

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585-1800



Th16a

5-85-214-A5 (MCCLEAN)

MARCH 7, 2019

EXHIBITS

Table of Contents

[Exhibit 1 Vicinity Map](#)

[Exhibit 2 Aerial View](#)

[Exhibit 3 Recorded Open Space Deed Restriction \(OSDR\) Area](#)

[Exhibit 4 Survey of Parcel with Existing Equestrian-Related Facilities and OSDR Area](#)

[Exhibit 5 Proposed Area within OSDR for Equestrian-Related Facilities](#)

[Exhibit 6 Site-Specific Biological Survey Map of H1 Habitat with H1 Habitat Buffer and H1 Quiet Zone relative to Equestrian-Related Facilities](#)

[Exhibit 7 Map of Required Fuel Modification Areas relative to H1 Habitat, H1 Habitat Buffer, and H1 Quiet Zone](#)

[Exhibit 8 Schmitz & Associates, Inc. Memorandum, dated January 3, 2019](#)

[Exhibit 9 Low-Impact Campground Proposal](#)

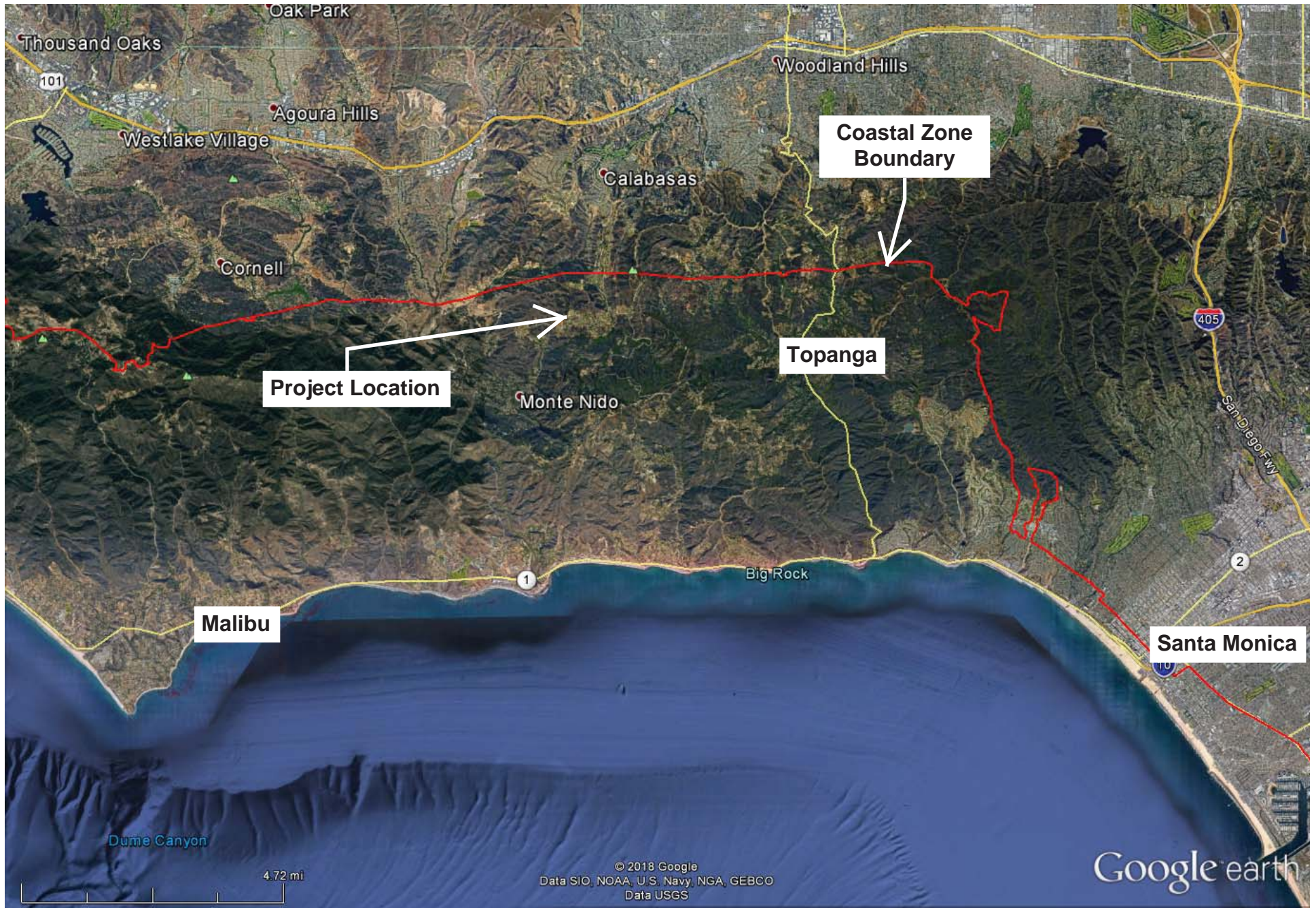


Exhibit 1
5-85-214-A5 (McClellan)
Vicinity Map

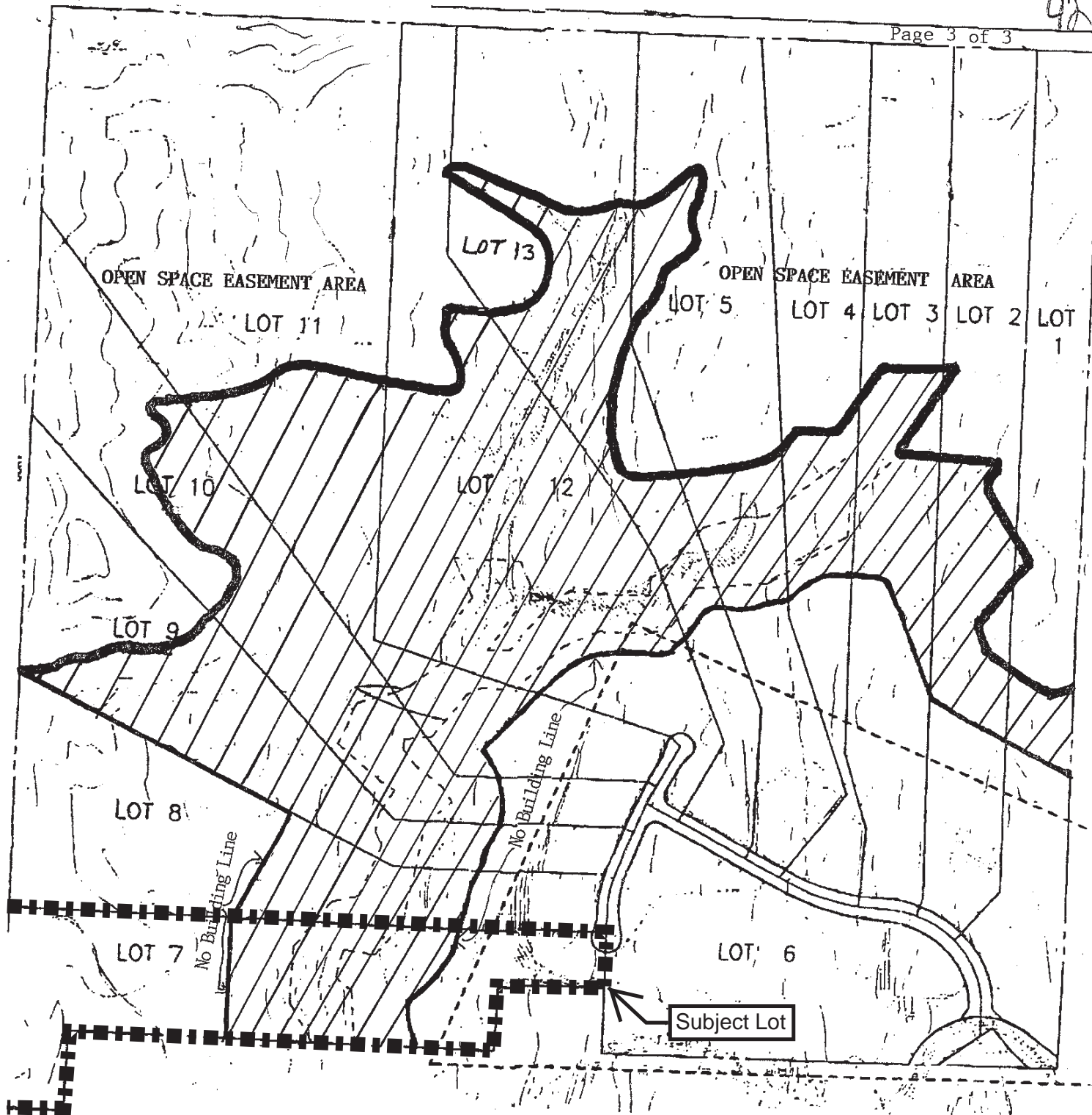


Google earth

© 2018 Google

Exhibit 2
5-85-214-A5 (McClean)
Aerial View

42









SITE LAYOUT/PLAN



OPEN SPACE DEED RESTRICTED AREA

00 0995400

Exhibit 3
5-85-214-A5 (McClean)
Recorded Open Space Deed Restriction
(OSDR) Area

-  Existing No Building Line
-  Existing OSDR Area
-  Horse Ring
-  Horse Ring/Arena
-  Hot Walker
-  Stable

0 125 250 500 Feet



COLD

CANYON

Exhibit 4
5-85-214-A5 (McClean)
Survey of Parcel with Existing
Equestrian-Related Facilities
and OSDR Area

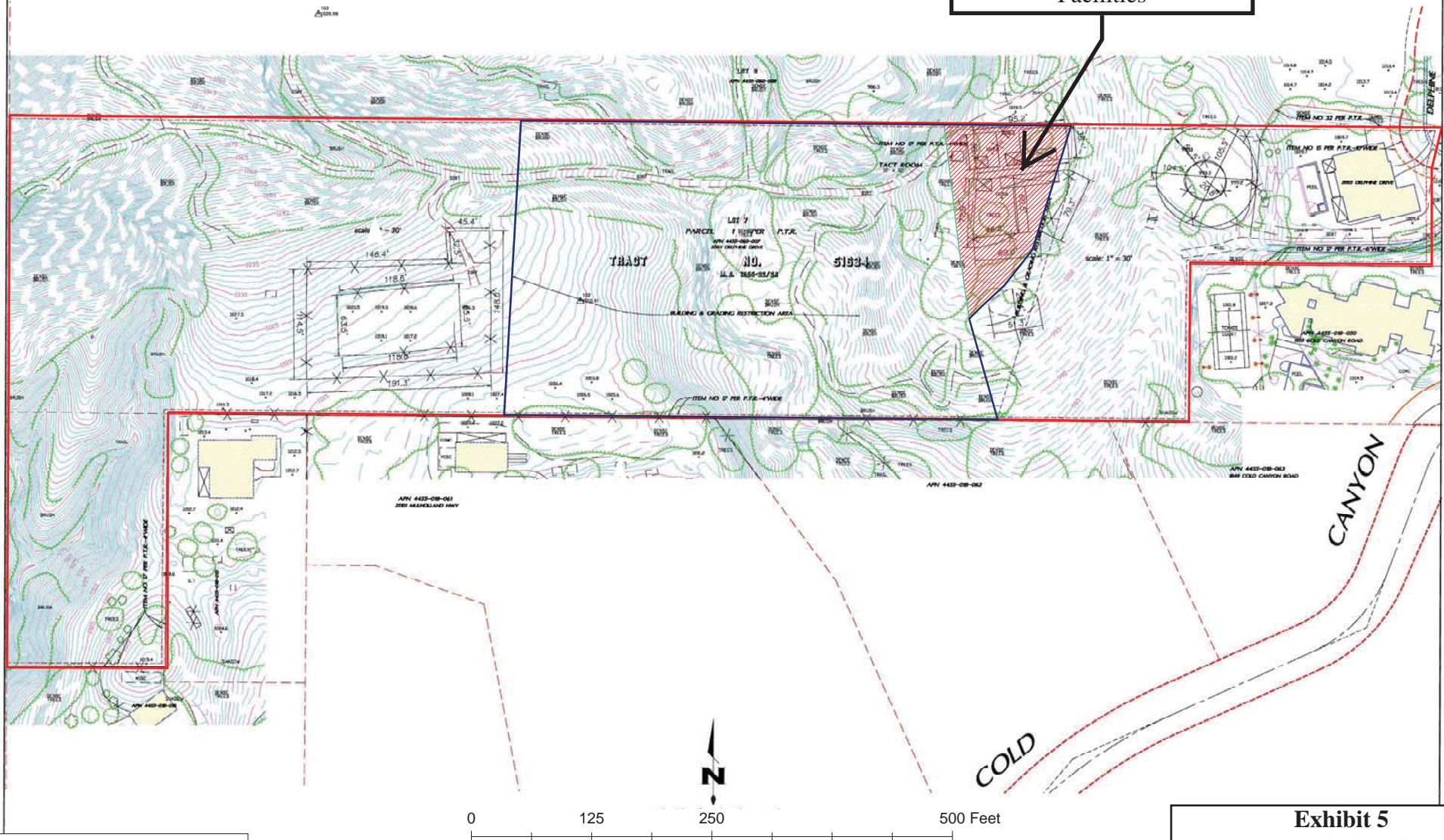
PREPARED FOR:
CHIP MCLEAN
 c/o SCHMITZ & ASSOCI
 2800 DELPIANE LANE
 CARLSBAD, CA 92008

DATE	REVISION NOTES

ARCHITECTURAL SURVEY
LOT 7, TRACT NO. 51634
 M.B. 1255-32/36
 IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF LOS ANGELES

JOB NO. 14-3084
 SCALE: 1"=40'
 DATE: JUNE 04, 2014
 DRAFTED: SDN

Portion (9,800 sq. ft.) of
OSDR Area Proposed to
Allow Equestrian-Related
Facilities





 Existing No Building Line
 Horse Facilities within OSDR

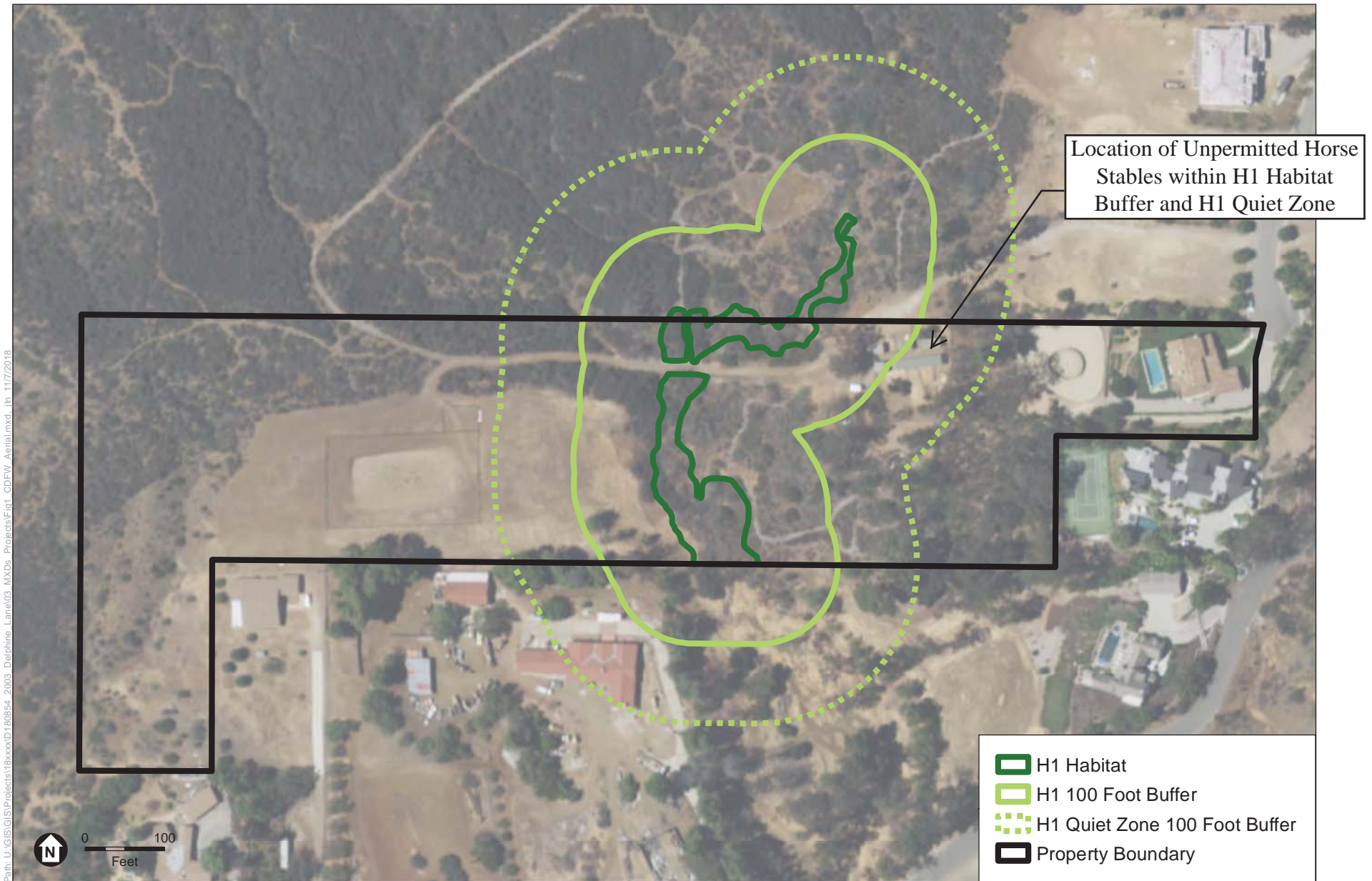
Exhibit 5
5-85-214-A5 (McClean)
Proposed Area within OSDR
for Equestrian-Related
Facilities

PREPARED FOR:
CHIP McLEAN
c/o SCHMITZ & ASSOCIATES

REVISION NOTES		
DATE	DESCRIPTION	BY

ARCHITECTURAL SURVEY
LOT 7, TRACT NO. 51634
M.B. 1255-32/36

JOB NO. 14-30
SCALE: 1"=40'
DATE: JUNE 04



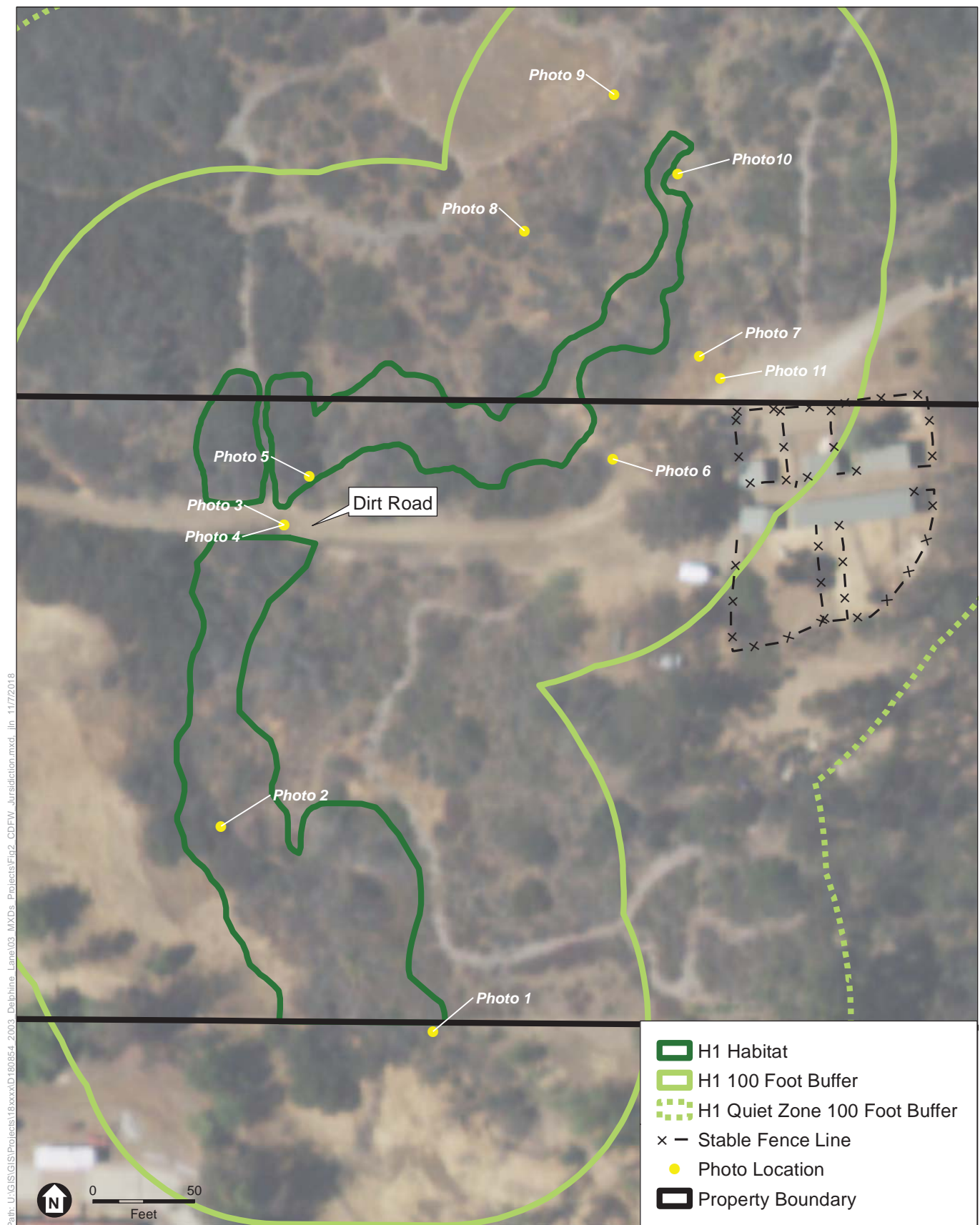
SOURCE: ESRI, 2018; ESA, 2018.



Exhibit 6 (1 of 2)
5-85-214-A5 (McClean)
Site-Specific Biological Survey Map of H1
Habitat with H1 Habitat Buffer and H1 Quiet
Zone relative to Equestrian-Related Facilities

2003 Delphine Lane

Figure 1
H1 Habitat and Buffers



SOURCE: ESRI, 2018; ESA, 2018.



Exhibit 6 (2 of 2)
5-85-214-A5 (McClean)
Site-Specific Biological Survey Map of H1
Habitat with H1 Habitat Buffer and H1 Quiet
Zone relative to Equestrian-Related Facilities

Location of Unpermitted Horse Stables within H1
Habitat Buffer and H1 Quiet Zone

Alternative Location for
Horse Facilities within
Fuel Modification Area

- H1 Habitat Area
- H1 100 Foot Buffer
- H1 Quiet Zone
- Legally Existing Fuel Modification

0 200 400 800 Feet

Exhibit 7
5-85-214-A5 (McClean)
Map of Required Fuel Modification
Areas relative to H1 Habitat, H1
Habitat Buffer, and H1 Quiet Zone

January 3, 2019

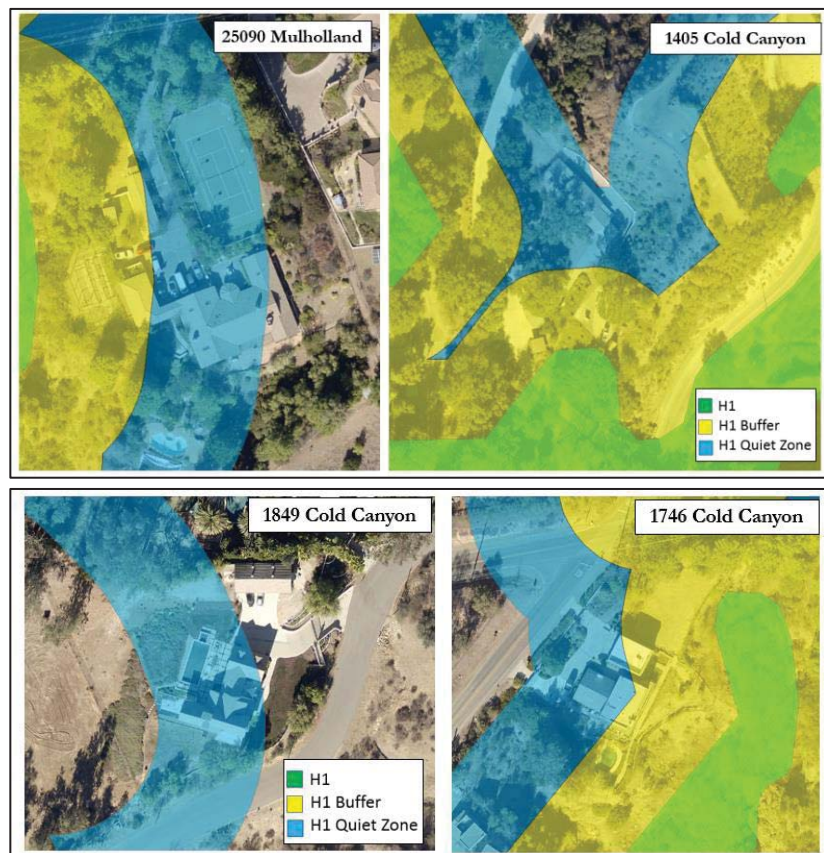
To: Westly Horn, Coastal Program Analyst, California Coastal Commission
From: Don Schmitz; Schmitz & Associates, Inc.

Re: Memorandum Regarding H1 Quiet Zone for 2003 Delphine Lane

Dear Mr. Horn:

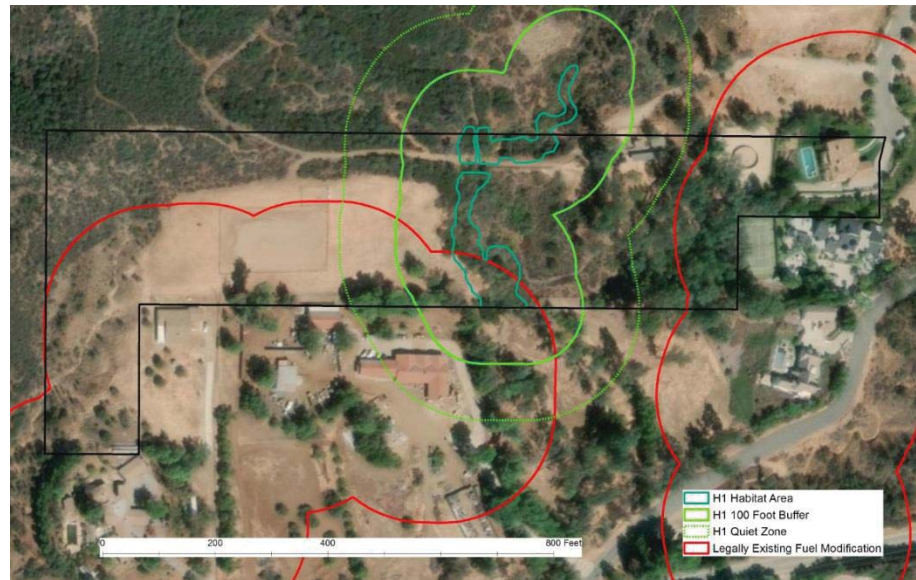
The Santa Monica Mountains Coastal Zone Local Coastal Plan (LCP) certified in October of 2014, consists of two elements - the Land Use Plan (LUP) and the Local Implementation Plan (LIP), which guide development and resource protection in the subject region. The LCP specifies a baseline level of protection for parcels in the Coastal Zone of the Santa Monica Mountains within Unincorporated Los Angeles County, but recognizes the importance of "Sensitive Environmental Resource Areas", or SERAs, as having higher conservation value. SERAs include areas with the highest conservation value (H1), as well as habitats of lesser (but still high) importance (H2). Mapping from Los Angeles County includes additional overlays such as the H1 Quiet Zone, which is all land within 100 feet of the H1 Habitat buffer. A final category, H3, is used for habitats that do not possess the same high conservation value as SERAs, but nonetheless function as part of the matrix.

There are several properties in the Santa Monica Mountains Coastal Zone which have been mapped by the County to show the H1 Buffer and H1 Quiet Zone blanketing directly over existing development, and not taking into account the current state of the vegetation on site, legally-established fuel modification for the development on the subject property itself nor the legally-established fuel modification for the surrounding development that encroaches upon the subject property, or even house and ancillary development. As will be noted below, the intent of the H1 Quiet Zone is to afford additional protection to the H1 Habitat with the assumption that the H1 Buffer and Quiet Zone itself consists of a continuous block of pristine vegetation. Moreover, the buffer is to ensure that the current on-site biological resources and the suitability of on-site habitats to support sensitive biological resources are minimized through impact (such as development).



The existing corrals and shade structures (herein referred to as the "equestrian facilities") were all constructed in areas that were cleared/disturbed as early as 1928 and have been maintained in a cleared condition almost continuously until present day. Please see the attached historical analysis that was previously provided to your office. Furthermore, the equestrian facilities are located within areas designated in the County LCP as H3 and mapped as same by the applicant's Consulting Biologists, Steve Nelson and Greg Ainsworth of ESA. These designations have also been confirmed by the County Biologist and the County's Environmental Review Board.

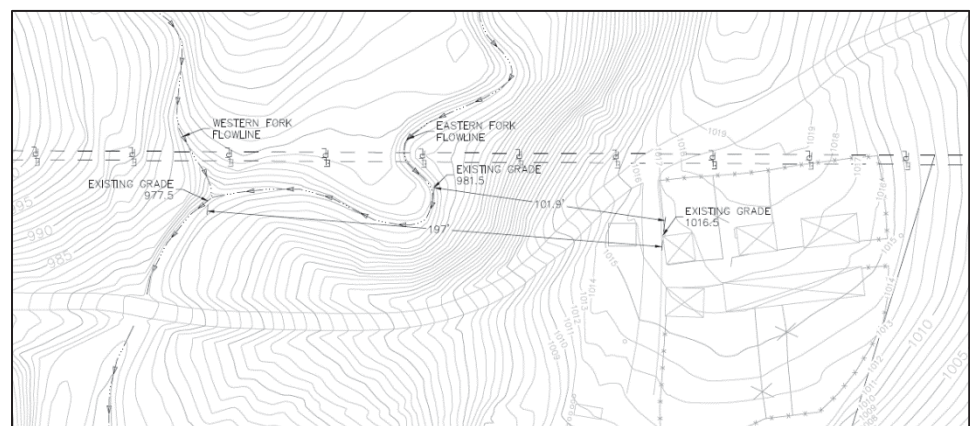
The matter at hand is that the equestrian facilities, while located in H3, are also located within the H1 Quiet Zone. As mentioned, the intent of the H1 Quiet Zone is to afford additional protection to the H1 Habitat with the assumption that the H1 Buffer and Quiet Zone itself consists of a continuous block of pristine vegetation. In the instant case, the subject property is located in a built-out subdivision with existing development, including vegetation



clearance, encroaching into the H1, H1 Buffer and the Quiet Zone on the subject property (as pictured above). The subject Quiet Zone buffer is denuded and includes vegetation either completely cleared (either historically or through legally-established fuel modification) or consisting of California Annual Grassland alliance (vegetation dominated by non-native, invasive species), Eucalyptus alliances (including Eucalyptus and Pines), and mixed chaparral. While the latter falls under the category of H2, the buffer itself is predominately dominated by H3 Habitat.

Per LIP CO-57, *horse pastures* are allowed on slopes no steeper than 4:1 in the Quiet Zone buffer if development is sited and designed to ensure that no required fuel modification extends into H1 habitat or H1 buffer and will not adversely affect H1 habitat or wildlife use/movement patterns, such as is the case here. The equestrian facilities require no fuel modification and no federal or state-listed threatened or endangered wildlife species were observed, reported or are expected to occur on site. LIP CO-104 also allows for equestrian pastures in areas of the H1 Quiet Zone comprised of fenced areas for turnout, water troughs, and other minor improvements for which the Fire Department does not require fuel modification. Relevant to those permitted uses, the scope of the Material Amendment application is to amend the Open Space Deed Restriction Area (OSDRA) implemented by CDP 5-85-214-A3. In light of the fact that *horse pastures* are permissible in the H1 Quiet Zone (per LIP CO-57), the request to amend the OSDR is consistent with the LCP and as such, we respectfully request Staff's support.

As noted in the Biological Assessment prepared by Biologist, Steve Nelson, while the corrals are unpermitted, they did not result in any significant impact to native vegetation or wildlife. Furthermore, the horse corrals are located on the edge of the Open Space



Deed Restricted Area on top of a ridge running through the property. As noted and illustrated by our Civil Engineer, Trisha Coffey of Ahsirt Engineering, the ridge where the corrals are located stands approximately 35 feet above (higher in elevation) the eastern fork of the creek and approximately 100 feet (as the crow

flies) to this same fork of the creek. The distance and elevation of these corrals from this minor drainage channel would make the likelihood of flooding in this area nearly nonexistent.

The biological constraints analyses of this level represent a single point in time analysis of a site and the best judgment of the biologist doing the review based on the existing conditions on site and the available literature. This serves as a general tool for assisting the County Planning Department and the California Coastal Commission with determining potential impacts to biological resources resulting from proposed project implementation. This level of evaluation is consistent with the requirements of the California Environmental Quality Act (CEQA). As such the case for the subject property, the assessment of impacts to the biological resources has a forensic element, in that the construction of the equestrian facilities within the OSDR, have been documented to show that they have no impact on the biological resources on site.

The LCP recognizes the horse-keeping tradition of the Santa Monica Mountains Coastal Zone by allowing carefully designed equestrian facilities to be established within H3. The subject equestrian facilities were constructed on the property between March 15, 2006 and October 22, 2007 – over a decade ago. As set forth in the record, the Quiet Zone itself is predominately dominated by H3 Habitat consisting of non-native vegetation and legally-established fuel modification, devoid of any vegetation with high conservation value. Furthermore, taking into account the topographical distance between the actual H1 and the equestrian facilities, since the intent of the H1 Quiet Zone is to afford additional protection to the H1 Habitat, the equestrian facilities are sufficiently set back so as to not impact the stream H1. In light of these findings, we ask for Staff's support in allowing the existing equestrian facilities to be maintained in their current location.

Sincerely,
Schmitz & Associates

Don Schmitz, AICP, Principal

Attachments:

- Historical Analysis of Site;
- November 6, 2018 Memorandum by Biologist, Greg Ainsworth;
- June 14, 2018 Letter and Horse Corral Exhibit Prepared by Civil Engineer.



SCHMITZ & ASSOCIATES, INC.
28118 AGOURA ROAD #103, AGOURA HILLS, CA 91301 | 818.338.3636



Ahsirt Engineering, Inc.
360 Miller Way
Arroyo Grande, CA 93420
Phone: 805-474-4008

June 14, 2018

Nicole Farnoush
Project Team Manager
Schmitz & Associates, Inc.
28118 Agoura Rd. Suite #103
Agoura Hills, CA 91301

Dear Nicole,

The horse corrals are located on the edge of the open space deed restricted area on top of a ridge running through the property. The ridge where the corrals are located stands approximately 35 feet above the eastern fork of the creek and approximately 100 feet as the crow flies to this same fork of the creek. The distance and elevation of these corrals from this minor drainage channels would make the likelihood of flooding in this area nearly nonexistent.

The layout of the creek and the horse corrals are delineated in the attached exhibit.

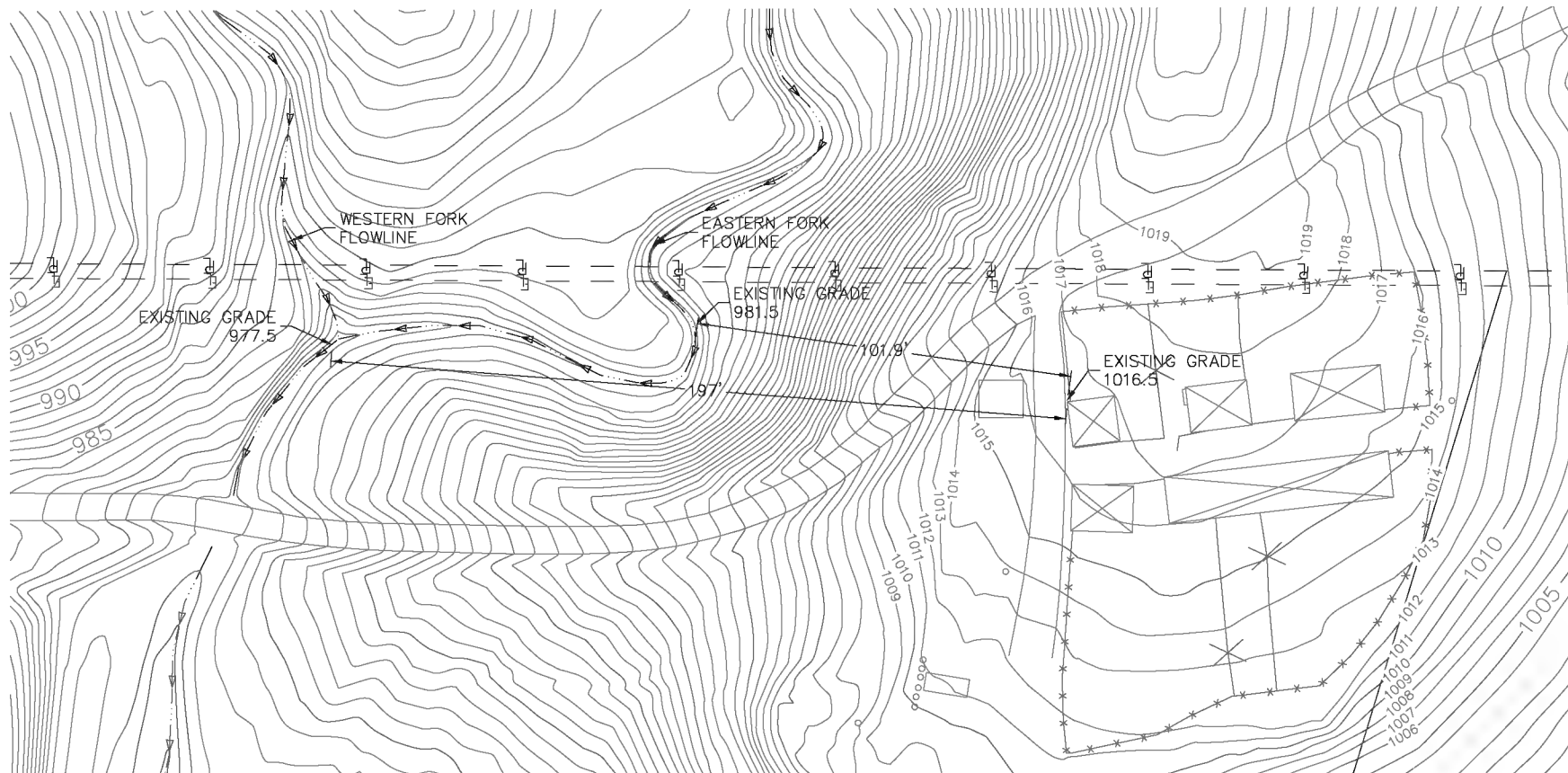
Sincerely,

A handwritten signature in blue ink, 'Trisha Coffey', is written over a circular professional seal. The seal is for Trisha A. Coffey, a Registered Professional Engineer in the State of California, with license number 67657. The seal also indicates the expiration date as 06/2025 and the specialty as Civil Engineering.

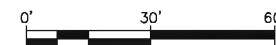
Trisha Coffey PE

DRAWING NAME: HORSE CORRAL EXHIBIT PROJECT: 105-10 (CIVIL) 2003 DELPHINE LANE, CALABASAS, CA
CREATION DATE: 6/12/2018 11:44:30 PM
DRAWING DATE: 6/12/2018 11:44:30 PM
DRAWING BY: TAC
CHECKED BY: TAC
SHEET NUMBER: 1 OF 1

SAVE DATE: 6/12/2018 3:17:18 PM
PRINT DATE: 6/12/2018 3:17:18 PM



● HORSE CORRAL EXHIBIT



REVISIONS		
REV	BY	DATE



360 MILLER WAY
ARROYO GRANDE, CA
PHONE: 805-474-4008

**HORSE CORRAL
EXHIBIT**

FOR APPROVAL ONLY
NOT FOR CONSTRUCTION
2003 DELPHINE LANE
CALABASAS, CA



JOB #:
105-10

DATE:
JUNE 2018

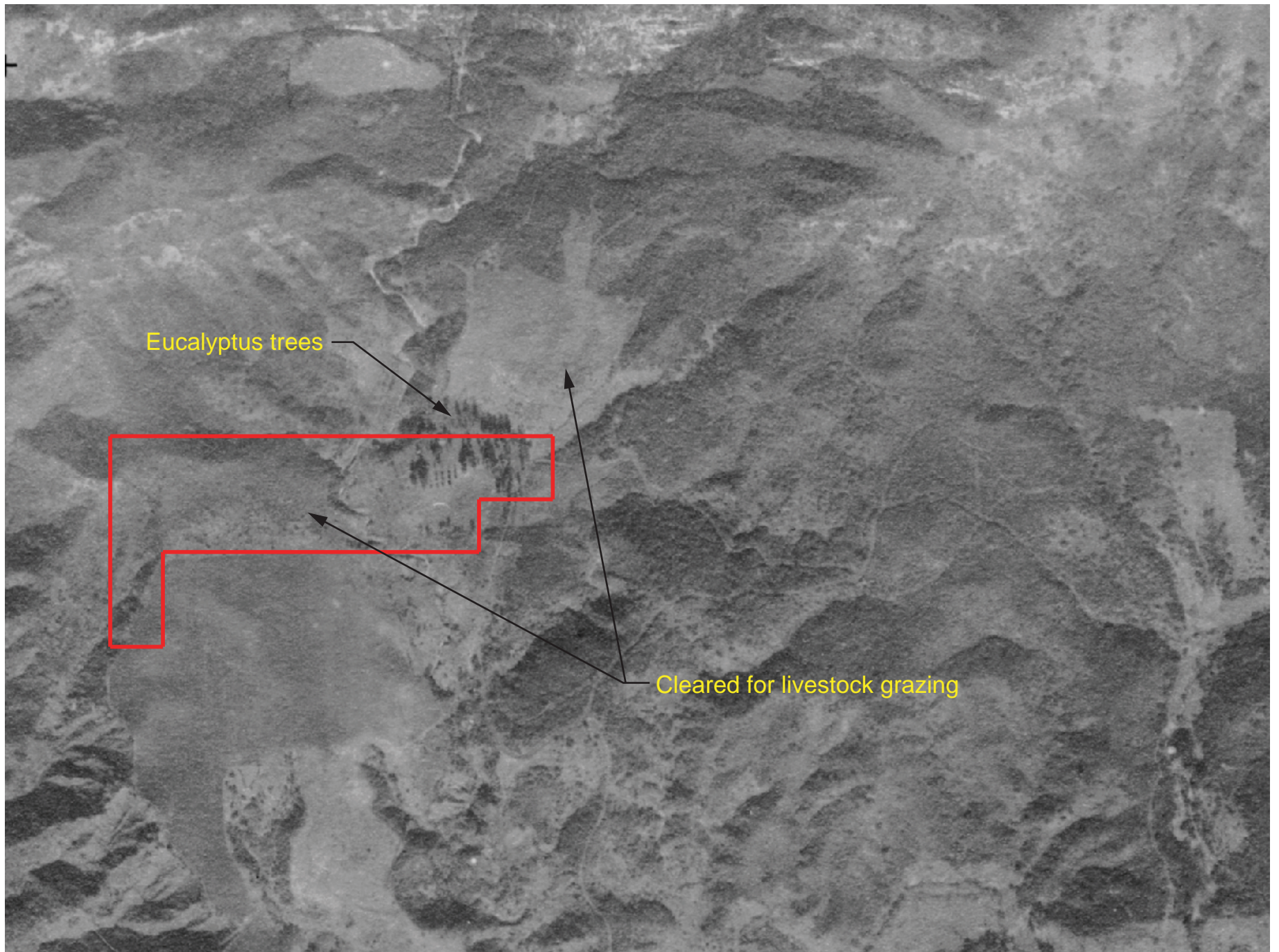
DRAWN BY:
TJM

CHECKED BY:
TAC

SHEET NUMBER:
1 OF 1

Exhibit E – Historical Aerial Photographs

2003 Delphine Lane
Calabasas, CA

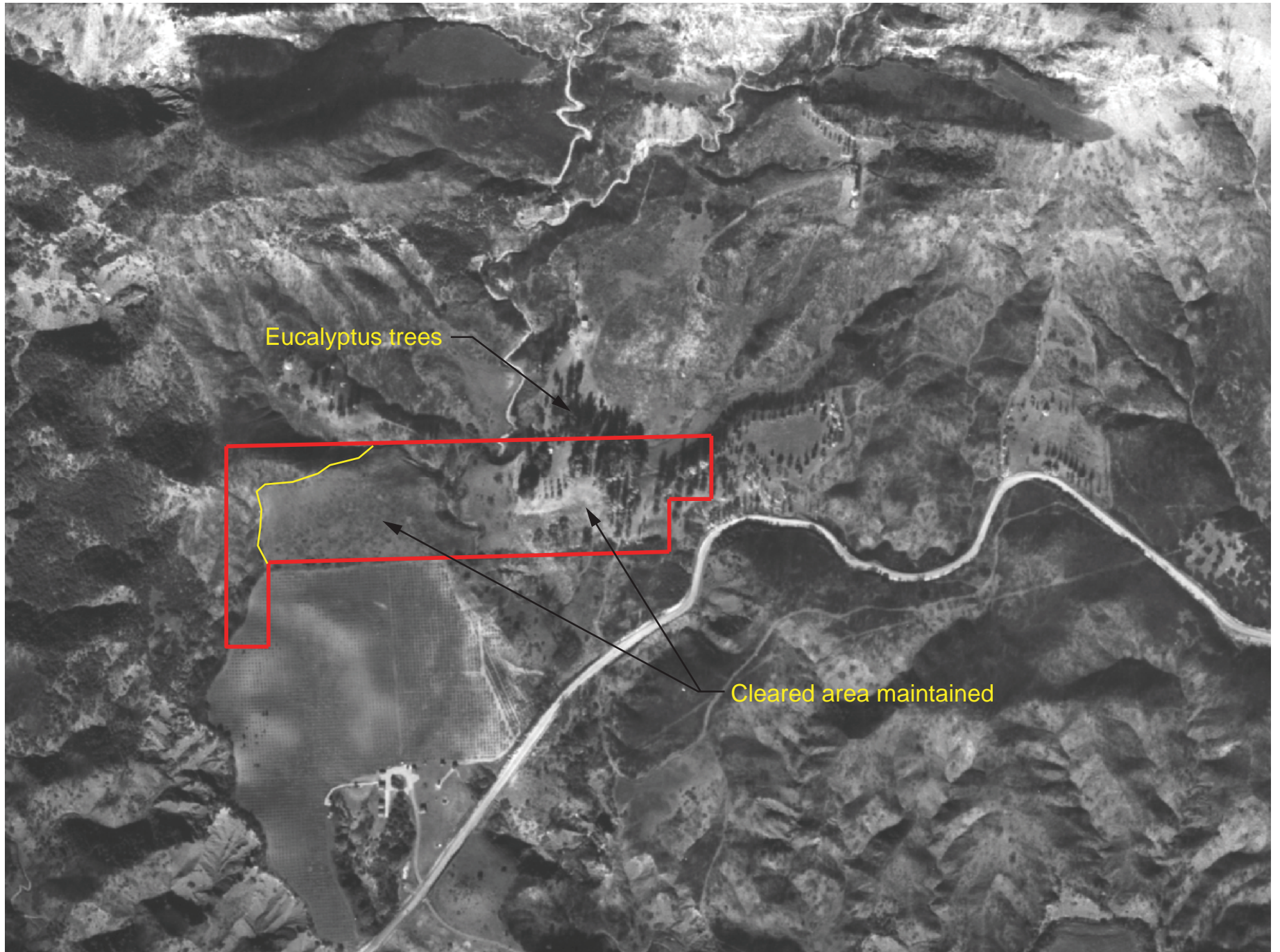


Historical Aerial Photograph-1928

2003 Delphine Lane, Calabasas

Exhibit

E



Historical Aerial Photograph-1944

2003 Delphine Lane, Calabasas

Exhibit

E



Historical Aerial Photograph-1956

2003 Delphine Lane, Calabasas

Exhibit

E



Historical Aerial Photograph-1964

2003 Delphine Lane, Calabasas

Exhibit

E



Historical Aerial Photograph-1976

2003 Delphine Lane, Calabasas

Exhibit

E



Historical Aerial Photograph-1982

2003 Delphine Lane, Calabasas

Exhibit

E

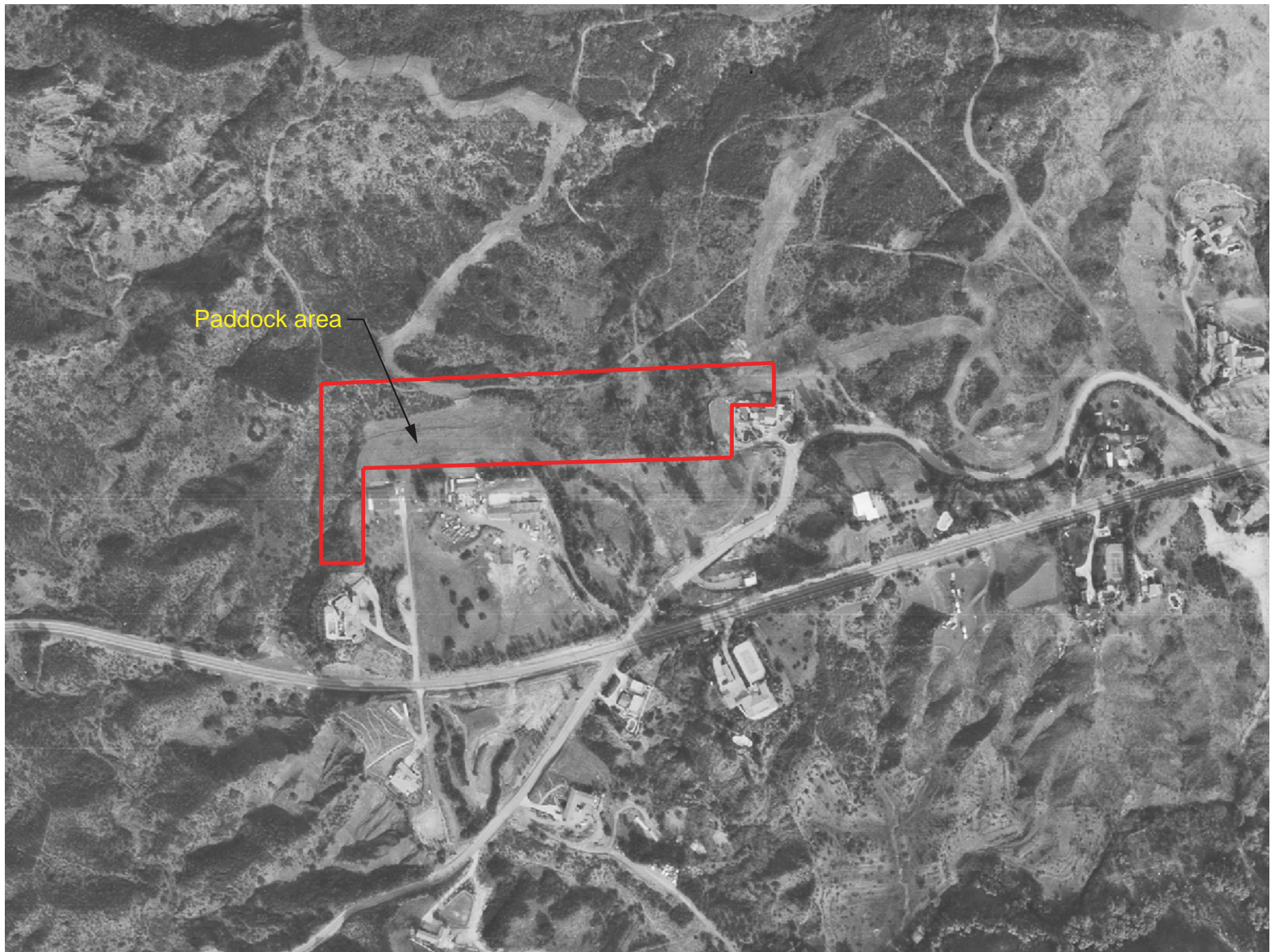


Historical Aerial Photograph-1989

2003 Delphine Lane, Calabasas

Exhibit

E



Historical Aerial Photograph-1994

2003 Delphine Lane, Calabasas

Exhibit

E



Historical Aerial Photograph-2001

2003 Delphine Lane, Calabasas

Exhibit

E





Historical Aerial Photograph-2003

2003 Delphine Lane, Calabasas

Exhibit

E



Historical Aerial Photograph-2004

2003 Delphine Lane, Calabasas

Exhibit

E



Historical Aerial Photograph-2005

2003 Delphine Lane, Calabasas

Exhibit

E



Historical Aerial Photograph-2005

2003 Delphine Lane, Calabasas

Exhibit

E



Historical Aerial Photograph-2006

2003 Delphine Lane, Calabasas

Exhibit

E



Historical Aerial Photograph-2007

2003 Delphine Lane, Calabasas

Exhibit

E



Historical Aerial Photograph-2008

2003 Delphine Lane, Calabasas

Exhibit

E



Historical Aerial Photograph-2009

2003 Delphine Lane, Calabasas

Exhibit

E

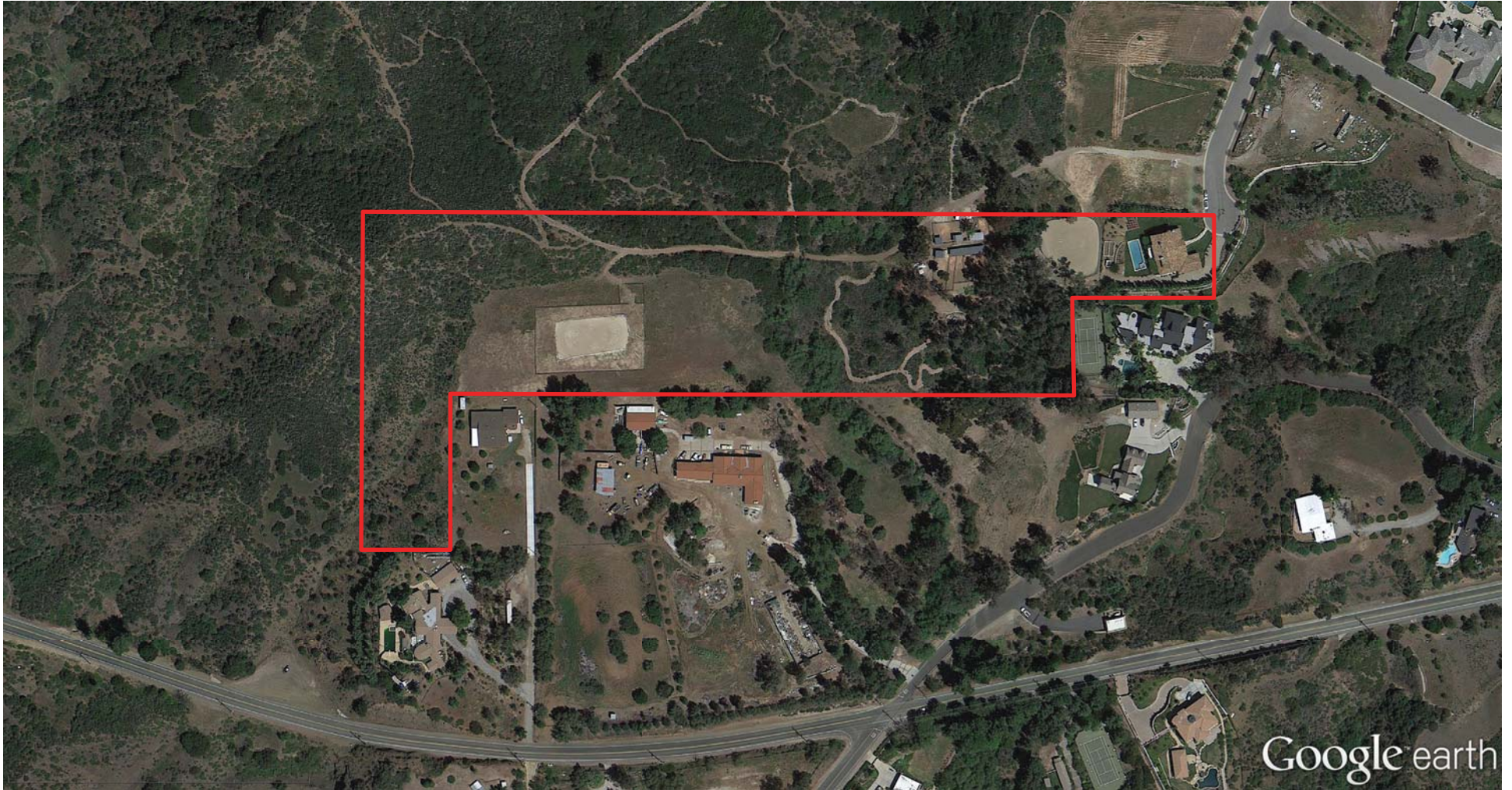


Historical Aerial Photograph-2010

2003 Delphine Lane, Calabasas

Exhibit

E



Historical Aerial Photograph-2011

2003 Delphine Lane, Calabasas

Exhibit

E



Historical Aerial Photograph-2013

2003 Delphine Lane, Calabasas

Exhibit

E

Horn, Wesley@Coastal

From: Nicole Farnoush <nfarnoush@schmitzandassociates.net>
Sent: Thursday, February 07, 2019 4:09 PM
To: Horn, Wesley@Coastal; Christensen, Deanna@Coastal
Cc: Don Schmitz; Scott Hoeft; Diana Springer
Subject: RE: 2003 Delphine Lane

Hi Deanna and Wes: Thank you for your call just now. I touched base with Don and he advised that the clients are looking to put the following in the low impact campground:

- A picnic table;
- A hammock or two between the existing eucalyptus trees;
- A fire proof cooking station (like a BBQ);
- A possible horseshoe pit.

Please note that they are not looking to propose any landscaping in light of the existing eucalyptus trees that are already out there. In term of camping, their kids may want to camp out at night, but all in all, they are just looking for a place for their family to gather and sit under the trees.

If you'd like to discuss this further with Don, he is available right now via cell – 310.617.0773. If you have any other questions, please let us know.

Thank you both so much.

From: Horn, Wesley@Coastal <Wesley.Horn@coastal.ca.gov>
Sent: Wednesday, February 06, 2019 3:36 PM
To: Don Schmitz <dons@schmitzandassociates.net>; Christensen, Deanna@Coastal <Deanna.Christensen@coastal.ca.gov>
Cc: Nicole Farnoush <nfarnoush@schmitzandassociates.net>; Scott Hoeft <shoeft@schmitzandassociates.net>; Diana Springer <dspringer@schmitzandassociates.net>
Subject: RE: 2003 Delphine Lane

Hello Don,

I apologize that we were unable to connect last week, but I wanted to quickly touch base and let you know that we did receive your email below. We need to circle back with a few other Commission staff and I'll let you know as soon as we've had a chance to talk about it. I'll keep you updated, but please let me know if you need anything or have questions.

Thanks,
Wes

From: Don Schmitz [<mailto:dons@schmitzandassociates.net>]
Sent: Monday, February 04, 2019 7:14 PM
To: Horn, Wesley@Coastal; Christensen, Deanna@Coastal
Cc: Nicole Farnoush; Don Schmitz; Scott Hoeft; Diana Springer
Subject: RE: 2003 Delphine Lane

Good evening, Wes and Deanna: I hope this email finds you both doing well.

I wanted to circle back with you two on the pending application. I have tried calling a couple of times but haven't caught you, so I thought a letter would be in order to vet another thought with you.

As you know we have been working productively together for some time now on modifying the open space deed restriction, which was drawn "aggressively" under the subdivision permit. We conducted extensive additional studies including biology and hydrology, and documented that there was no hydrologic connection between the existing stables and the riparian area, and as there was no fuel modification required for the stables, it appeared that we were moving methodically towards a recommendation of approval to modify the open space deed restriction.

The problems arose when upon further analysis your office determined that the stables were not allowed in the "quiet zone" area in the setback from the creek, and then subsequently that a pasture could not be located there either. Accordingly, you are currently recommending denial.

The fundamental problem is not that the open space easement shouldn't be modified based upon the most recent scientific analysis, it should be modified as we have mapped it. The problem you are having with the proposal is what would be permissible in the quiet zone with a valid coastal development permit issued by the county under their LCP subsequent to the modification of the open space easement.

As opposed to debating the jurisdictional issues here, we continue to work to find a scenario to gain consensus, and believe that we have found a solution.

We will redesign the equestrian facility to relocate both the stables and pasture area outside of the Quiet Zone area as you have required.

However pursuant to the provisions of LIP Section 22.44.1750 and Subsection M of Section 22.44.1920 (cited below), the applicant would like to continue pursuing the modification to the Open Space Deed Restriction to allow for a low-impact private campground, which would include a private picnic area for the property owner. Said campground and picnic area would require no grading and would be consistent with the Provisions cited below.

22.44.1750 R-C Rural-Coastal Zone

3. Other and additional Permitted Uses.

Resource-dependent uses, subject to the requirements of subsection M of Section 22.44.1920.

22.44.1920 Development Standards.

M. Resource-dependent Uses.

Resource-dependent uses are uses that are dependent on SERAs to function. Resource-dependent uses include: nature

observation, research/education, habitat restoration, interpretive signage, and passive recreation, including horseback riding, **low-impact campgrounds, picnic areas**, public accessways, and hiking trails, but excluding trails for motor vehicles. Residential or commercial uses are not resource-dependent uses.

1. Resource-dependent uses are allowed in H1 habitat, H2 habitat, and H3 habitat, including H1 habitat buffer and H1 habitat quiet zone buffer, where sited and designed to avoid significant disruption of habitat values, consistent with the following development standards and all other applicable standards of the LIP.

c. Low-impact campgrounds shall be located, designed, and maintained to avoid or minimize impacts to H1 or H2 Habitat areas and other coastal resources by utilizing established disturbed areas where feasible, following natural contours to minimize grading, and avoiding naturally vegetated areas with significant native plant species to the maximum extent feasible. **Such campgrounds shall be located a minimum of 50 feet from the top bank of all streams or from the outer edge of riparian vegetation**, whichever is the most protective of biological resources as determined by the staff biologist or the ERB unless those areas are developed and/or disturbed by historic uses (e.g., recreation).

We believe that our studies have confirmed that this location for their campground and picnic area is consistent with the policies and provisions of the LCP, and we ask for Staff's support and recommendation of approval for this use in the area that the stables are currently located. The owners have discussed this at length and believe that this would be a charming amenity to their property, while still meeting all the resource protection policies of the LCP; a proverbial "win/win".

I would like to discuss this with you further, and I'd be happy to have a call with either of you at your convenience.

Sincerely,

Don

Donald W. Schmitz II / President / A.I.C.P.

28118 Agoura Rd. Suite 103
Agoura Hills, CA 91301
Cell: (310) 617-0773 | Office: (818) 338-3636 | Fax: (818) 338-3423



DonS@schmitzandassociates.net | www.schmitzandassociates.com | www.facebook.com

From: Horn, Wesley@Coastal <Wesley.Horn@coastal.ca.gov>
Sent: Wednesday, January 30, 2019 1:14 PM
To: Don Schmitz <dons@schmitzandassociates.net>
Cc: Nicole Farnoush <nfarnoush@schmitzandassociates.net>; Christensen, Deanna@Coastal <Deanna.Christensen@coastal.ca.gov>
Subject: 2003 Delphine Lane

Hi Don,

I apologize for missing your call earlier, but I just tried you cell phone and thought it would be good to follow up with an email. Deanna and I reviewed the revised project that we all talked about during our meeting on Friday, and Deanna and

I also discussed the revised project with Commission staff here in the Ventura office. Due to the inconsistency with the policies and provisions of the LCP we will still be recommending denial. Also, because the 270th day deadline ends on March 29th the project will need to be heard at the March Commission hearing.

We will be preparing the report for the March Commission hearing, but if you have any materials for the revised project that you would like us to consider please feel free to submit those to my attention.

Thank you again for meeting with us on Friday to discuss the project and let me know if you have any questions.

-Wes