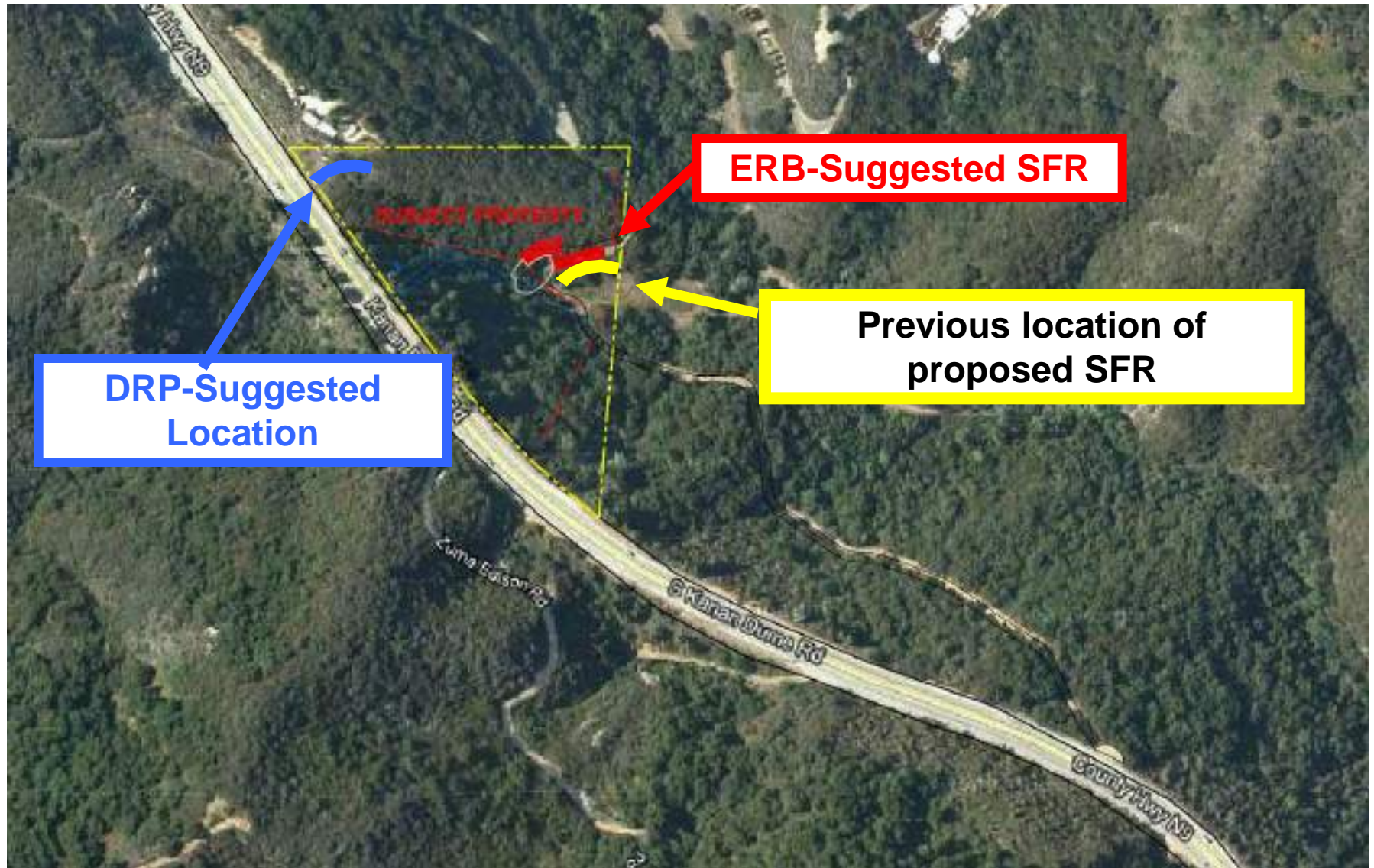


Project Timeline

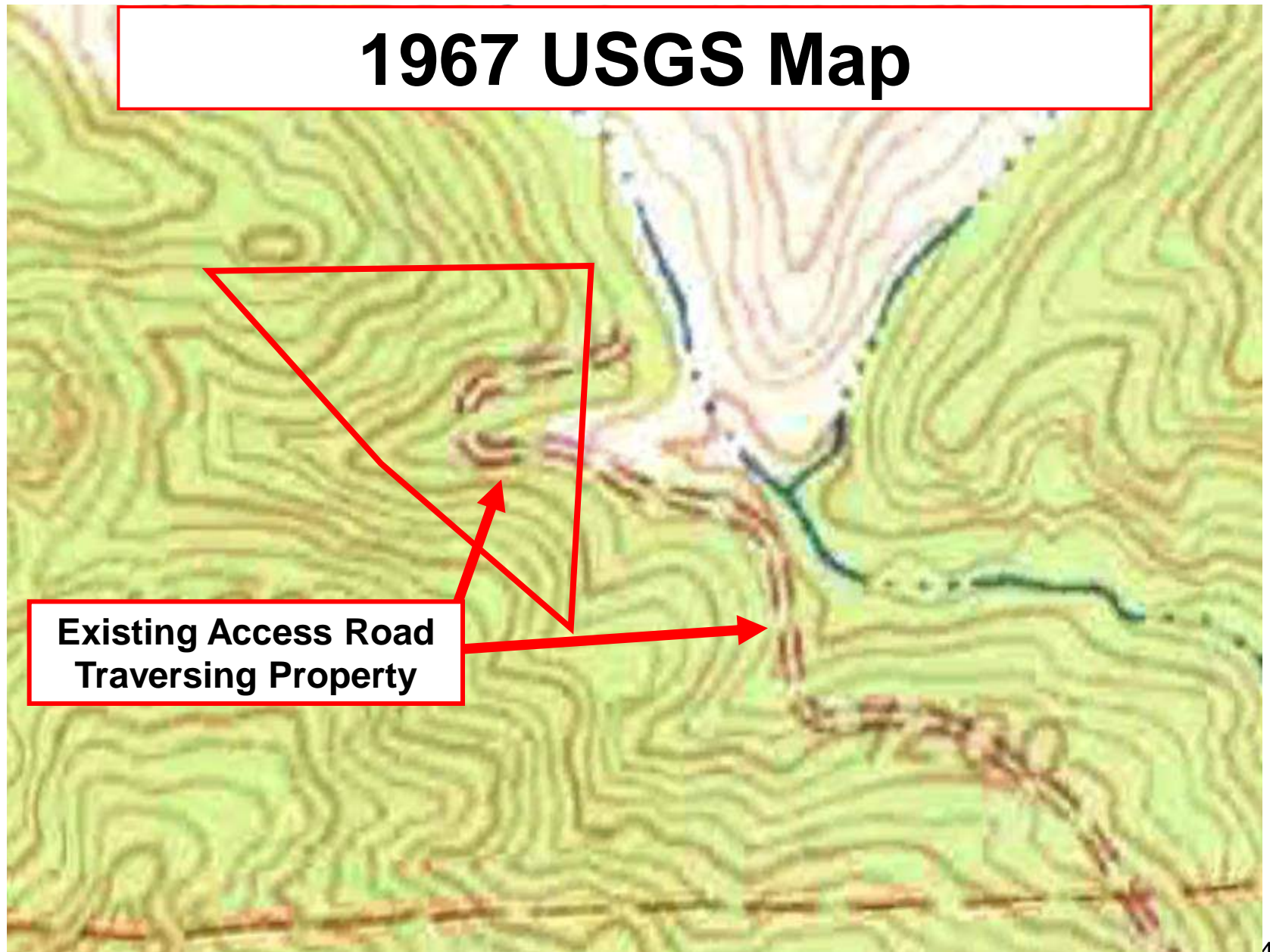


- **Feb. 2014:** Project originally submitted as Plot Plan App (eight months prior to the County's certification of the LCP in Oct of 2014).
- **May 2017:** First ERB Hearing
- **July 2017:** Second ERB Hearing
- **Aug. 2017:** Third ERB Hearing
- **Oct. 17, 2018:** Original RPC Hearing
- **Oct. 16, 2024:** Current RPC Hearing

Subject Property



1967 USGS Map



**Existing Access Road
Traversing Property**

Historical Photograph (1969)

Existing Access Road Pre-Dates the Construction of Kanan Dume Rd.

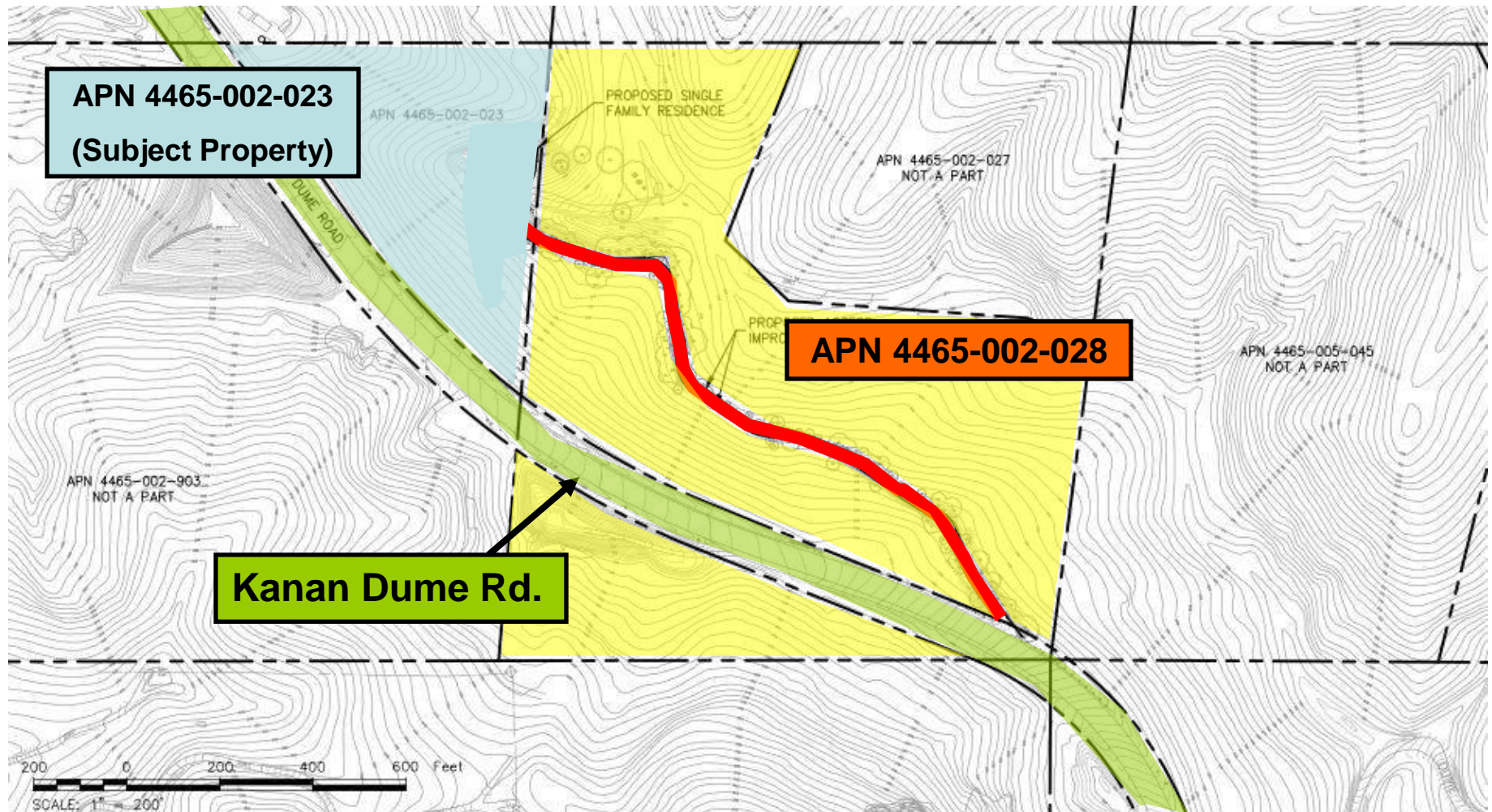
Existing Access Road
Traversing Property



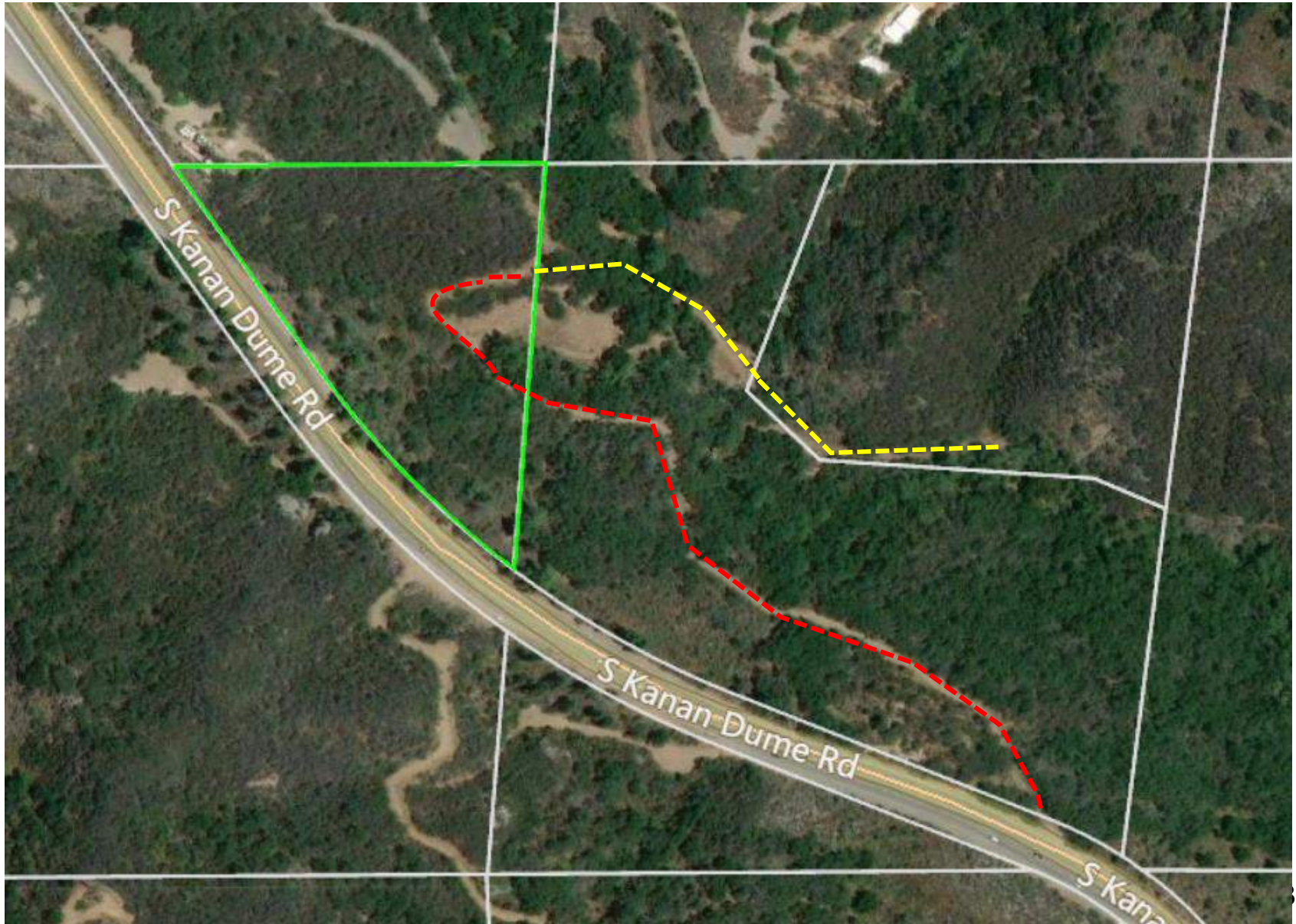
Existing Paved Road

Legal Description & Physical Access

-028 Grant of Road and Utility Easement to -023

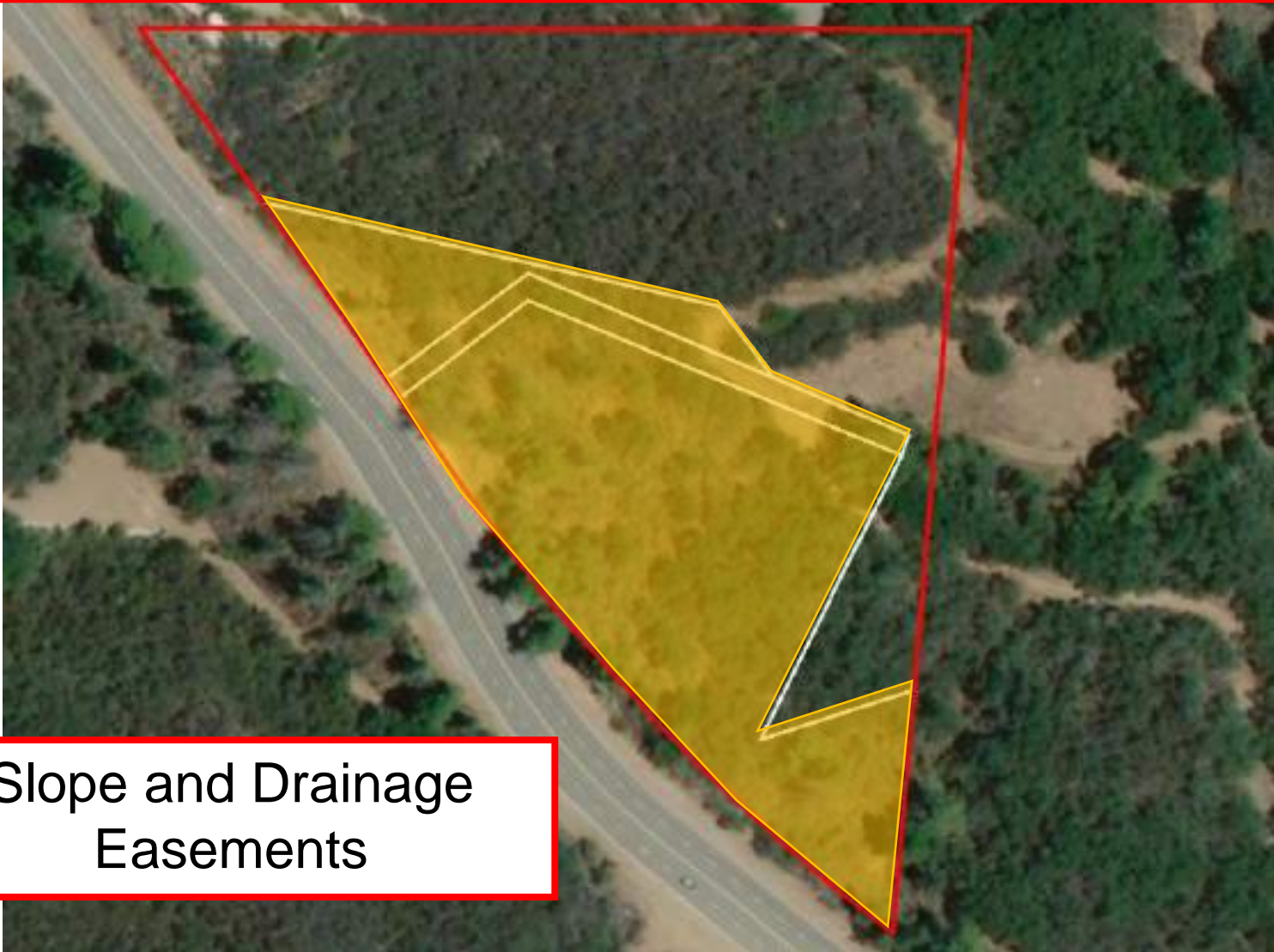


Access Easements to Subject + Adjacent Properties



Access

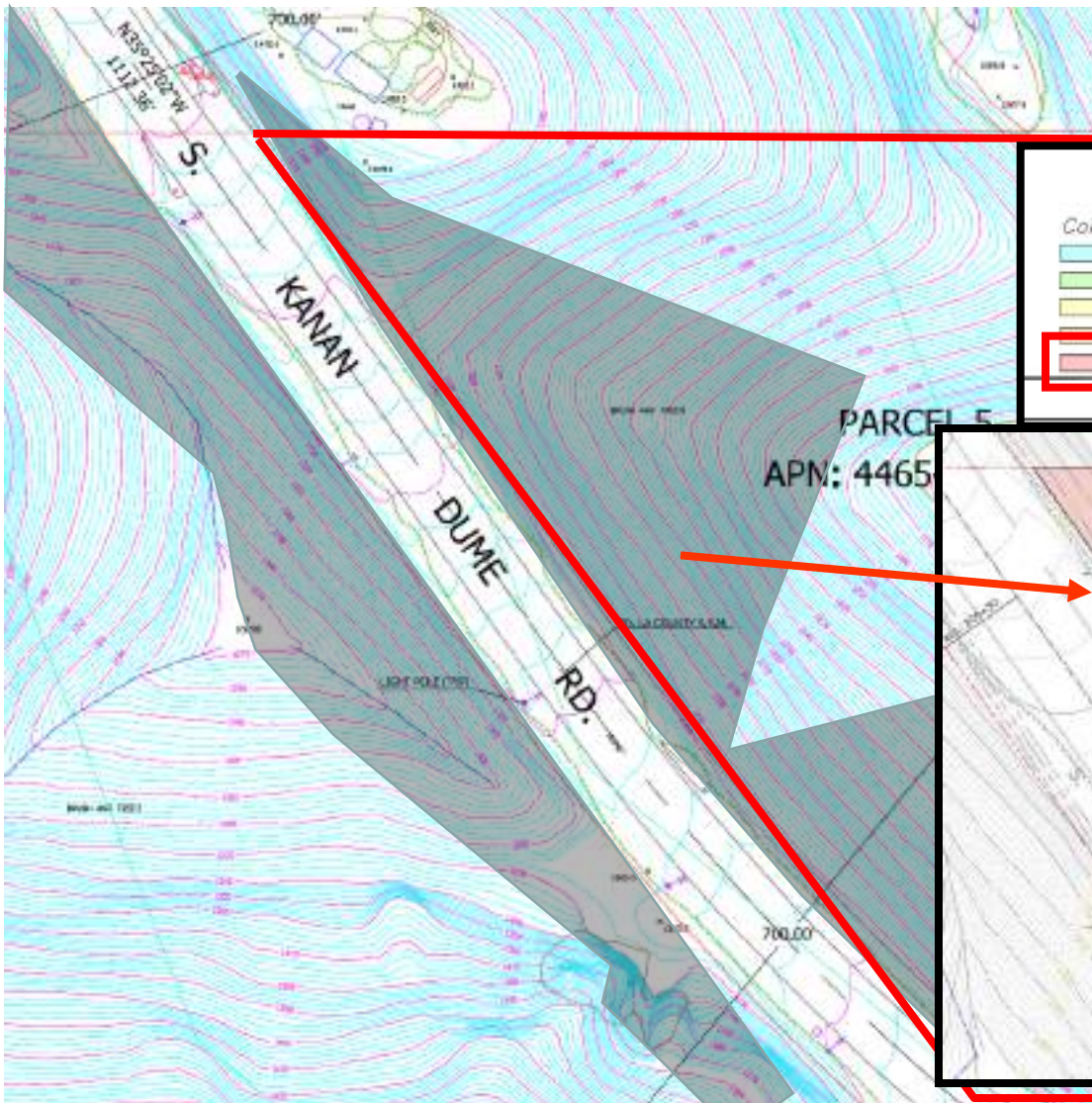
A large area of the northerly portion of the property is comprised of County Right-of-Way (Kanan Rd.) Slope and Drainage Easement.



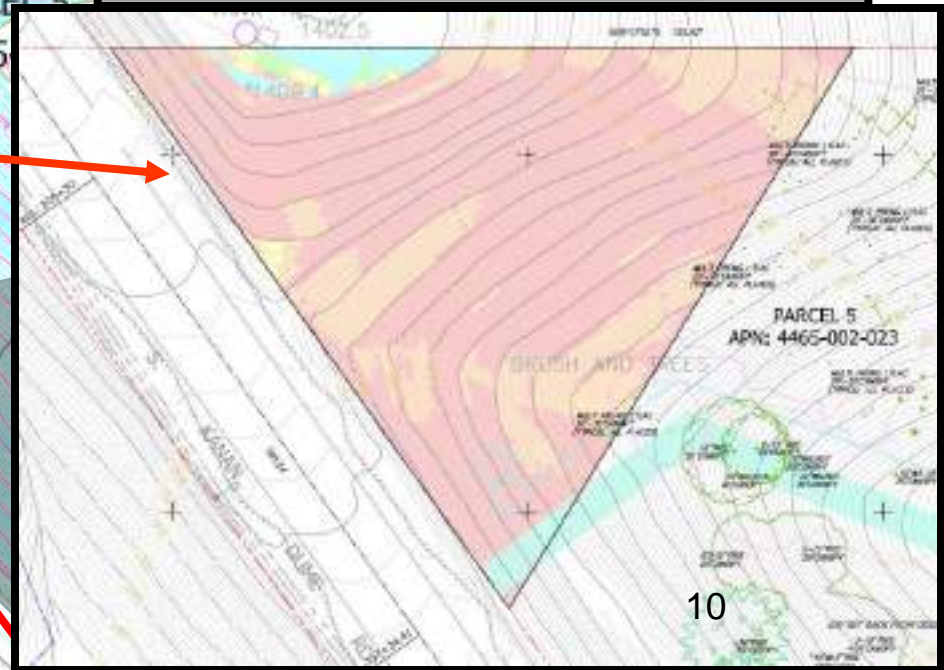
Slope and Drainage
Easements

Access

The slopes along the Northern lot boundary are far too steep (0.5:1 – 1.4:1)



slope ranges portion parcel 5					
Color	Range Beg.	Range End	Percent	Area	
	0.00	TO 14.99 %	2.5	1,635.17	
	15.00 %	TO 24.99 %	0.6	385.66	
	25.00 %	TO 32.99 %	0.9	622.67	
	33.00 %	TO 49.99 %	23.0	15,167.14	
	50.00 %	AND GREATER	73.0	48,279.61	
				66,090.25	





Access Road - Oak Trees

- The existing, partially paved access road is located through Oak Woodlands.
- Encroachments are unavoidable impacts for which mitigation has been proposed by the applicant consistent with the County requirements.



Access Road – 2013 Appeal to LA County FD

May 1, 2013

County of Los Angeles Fire Department
Engineering Section, Fire Prevention Division
Attn: Miles Bonner, Fire Prevention Engineering Assistant II
26600 Agoura Road, Suite 110
Calabasas, CA 92302-1954

Re: Appeal for approval of a 20' wide access road narrowed to 15' in key lengths necessary to avoid impacting Oak trees to the maximum extent feasible. The project is located off Kanan Dume Road in unincorporated Los Angeles County on APN's 4465-002-023 and -028.

Dear Mr. Bonner,

Re: Appeal for approval of a 20' wide access road narrowed to 15' in key lengths necessary to avoid impacting Oaks to the maximum extent feasible.

The following state and local statutes require protection of the onsite oak woodland to the maximum extent feasible.

California Environmental Quality Act

¹ See Attached EXHIBIT#1: Map of onsite vegetation communities provided by project Biologist depicting property boundaries and location of Oak Woodlands.

² See attached EXHIBIT#2: Photos of existing road and dense oak woodland lining the easterly and westerly sides of the road.

Access Road – 2013 Appeal to LA County FD

May 1, 2013

County of Los Angeles Fire Department
Engineering Section, Fire Prevention Division
Attn: Miles Bonner, Fire Prevention Engineering Assistant II
26600 Agoura Road, Suite 110

The applicant's appeal was initially denied as FD mandated driveway width be improved to a min. of 20'.

road plans as submitted.

The subject property is significantly constrained by steeply sloping topography and expansive oak woodlands¹ designated as a significant ecological resource by Los Angeles County and the State of California pursuant to the California Coastal Act and the California Environmental Quality Act (CEQA). The only suitable path for an access road leading to our client's property is along the existing dirt access road traversing the property designated as 4465-002-028 (Parcel 2-Easement Parcel). As shown in the enclosed proposed access road plans, the existing road is densely lined by oak trees² whose trunks and root structures are located within extremely close proximity to the edge of the existing access road. For that reason, the proposed access road plans have been designed to provide a balance between preserving the onsite oak trees and meeting the intent and spirit of the fire code in regards to providing safe and efficient emergency services access.

The following state and local statutes require protection of the onsite oak woodland to the maximum extent feasible.

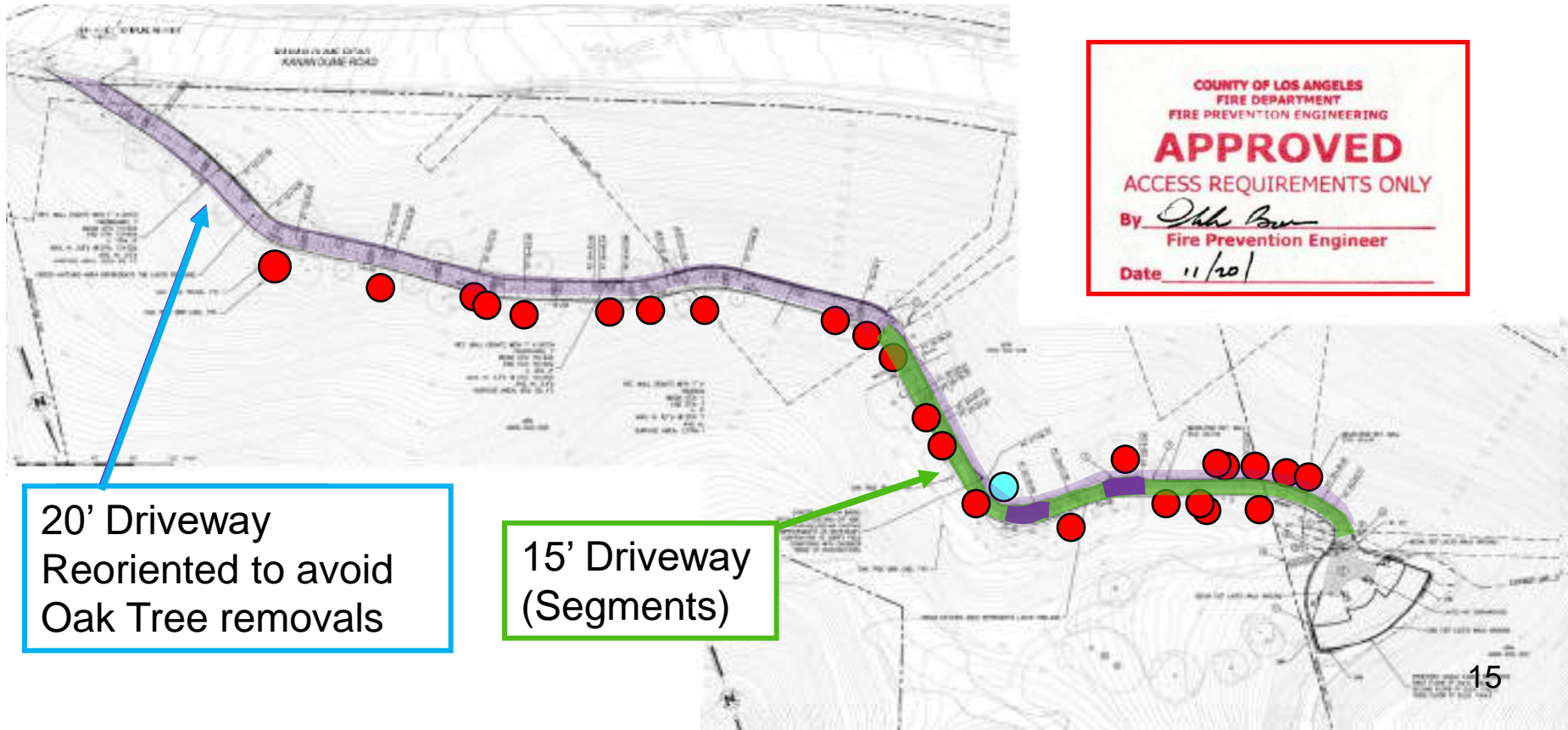
California Environmental Quality Act

¹ See Attached EXHIBIT#1: Map of onsite vegetation communities provided by project Biologist depicting property boundaries and location of Oak Woodlands.

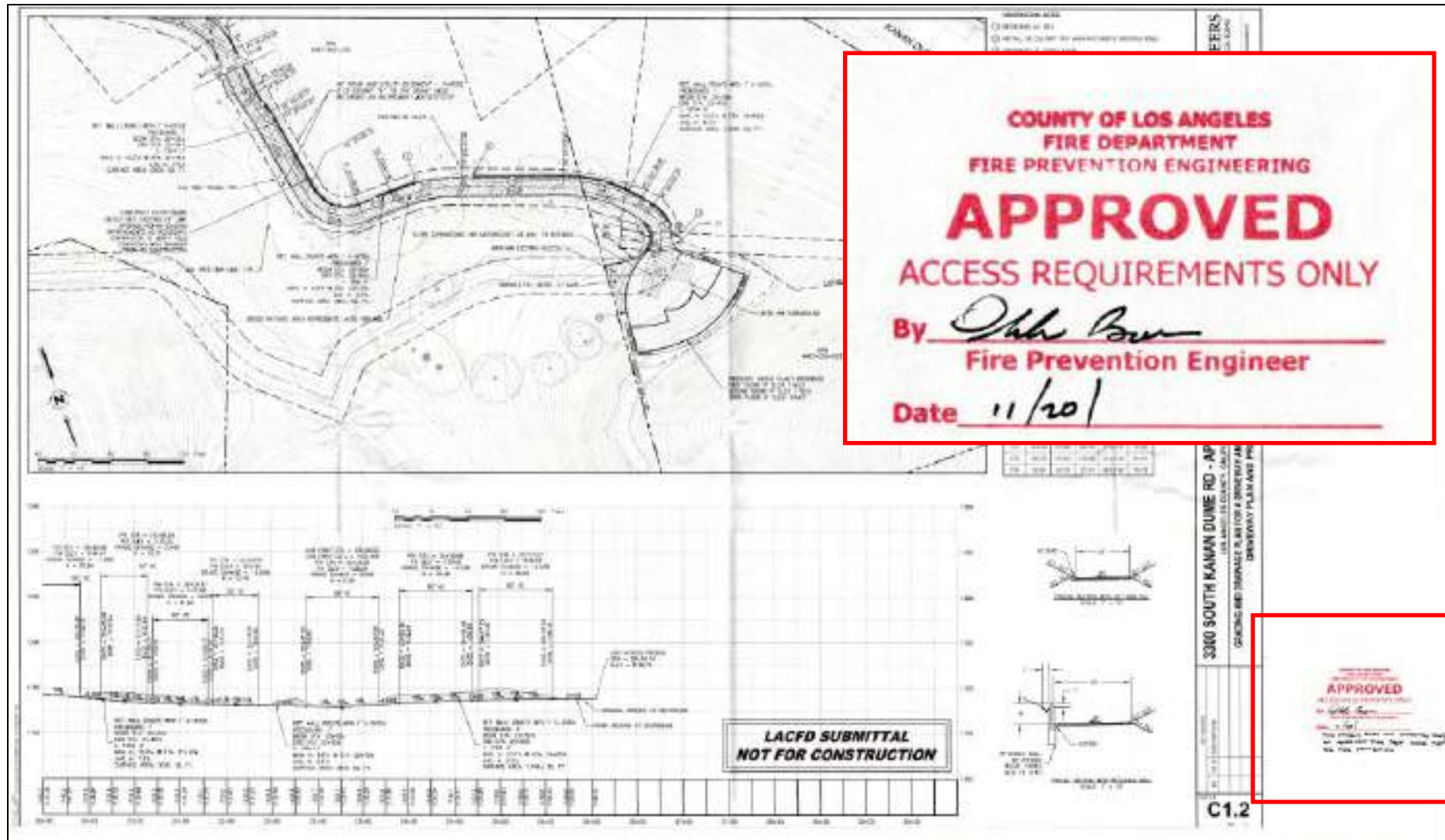
² See attached EXHIBIT#2: Photos of existing road and dense oak woodland lining the easterly and westerly sides of the road.

Access Road – 2013 Appeal to LA County FD

The current design only calls for one (1) removal



Access – FD AIC Obtained Nov. 20, 2013



Oak Tree Mitigation



Oak Trees

**The project will allow for
the retention of 99.9% (191)
of the Oak trees on site**

Source: Oak Tree Report prepared by Lisa Smith (Registered Arborist) on April 3,¹⁸ 2017

Oak Trees - Access Road

...to result in adverse impacts to native habitats. Some oak trees may require minor trimming to achieve the vertical clearance required by the Fire Department. Provided this work is conducted in accordance with the county's Oak Protection policies and completed outside of the breeding bird season, **no adverse impact is expected to these oak trees.**

Biological Analysis, Pg. 15

Oak Tree Mitigation

PROJECT ENCROACHMENTS AND MITIGATION

Table 1: Native Tree Mitigation Guidelines

Impact	Mitigation Ratio (no. of replacement trees required for every 1	
TABLE 2. SUMMARY OF OAK TREE ENCROACHMENTS AND MITIGATION TREES		
	# of Trees	Trees to be Planted in Mitigation
GREATER THAN 30% ENCROACHMENT	14	140
10 - 30% ENCROACHMENT	73	365
LESS THAN 10% ENCROACHMENT	103	0
TREE FOR REMOVAL	1	10
DEAD TREE FOR REMOVAL	1	0
TOTAL MITIGATION TREES	515	
within 3 ft. of tree trunk		

Source: Oak Tree Report prepared by Lisa Smith (Registered Arborist) on April 3, 2017²⁰

Post-Woolsey Fire Tree Analysis



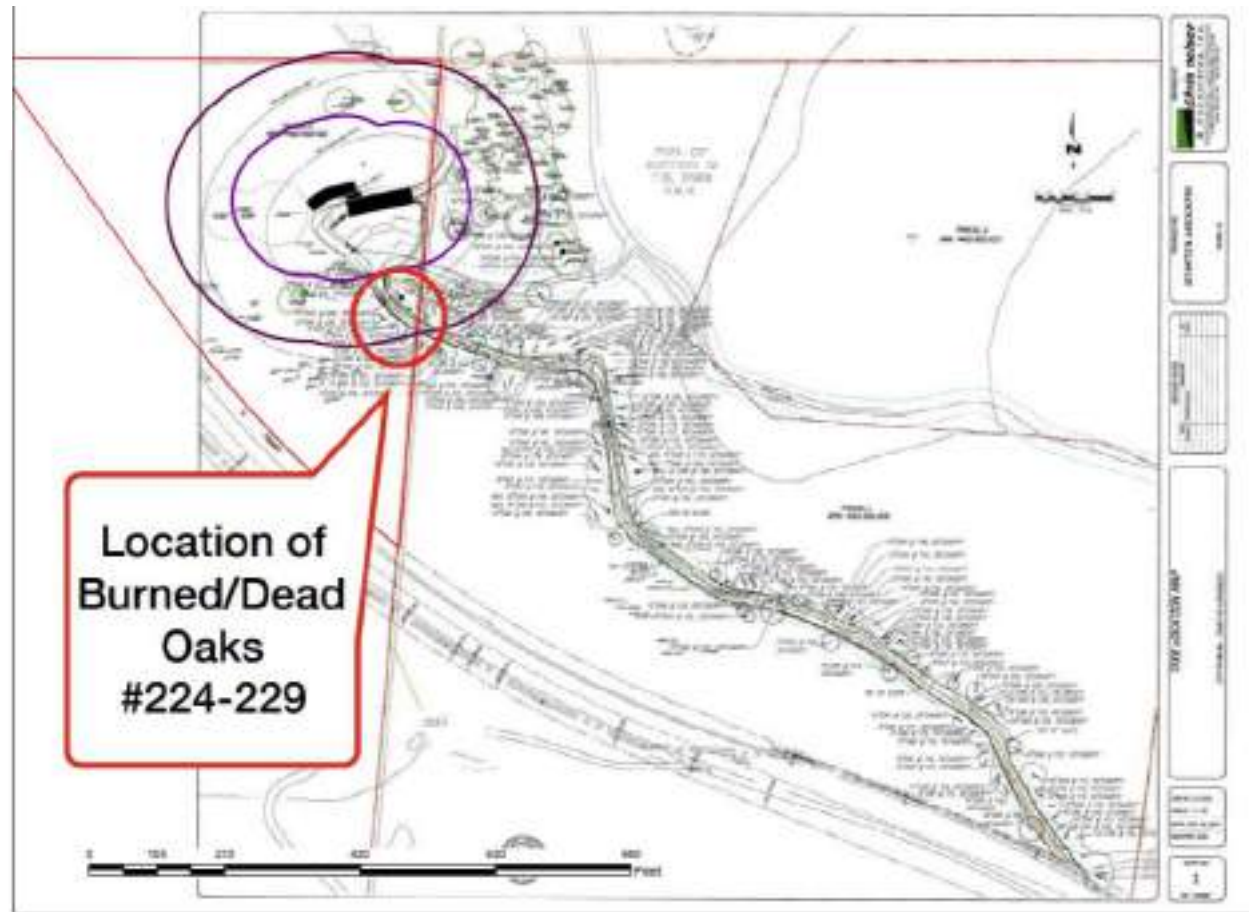
PROTECTED TREE REPORT

PREPARED FOR

Ramirez Canyon Park, LLC

PROPERTY

3300 Kanon Dume Rd.
Malibu, CA 90265



Post-Woolsey Fire Tree Analysis

TECHNICAL MEMORANDUM

To: Susan and Greg Kay
2640 Benedict Canyon Road
Beverly Hills, California 90210

From: Jackie Worden, Natural Resources Project Manager, Senior Biologist

Date: August 27, 2019

RE: 3300 Kanan Dume Road, Malibu, California (APN 4465-002-023): Post-fire Biological Resource Update (SWCA Project No. 49254)

Ceanothus Chaparral Alliance

Many of these shrubs appear to be completely dead, with little or nothing remaining. Dead shrubs likely include those noted in the 2017 biological assessment as very mature or senescent.

Coast Live Oak-Sycamore Forest Alliance

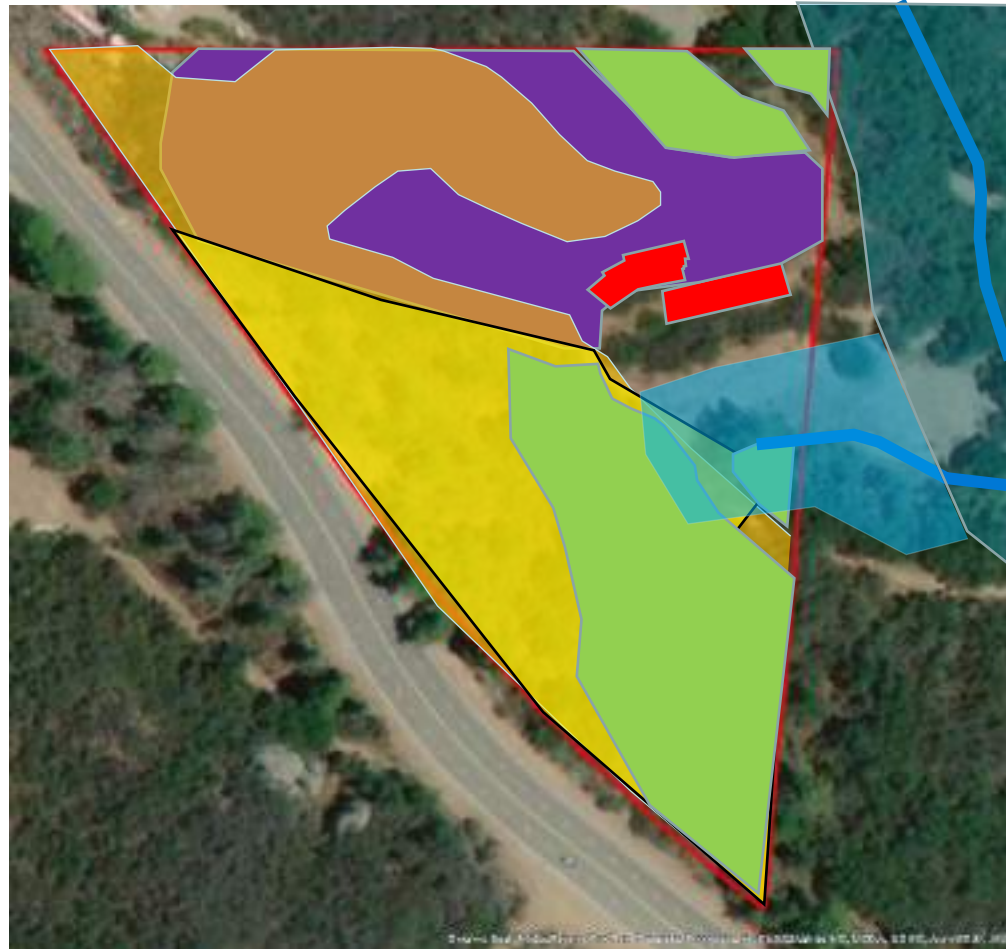
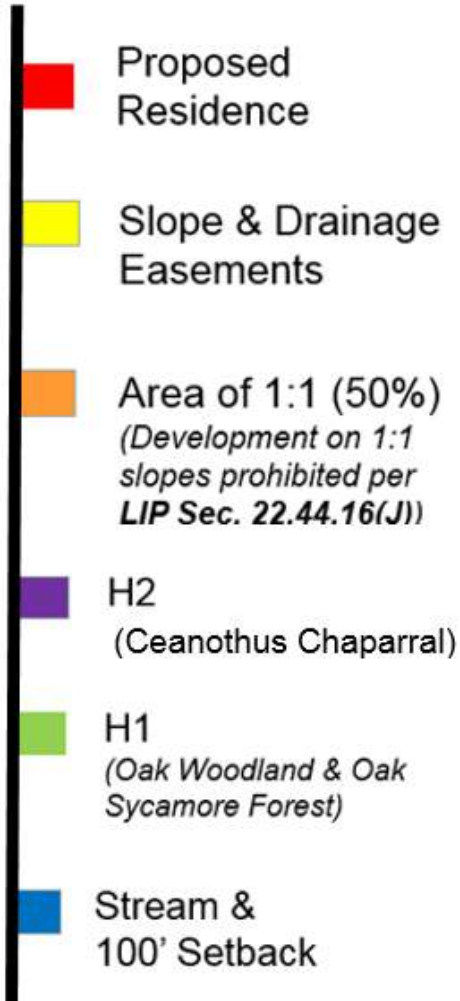
The oak and western sycamore (*Platanus racemosa*) trees in this association were burned and some appear to be dead.

Site Constraints & Planning Considerations

"The design of the structure does not conform to the topography of the Project Site..."

-RPC Hearing Package

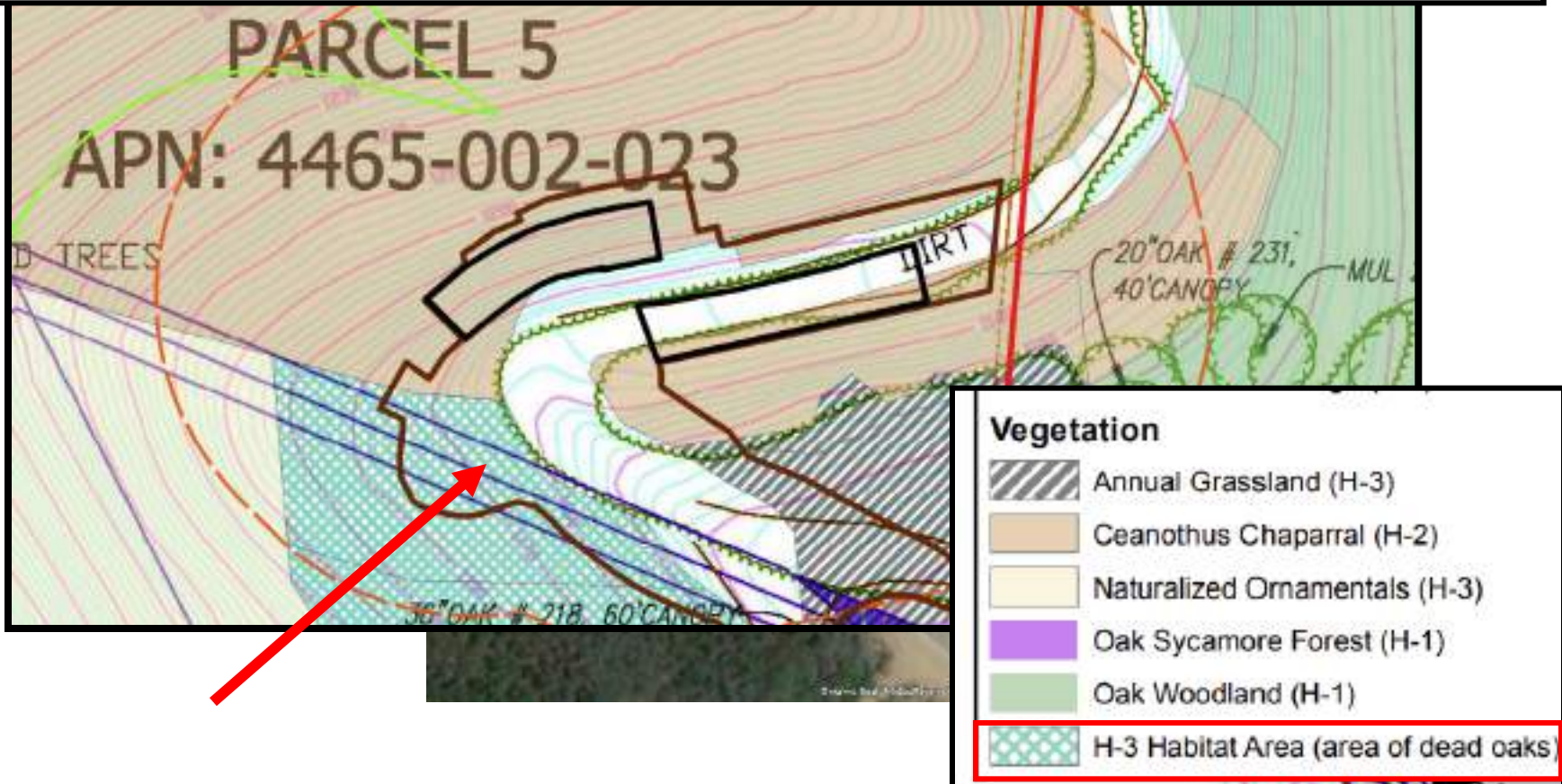
Site Constraints & Planning Considerations



Site Constraints & Planning Considerations

the development of the motor court unnecessarily impacts H1 and H2 Habitat and the Project is not protective of H1 and H2 Habitat areas.

-RPC Report



Project Iterations

#1 – Original Design

9,278 sq. ft. SFR

#2

9,278 sq. ft. SFR

#3

9,278 sq. ft. SFR

#4

7,600 sq. ft. SFR

Current Iteration

6,442 sq. ft. SFR

Project Iterations

#1 – Original Design



#2



“No matter what you do with this site and this set of facts, it’s not going to avoid H1 impacts.....you have gotten a lot of credit for putting the house where it should be.”

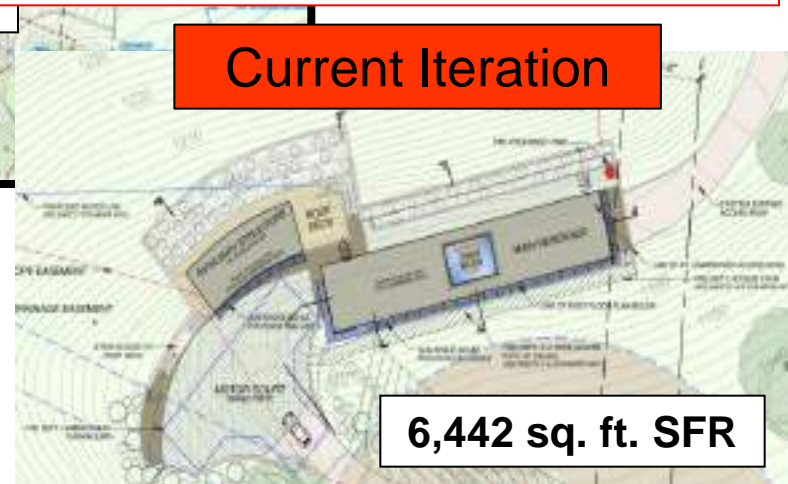
– Travis Longcore, August 2017 ERB Hearing

9,278 sq. ft. SFR



Current Iteration

6,442 sq. ft. SFR



Visual Resources

Proposed SFR is sited at the bottom of a steep canyon well below Kanan Dume Rd. and will **NOT** be visible from any scenic highway, scenic area or from any nearby trails.



Proposed SFR
approx. 370' down slope



Proposed SFR
approx. 370' down slope



Proposed SFR
approx. 370' down slope



SFR NOT VISIBLE

Looking East on Kanan





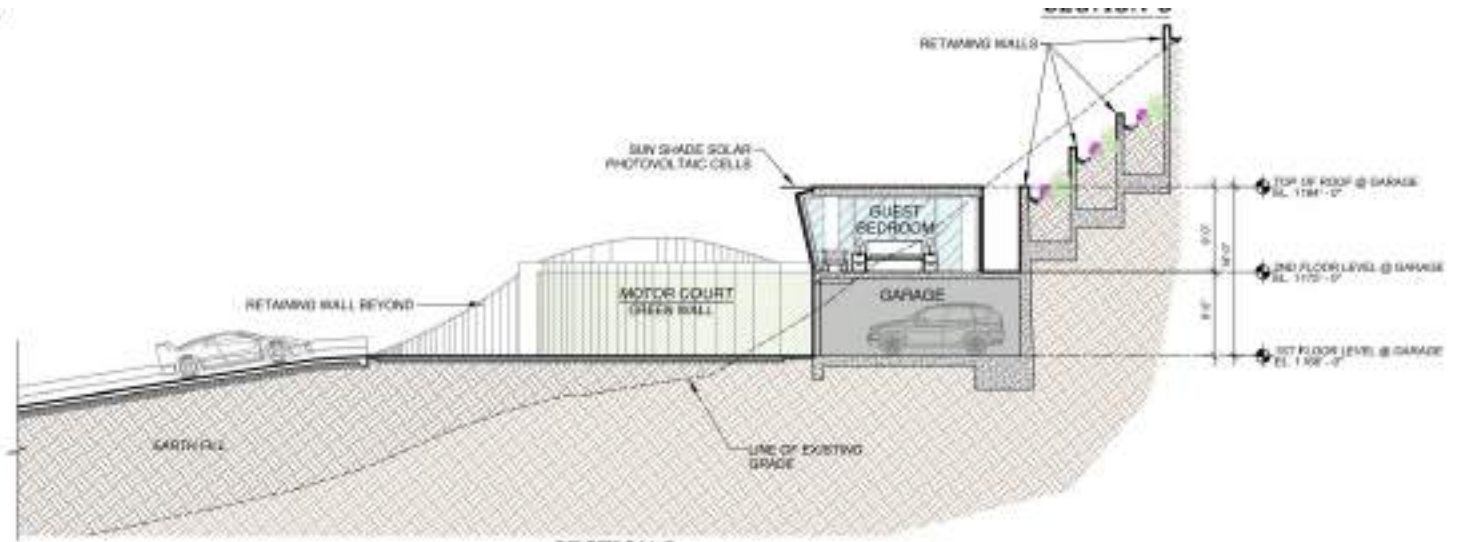
Story Poles Erected for Originally Proposed 35' SFR
SFR now proposed at 18'



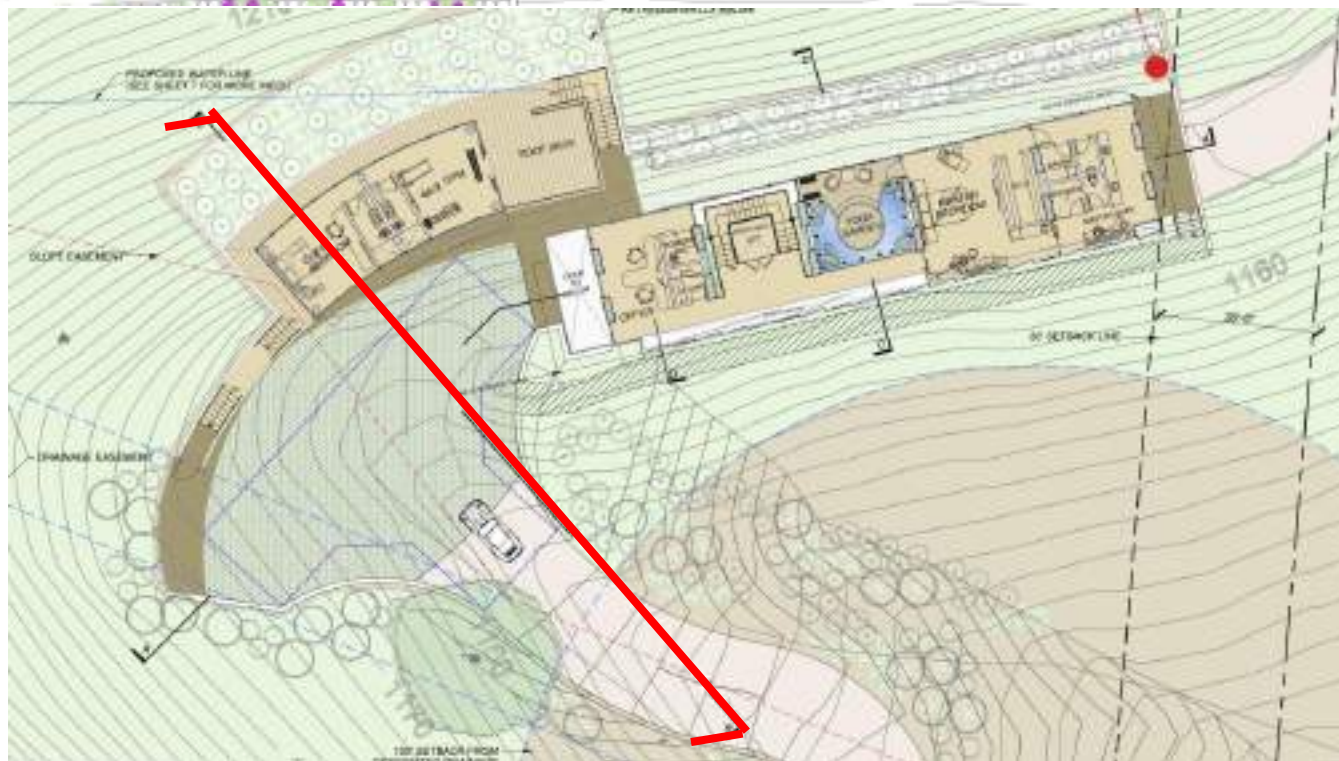
Visual Resources

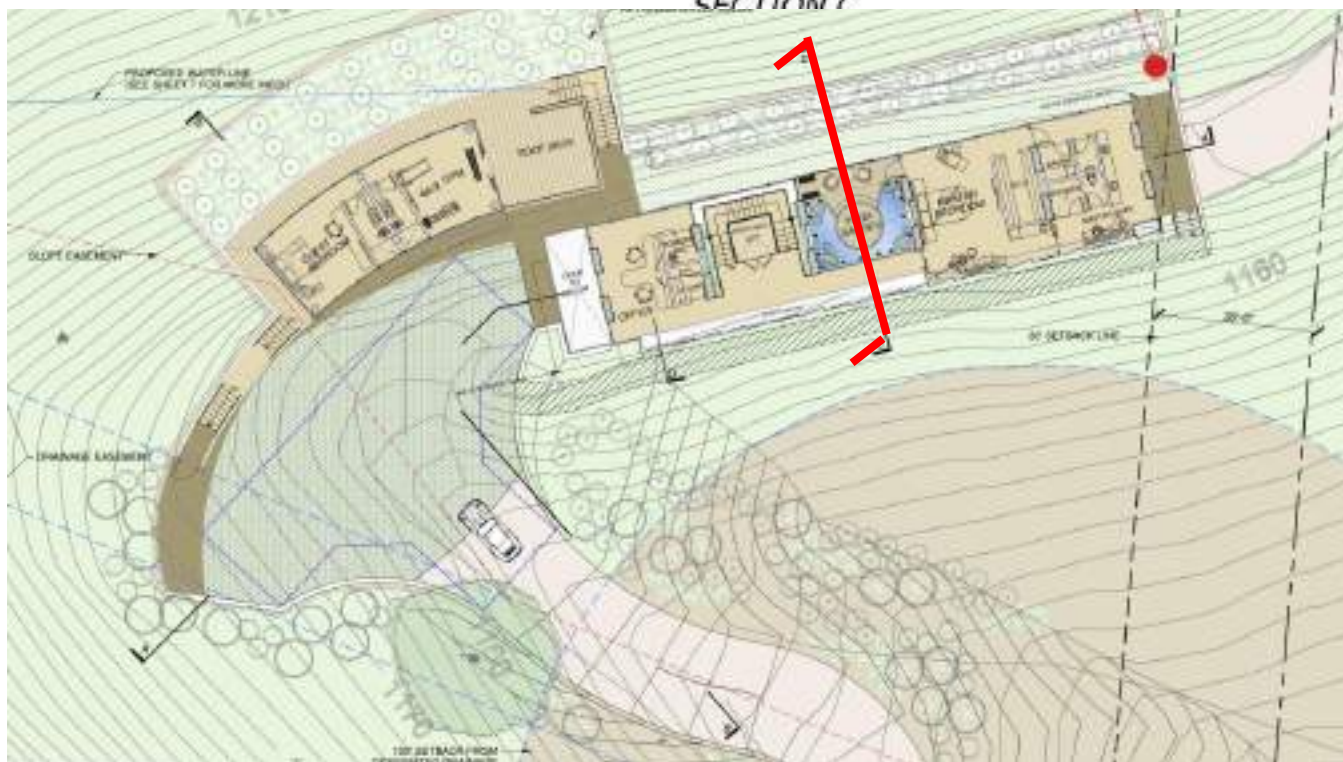
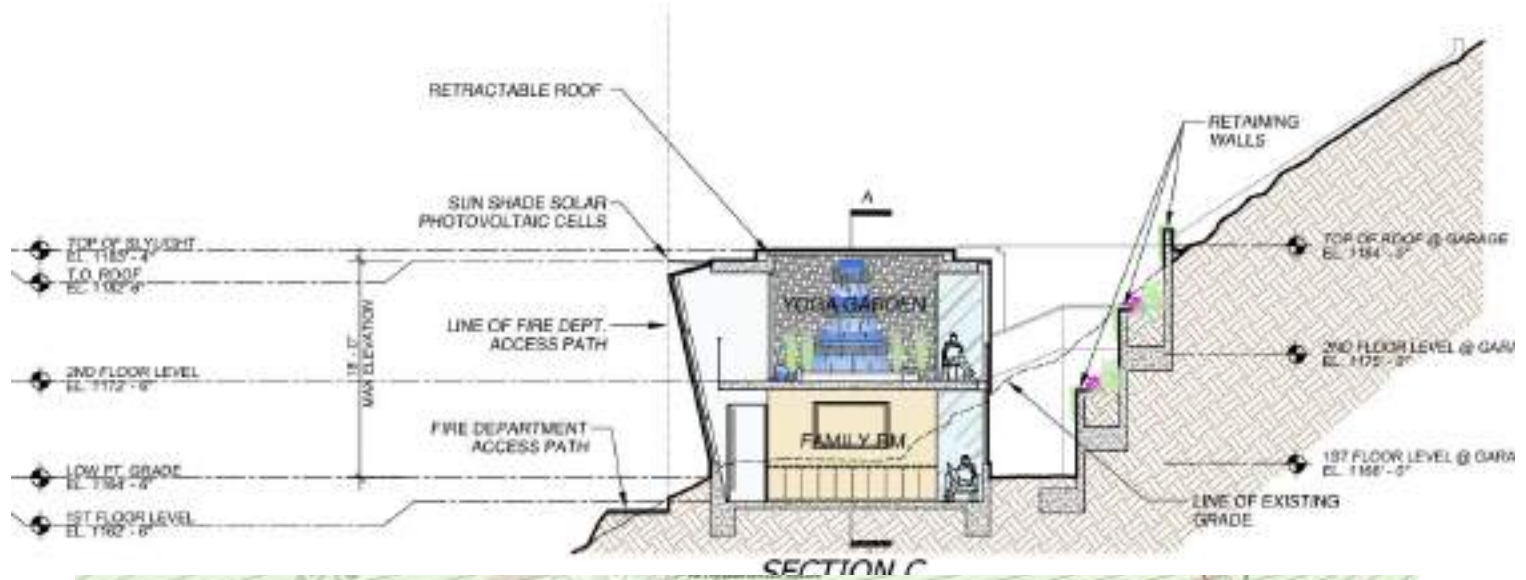
The driveway is located down slope from Kanan Dume Road; therefore, driveway/grading will **NOT** be visible from any scenic highway, viewing area, or trails.





SECTION B





Subject Property

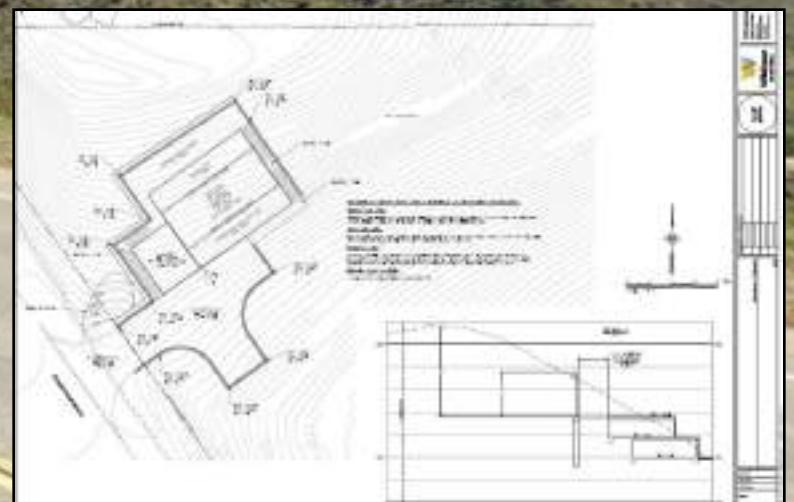
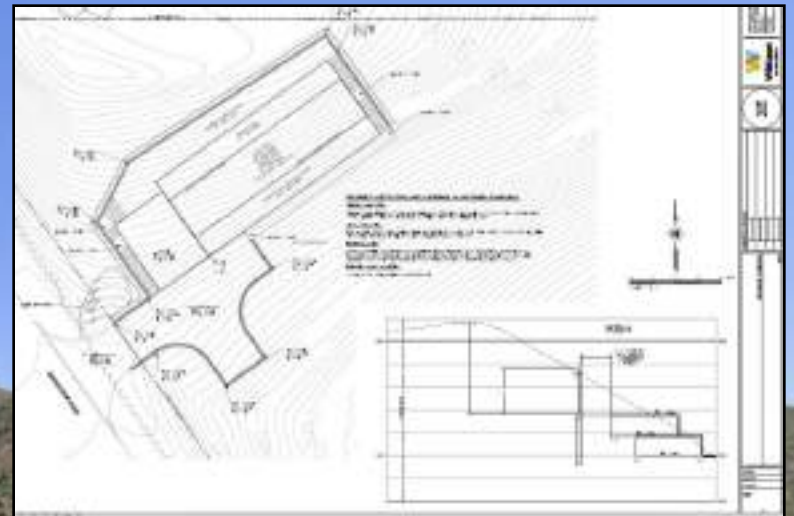


SFR at County-Suggested Location



Looking North on Kanan

SFR at County-Suggested Location



Looking North on Kanan

SFR at County-Suggested Location

ALTERNATIVE BUILDING SITE

	5,535 Sq. Ft. Residence	3,000 Sq. Ft. Residence
Fair Market Value	\$5,260,000.00	\$2,250,000.00
Estimated Construction Cost	\$10,301,115.22	\$4,445,763.15
Difference	(\$5,041,115.22)	(\$2,195,763.15)

Looking North on Kanan

Proposed VS. DRP-Suggested Location

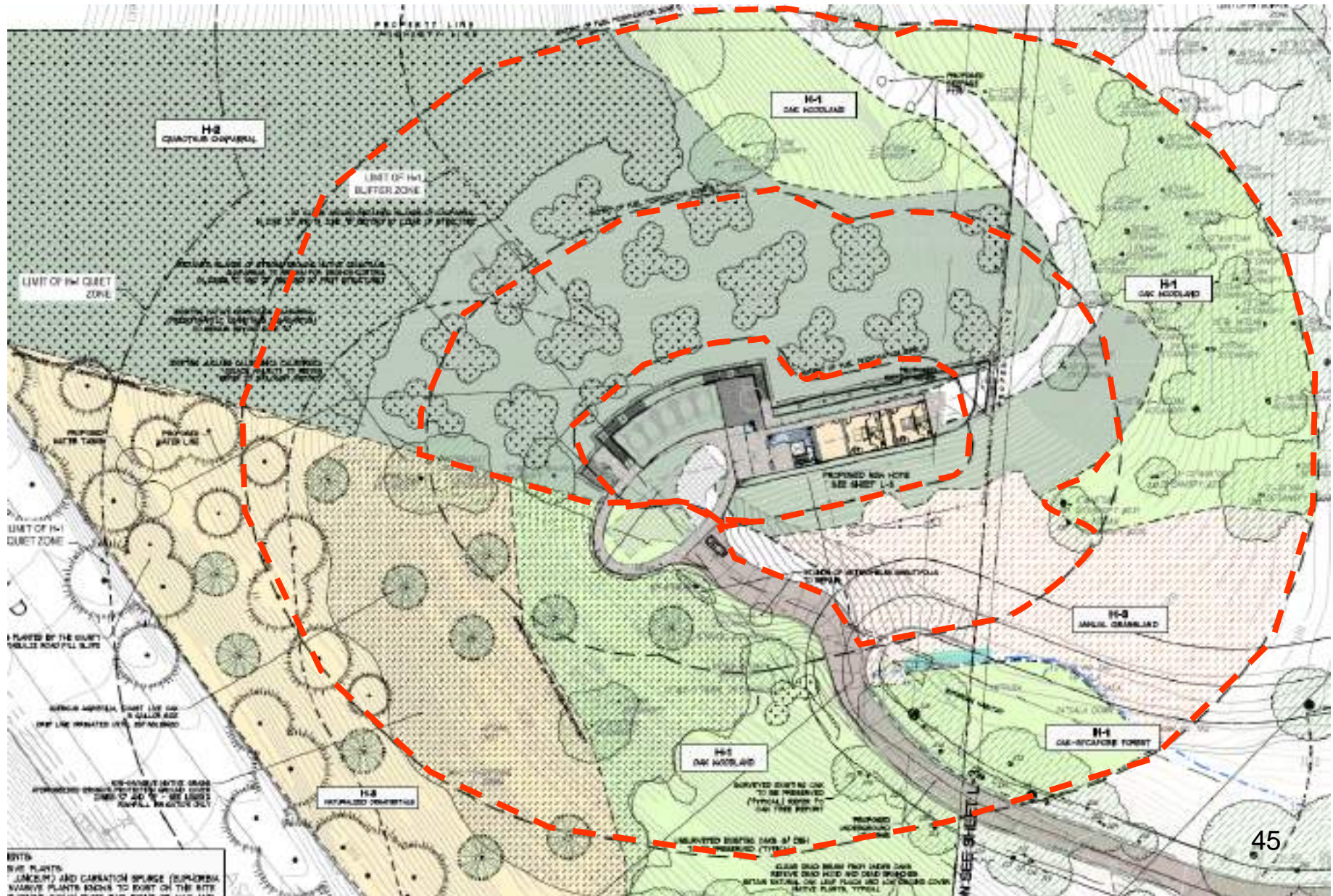


Fuel Modification



Minimal fuels under the coast live oak stands at the proposed site on Kanan Dume Road in the Santa Monica Mountains of Los Angeles County, California. Photo: C.A. Dicus

Fuel Modification Zones



Fuel Modification Zones

LIP Section 22.44.1810 Description of Habitat Categories.

E. The areas occupied by existing, legally established structures, agricultural uses, and confined animal facilities do not meet the criteria of the H1 or H2 Habitat categories. Additionally, the fuel modification areas required by the County Fire Department for existing, lawfully established structures do not meet the criteria of the H1 or H2 habitat categories, with the exception of the areas subject to the minimal fuel modification measures that are required in riparian or woodland habitats (e.g., removal of deadwood). In the latter areas, the habitat maintains its biological significance, rarity, and sensitivity and shall be accorded all the protection provided for the H1 habitat category in the LCP.

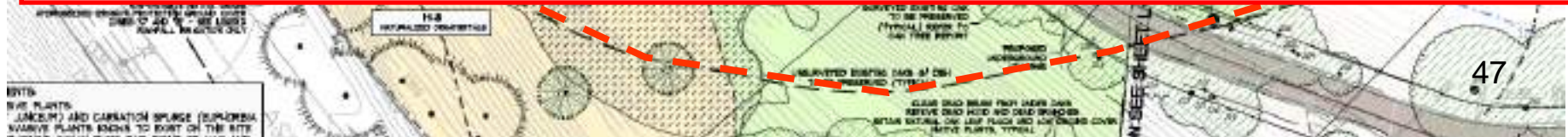
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Fuel Modification Zones

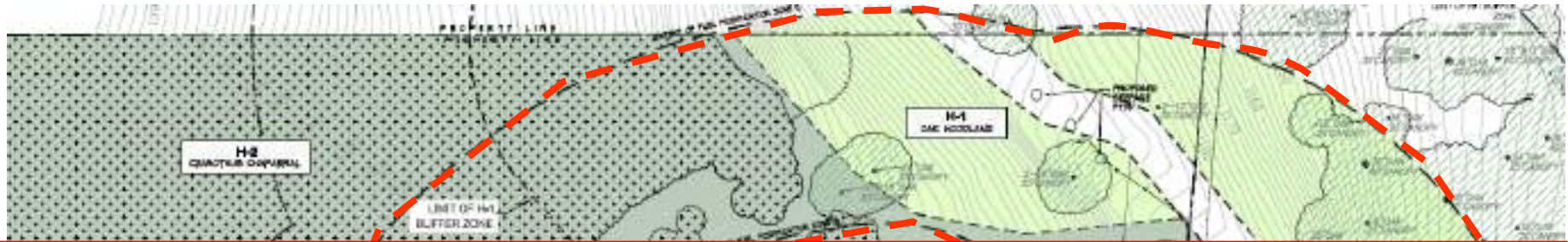


“Fuel modification of understory is not counted as encroachment of oak woodland....”

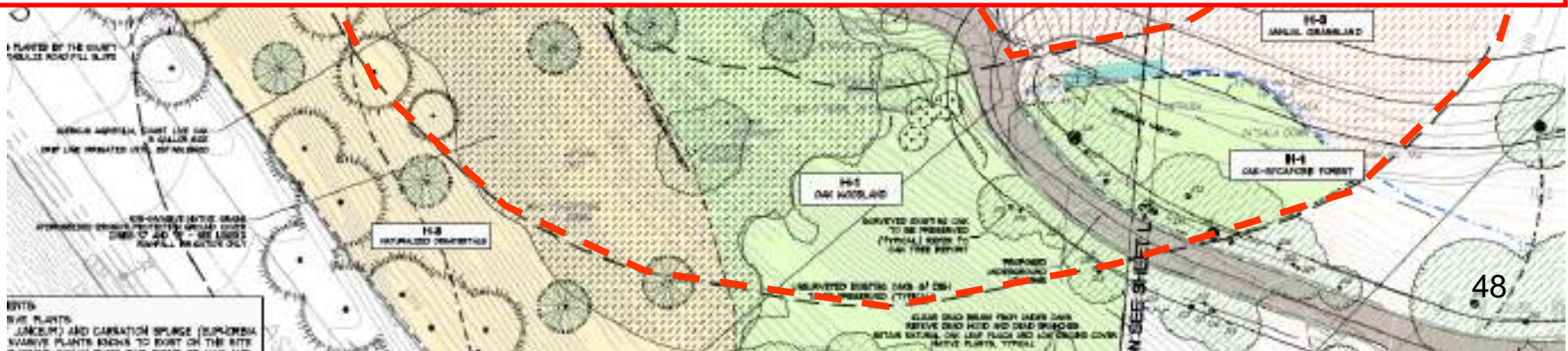
Source: Shanna Farley-Judkins, Regional Planning Assistant II, Coastal Permits Section Regional Planning; March 28, 2017



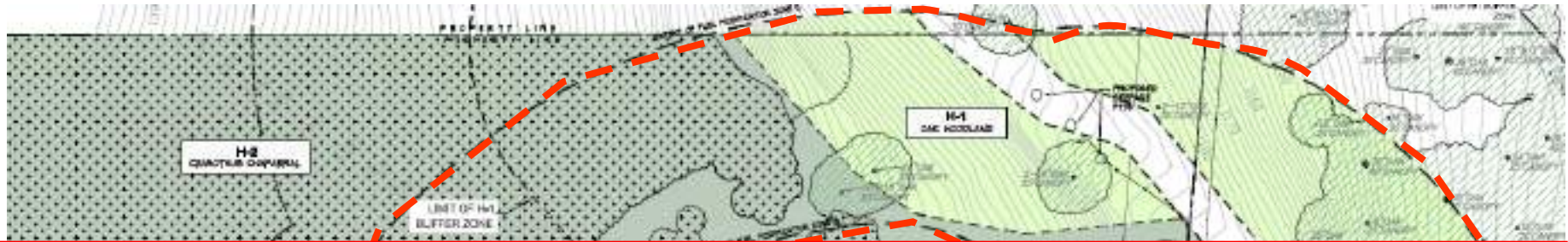
Fuel Modification Zones



- “...You will never get to a point where you avoid H1 with the defensible space line.”
 - “Impacts to H1 are unavoidable.”
 - “...project has taken all suggestions possible...”
- ERB comments from August 2017 ERB Hearing

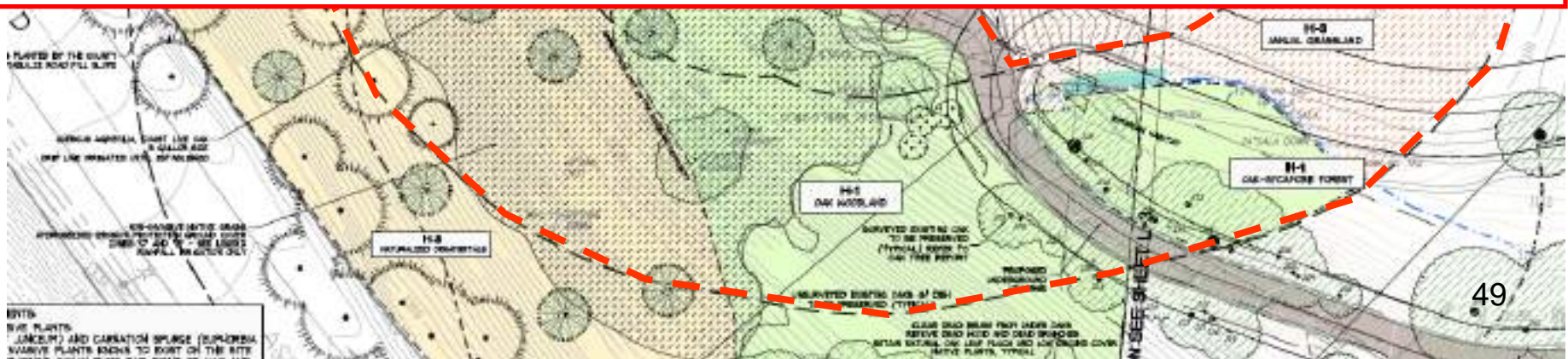


Fuel Modification Zones



“No matter what you do with this site and this set of facts, it’s not going to avoid H1 impacts.....you have gotten a lot of credit for putting the house where it should be.”

– Travis Longcore, August 2017 ERB Hearing

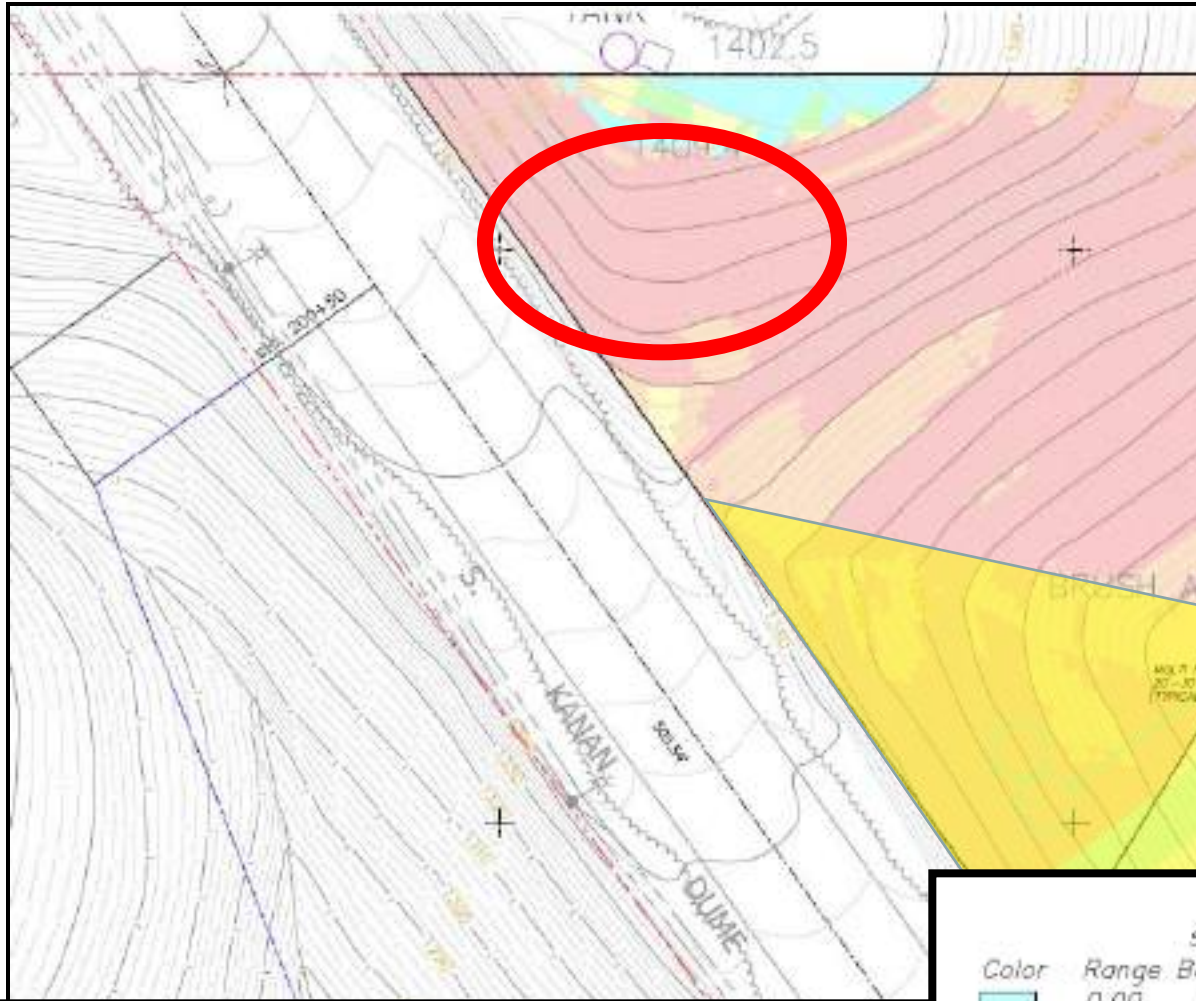


Existing 100' FM from neighboring "structure"

Required 200' FM from DRP-Suggested Location



DRP Suggested Location








“The extreme steepness of the slope at the Alternative House Location is a significant issue due to the high propensity for erosion, sedimentation and landslide that construction could precipitate.”

SWCA's 8/6/18 Bio Analysis of Alternative House Location

DRP-Suggest Location

Approx. area of County Slope Easement

slope ranges portion parcel 5					
Color	Range	Beg.	Range End	Percent	Area
	0.00	TO	14.99 %	2.5	1,635.17
	15.00 %	TO	24.99 %	0.6	385.66
	25.00 %	TO	32.99 %	0.9	622.67
	33.00 %	TO	49.99 %	23.0	15,167.14
	50.00 %	AND GREATER		73.0	48,279.61
					66,090.25



Coastal Commission's Adopted Findings Allowing Fuel Modification in H1 Habitat

Coastal Commission's Adopted Findings Allowing Fuel Modification in H1 Habitat

CDP Application Numbers:

4-13-1397, 4-14-0100, 4-14-0201, 4-14-0202, 4-14-0621

Project Locations:

3215, 3217, 3221, 3219 Serra Road & 3240 Cross Creek Rd.

Project Description:

5 new SFRs ranging from 4,283 sq. ft. to 8,894 sq. ft. in size, and associated development on five adjoining lots.



Coastal Commission's Adopted Findings Allowing Fuel Modification in H1 Habitat

On February 18, 2015, the CCC approved five CDPs for five new single-family homes ranging from 4,283 sq. ft. to 8,894 sq. ft. in size, including associated development on five adjoining lots.

Excerpts from January 29, 2015 Staff Report:



“...although the proposed residences will be located in an area designated as H3, fuel modification will adversely impact the surrounding H1, H2, and H2-High Scrutiny habitat, as such, consistent with the Santa Monica Mountains LCP, the Commission has required habitat impact mitigation.”

-Pg. 3

will be addressed in one staff report. The project descriptions for each separate application are provided below.

CDP Application 4-13-1397 (Eucalyptus Ranch, LP) (APN 4457-083-023)

The applicant is proposing to construct a 28'9" high (as measured from finished grade), two-level with basement, 7,485 sq. ft. single family residence on an approximately 7.6 acre lot, with a detached 748 sq. ft. garage and 548 sq. ft. guest house. The proposed development also includes a swimming pool and spa, onsite waste water treatment system, and 18,000 gallon belowground water tank. In total, the proposed project requires 960 cu. yds. grading (820 cu. yds. cut, 140 cu. yds. fill), and retaining walls.

Excerpts from January 29, 2015 Staff Report:



“The construction of residential development, including vegetation removal for both the development area as well as required fuel modification, grading, construction of a residence and accessory structures, and the use of the development by residents will result in unavoidable loss of ESHA.”

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propose 6,046 cu. yds. of grading (3,682 cu. yds. cut and 2,364 cu. yds. fill) for the five residences and associated development. Due to the related nature of the five coastal development permit (“CDP”) applications, all of the proposed development will be addressed in one staff report. The project descriptions for each separate application are provided below.

CDP Application 4-13-1397 (Eucalyptus Ranch, LP) (APN 4457-083-023)

The applicant is proposing to construct a 28’9” high (as measured from finished grade), two-level with basement, 7,485 sq. ft. single family residence on an approximately 7.6 acre lot, with a detached 748 sq. ft. garage and 548 sq. ft. guest house. The proposed development also includes a swimming pool and spa, onsite waste water treatment system, and 18,000 gallon belowground water tank. In total, the proposed project requires 960 cu. yds. grading (820 cu. yds. cut, 140 cu. yds. fill), and retaining walls.

Conclusion: Coastal's construction of the LCP governs the County's construction of that document.

STATE OF CALIFORNIA - NATURAL RESOURCES AGENCY CALIFORNIA COASTAL COMMISSION SOUTHERN COAST AREA 100 SOUTH CALIFORNIA AVE., SUITE 200 VICTORIA, CA 95891 (916) 564-0000	THOMAS S. REEDER JR., Chairman Th22c-g Filed: 4-13-1397, 4-14-0100, 4-14-0202, 4-14-0621: 10/9/14 4-14-0201: 9/16/14 180th Day: 4-13-1397, 4-14-0100, 4-14-0202, 4-14-0621: 4/7/15 4-14-0201: 3/15/15 Staff: J. Blaugrund Staff Report: 1/20/15 Hearing Date: 2/12/15
STAFF REPORT: REGULAR CALENDAR	

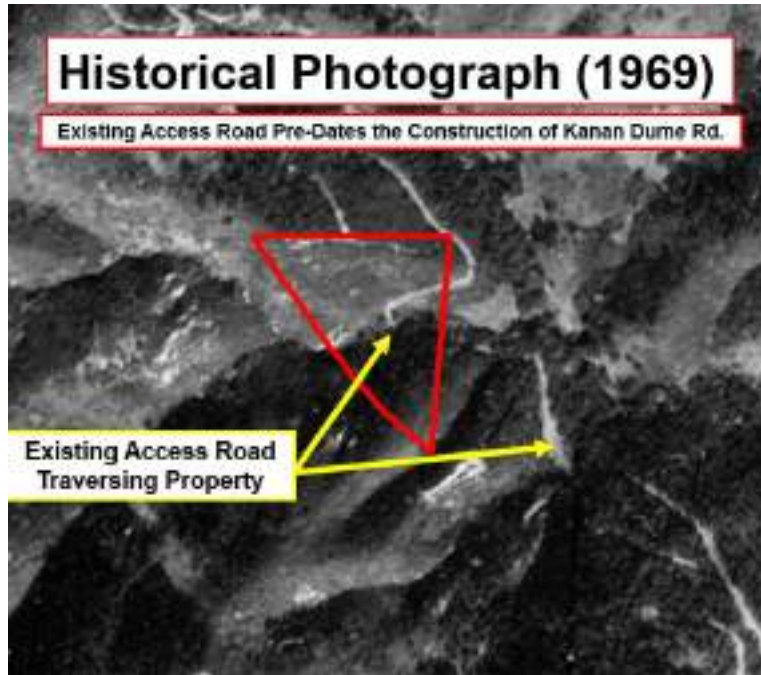
STATE OF CALIFORNIA - NATURAL RESOURCES AGENCY CALIFORNIA COASTAL COMMISSION SOUTHERN COAST AREA 100 SOUTH CALIFORNIA AVE., SUITE 200 VICTORIA, CA 95891 (916) 564-0000	THOMAS S. REEDER JR., Chairman Th17a through f 4-10-040, 4-10-041, 4-10-042, 4-10-044: Original Commission action (denial): 6/16/11 Current/revised versions (after stipulated demand): filed: 8/27/14 4-14-0598, 4-14-1094: Filed 8/27/14 180 th day for all: N/A Staff: J. Phelps Staff Report: 11/24/15 Hearing Date: 12/10/15
STAFF REPORT: REGULAR CALENDAR	

The clear precedent is that in applying the LCP, the Coastal Commission has approved development on property located outside of H1, that would result in fuel modification within H1, and adopted findings that the Fuel Modification in the H1 areas is consistent with the LCP.

permit ("CDP") applications, all of the proposed development will be addressed in one staff report. The project descriptions for each separate application are provided below.
CDP Application 4-13-1397 (Eucalyptus Ranch, LP) (APN 4457-063-023) The applicant is proposing to construct a 28'9" high (as measured from finished grade), two-level with basement, 7,485 sq. ft. single family residence on an approximately 7.6 acre lot, with a detached 748 sq. ft. garage and 548 sq. ft. guest house. The proposed development also includes a swimming pool and spa, onsite waste water treatment system, and 18,000 gallon belowground water tank. In total, the proposed project requires 960 cu. yds. grading (820 cu. yds. cut, 140 cu. yds. fill), and retaining walls.

Project Description:	These applications are for: (1) five new single family residences ranging from 10,315 sq. ft. to 11,189 sq. ft. in size (including garage and non-habitable storage space) on five adjoining lots; (2) 27,570 cu. yds. of grading (23,250 cu. yds. cut; 4,320 cu. yds. fill) for the five residence development areas and private driveways; (3) 25,520 cu. yds. of grading (6,070 cu. yds. cut and 19,450 cu. yds. fill) for the 2,189 ft. ft. long, 20 ft. wide shared access road extending across the project sites (connecting to Sweetwater Mesa Road in Malibu through the construction of a road segment to be considered in a CDP by the City of Malibu); (4) 3,030 cu. yds. of grading (40 cu. yds. cut and 2,990 cu. yds. fill) for one fire department turnout along the shared access road; (5) 7,270 cu. yds. of excavation
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Conclusion: Existing Access Road



PROJECT OVERVIEW	
Total Number of Oak Trees Surveyed	192
Total Number of Oak Trees Recommended for Removal	1
Total Number of Oak Trees Requiring Clearance Trimming	22
Total Number of Oak Trees with Minor Encroachments	78
Total Number of Oak Trees that are DEAD	1
Total Number of Oak Trees with NO Encroachments	87
Total Number of Oak Trees Requiring Los Angeles County Oak Tree Permit (Removed or Trimmed)	23
Total Mitigation Oaks Recommended	515

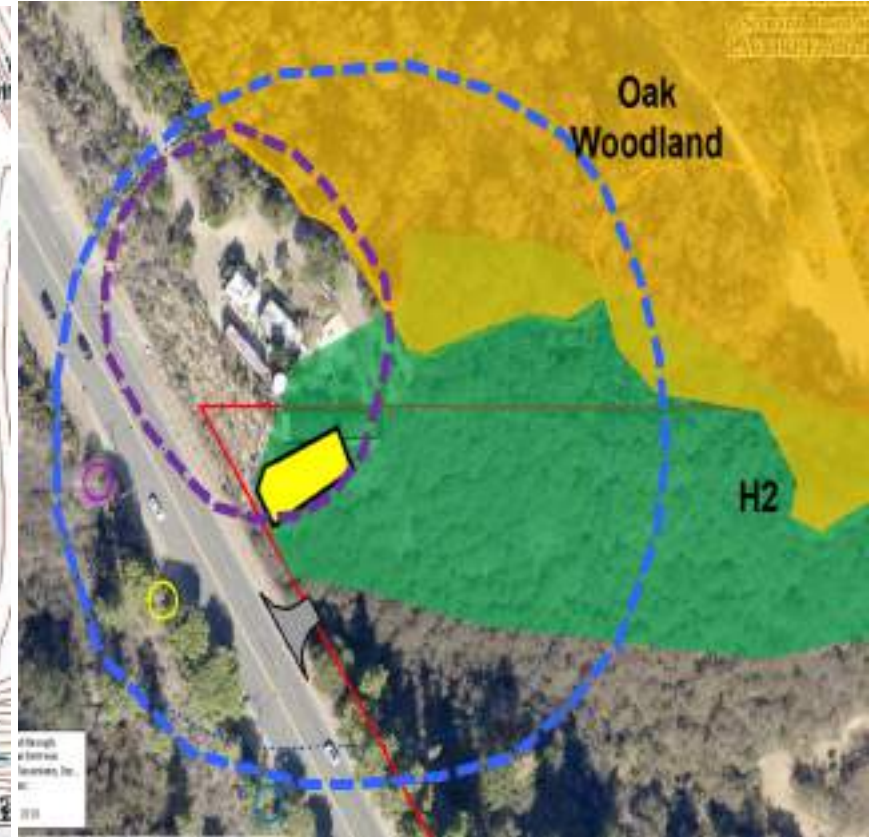
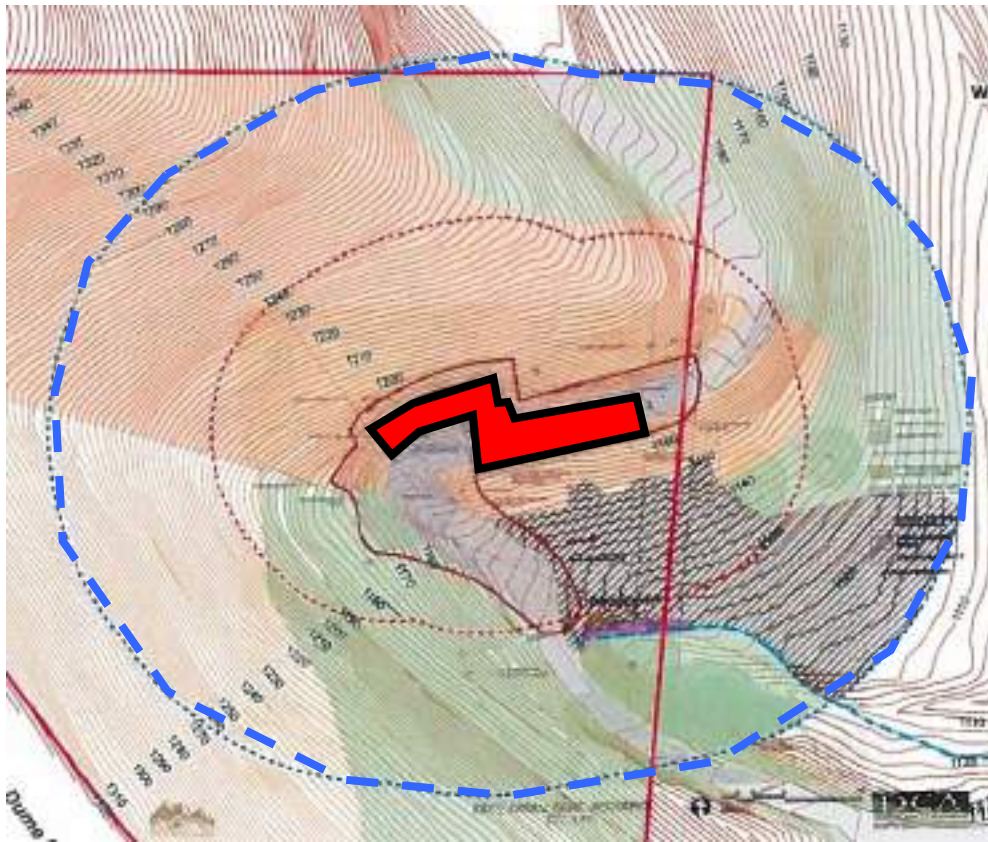


515 Mitigation Oaks

Conclusion: No Visual Impacts



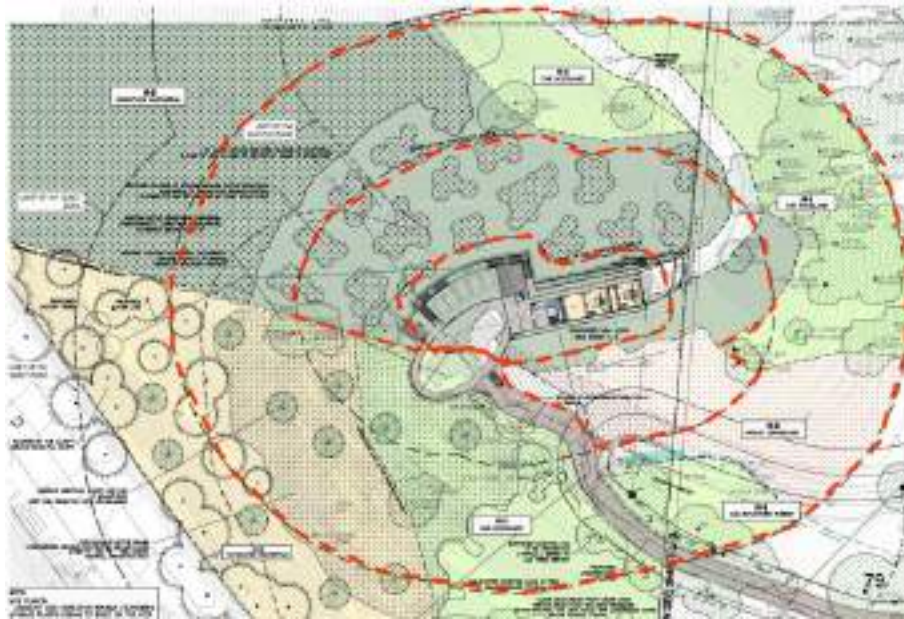
Conclusion: Fuel Mod Impacts into H1



“No matter what you do with this site and this set of facts, it’s not going to avoid H1 impacts.....you have gotten a lot of credit for putting the house where it should be.”

– Travis Longcore, August 2017 ERB Hearing

Conclusion: Fuel Mod Impacts into H1



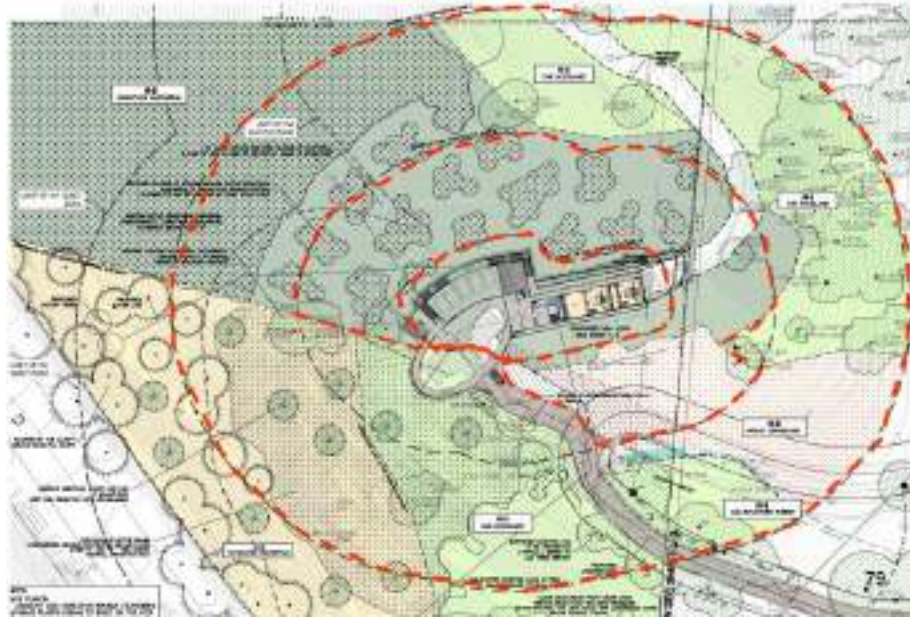
“...You will never get to a point where you avoid H1 with the defensible space line.”

“Impacts to H1 are unavoidable.”

“...project has taken all suggestions possible...”

-Comments from Aug. 2017 ERB Hearing

Conclusion: Fuel Mod Impacts into H1



“In my professional judgement, **implementation of defensible space in H1 Habitat Coast Live Oaks**, which will be required by LACO Fire, **will have negligible delirious impacts to the Coast Live Oak strands on the property**...and if completely judiciously **may improve habitat values for the Oaks** due to current and forecast droughts...” Dr. Dicus, Fire Ecologist

Plans, Reports, Technical Studies

- **Feb. 2014:** Project originally submitted as Plot Plan App (eight months prior to the County's certification of the LCP)
 - **May 2017, July 2017, August 2017** ERB Hearings
 - **Oct. 17, 2018:** Original RPC Hearing

- **Architectural Plans:** Five plan iterations.
- **Grading and Drainage Plans:** Six plan iterations – one for each SFR design and additionally, the applicant submitted two appeals to the LACO FD for the approval of a 20' wide access road narrowed to 15' in key lengths to avoid impact/removal of Oaks.
- **Landscape and Fuel Mod Plans:** Four iterations, including series of updates pursuant to comments by County Biologist.
- **Bio Report/Resource Mapping:** Bio Report, Spring Survey, several updates to the same (per County Biologist request), including updates to mapping for project iterations, post-Woolsey Fire mapping and analysis, including analysis for DRP-suggested alternative location.
- **Oak Tree Report:** Series of report updates, including post-Woolsey Fire mapping and analysis.
- **Oak Tree Survey**
- **Native Tree Report**
- **Septic System Plot Plan/Report**
- **Geology:** Series of updates, including evaluation of DRP-suggested alternative-building site.
- **Hydrogeology:** Hydrogeologic Evaluation of proposed groundwater wells.
- **Archeology Report**
- **Fire Ecology Report**
- **Story Pole Erection**

Thank You

