



# Las Virgenes Homeowners Federation, Inc.

Post Office Box 353, Agoura Hills, California 91301



**April 2009, MEETING ([www.lvhf.org](http://www.lvhf.org))**

**Thursday, 16 April 2009, 7:30 – 10:00 P.M.**

**The Place – Diamond X** – Take Las Virgenes to Mulholland; turn left on Mulholland. For the next 3/4 mile, the King Gillette Ranch will be on your right. After you’ve passed Stokes Canyon Road, in about 3/4 mile, you will see a sign on your right with “Diamond X” and the National Park Service logo on it. A short distance past the sign a narrow road goes south at a right angle. This is Wickland Road, and, at this point you are entering the King Gillette Ranch. Follow Wickland about 300 yards until the road forks; take the left-hand fork; keep bearing left to lighted house. Park; get out of your car; go into the lighted part of the house.

**Call to Order  
Roll Call  
Agenda Changes/ Approval  
Approval of Meeting Minutes**

**Correspondence/Announcements  
Officer’s Reports  
Delegates Reports**

## **Old Business/ Reports**

**Banquet Report  
Discussion of Proposed Calabasas Ordinance to extend development permits  
Discussion of 27-acre 9-home development**

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## **New Business**

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Delegates and friends enjoyed a grand night out at the Malibou Lake Mountain Club on Friday April 3<sup>rd</sup>. Once again, we want to thank the **Malibou Lake Mountain Club**, for it's continuing generosity and support allowing us to use their wonderful facility right in the center of the Santa Monicas.

By now all of you should know that the Federation named **Steve Hess** its **Citizen of the Year for 2009**. For many of us it was the first time to see Steve after his serious illness and it was a special pleasure to honor his long service to the preservation and protection of the Santa Monica Mountains in person.

This year's featured speaker was **Richard W. Halsey**, Director of the California Chaparral Institute. He gave a rousing and informative address on the ecology of California's shrubland ecosystems and the dynamics of wildland fire in both natural and human communities.

## **WILDLAND FIRE — STRATEGIES FOR PROTECTNG OUR HOMES AND OUR NATIVE LANDSCAPE**

Richard W. Halsey, Director of the California Chaparral Institute and "*voice of the chaparral*", intrigued and enlightened Federation guests at our annual banquet held April 3 at the Malibou Lake Mountain Club and here is a summary of what he told us.

He noted that, contrary to some popularly held beliefs and previously held brush clearance directives, the state and its fire fighting agencies are moving toward a new progressive approach to fighting wildland fire and brush clearance that is determined by science, not fire politics. The challenge comes in deciphering who is communicating knowledge based on science and who is merely expressing a carefully crafted opinion that promotes or protects particular vested interests.

Chaparral is California's most extensive, natural, native plant community and its characteristic wilderness, dominates our foothills and mountain slopes. With over 50 different variations of plant associations, our native landscape is ecosystem to countless species of plants and animals, provides essential protection against erosion, allows the recharge of underground water supplies and offers unique opportunities to remain connected to nature on a local level. Take a drive into the hills surrounding nearly every southern California metropolitan area and you are immediately immersed in chaparral, just as we are here in the Santa Monica Mountains.

Typical stripping or improper clearing of chaparral as we see unfortunately all too often demonstrates the kind of environmental damage that occurs when government agencies overreact and/or motivated developers unnecessarily destroy native scrubland. Many of us flanking hillside/mountainous properties, have long suffered the horror of chain saws, disking and bulldozing of native chaparral, scrub oak & oak woodlands courtesy of developers only too eager to decimate a 200-foot clearance. Science confirms that stripped areas fill with non-native weeds that are much more flammable than the surrounding, native chaparral. This kind of mix actually increases the chance of a wildland fire. Invasive weeds play a major role in spreading fire. Weeds and embers are a dangerous combination that current "clearance" regulations have

hereto failed to address. Properly placed and thinned trees/shrubs can actually hinder embers, and help to protect structures.

In addition, a common misconception is that since chaparral is a "fire-adapted" or "fire-dependent" plant community, it needs to burn because fire serves as a force of renewal. Nothing could be further from the truth. Chaparral is not a simple, homogenous ecosystem. Each type of chaparral responds differently to fire depending on species present, angle and direction of the slope on which it grows, and climatic conditions. The one factor all types of chaparral have in common is that they are all sensitive to fire intervals shorter than 15-20 years. This is the time it takes for a burned stand to recover properly and set enough seed in the soil to be able to bounce back after the next fire. As fire frequencies increase, largely due to human caused ignition, the intervals between fires have been narrowing causing the complete elimination of chaparral in some areas and serious degradation in others. Non-native grasses quickly invade frequently burned areas helping to prevent chaparral from returning, increasing the likelihood and spread of wildfire.

A new defensible space law was signed by the Governor on September 27, 2008 (SB 1595 by Senator Kehoe) California's new requirements for defensible space around structures according to Public Resources Code 4291 that makes it very clear that reducing fire risk is not just about eliminating native vegetation. The new law took effect January 1, 2009.

A key element of the new law for fuel management include measures that decrease the chances of a building catching fire, through new building design and construction requirements that require the use fire resistant building materials and provides standards for reducing fire risks on structure projections such as decks. These are important considerations for new projects within hillside/mountainous zones and the county's new LCP is leading the way with specific policies that put fire safety and environmental protection first.

To see the latest research on how to prepare for wildfire from the community outward instead of from the wildland inward, see the [ONLINE WILDFIRE RISK ASSESSMENT TOOL](#) from UC Berkeley.

It is within the chaparral that California will find its best and perhaps last chance to reclaim its wildness and preserve the quality of life made possible by the region's natural, open spaces.

For more information please visit: [www.californiachaparral.org](http://www.californiachaparral.org)

## **GINA NATOLI REPORTS ON THE COUNTY LCP**

Gina Natoli, Los Angeles County Supervising Regional Planner, came to last month's meeting to give us an update on the status of the new Santa Monica Mountains Local Coastal Program as it works its way through the system. You may remember that the Board of Supervisors signified its intent to approve the Program in late October 2007 and Gina's staff has been preparing the plan for presentation to the Coastal Commission for approval.

So what's been going on since October of 2007? First of all, the Board of Supervisors directed that there be 53 changes made to the program as presented. Many of these are in response to testimony made during the public hearing process and staff has been working to integrate them into the program.

Gina indicated that much of the work remaining to be completed includes planning for the Community Standards District dealing with issues of environmental protection, hazard planning, hillside management, dark skies and best management practices.

This brought us to what she called the "wooly mammoth" in the room, the difference of opinion between the Coastal Commission and the County about how to protect natural resources, particularly Environmentally Sensitive Habitat Areas (ESHAs). The County has developed a tailored approach to resource protection that sets forth development restrictions based on habitat types, and allows no development in designated ESHAs. The Coastal Commission is backing the approach they took in the Malibu LCP that designates a large area as ESHA and then allows development based on site-specific issues. So, beyond the actual work on the plan, the County has been developing a science-based argument to demonstrate to the Commission, point by point, the effectiveness of the tailored approach for resource protection. The County believes that doing the science is the key to creating an effective and appropriate resource protection program that will comply with the Coastal Act. This work has taken time but is scheduled to be completed this summer.

So when might the LCP be ready to go before the Coastal Commission? Gina reported that her staff has been cut dramatically and this has really stretched some project timelines. In addition, there are some projects such as the Marina del Rey Periodic Review that have legal deadlines that must be met. All of this has made it unlikely that the LCP will go before Coastal this year. So stay tuned for updates as we move towards the long awaited, eagerly anticipated LCP.

## **LOST HILLS BRIDGE UPDATE**

The City of Calabasas has held a number of workshops in to evaluate traffic and safety issues that must be addressed in the proposed improvements to the Lost Hills Bridge. The current structure does not meet area transportation needs and creates numerous safety issues for the motoring public, pedestrian and bicycle traffic. The Saratoga Hills and Saratoga Ranch communities are the only residential communities adjacent to the proposed widening project.

The current Level of Service for northbound Lost Hills Road traffic is D, which is below City of Calabasas standards. The Level of Service will be reduced even further to E when the "Summit at Calabasas" project is completed within the next year. This reduction in service increases in importance when the regional significance of this intersection is evaluated. Lost Hills Road is part of the "Z" traffic arterial that is used by commuters between Santa Monica and West Los Angeles and the Conejo Valley and Ventura. The Pacific Coast Highway to Malibu Canyon to the 101 Freeway is the only efficient option to the 405/101 Freeway route towards Ventura County. Project benefits

for these improvements extend to major portions of Los Angeles and Ventura Counties.

Saratoga Hills has had access issues for over 40 years. The original landfill road started adjacent to Grape Arbor park on Parkville Road and traveled next to the backyard fences on the east side of the community. The dust, noise, and truck exhaust were a constant problem. As the landfill increased in elevation the original road could no longer be used the current road was constructed. The original County Department of Public Works plan was to change the Saratoga Hills access from Canwood Street to Driver Avenue, then a dirt alignment on the north side of Grape Arbor Park. The community objected to this plan because the Lost Hills Road/Driver Avenue intersection was significantly higher than the Saratoga community and cars would need to come down a steep slope to a narrow-width Driver Avenue in the middle of the community. Also, there were line-of-sight issues with trucks exiting the landfill. Fortunately the County Department of Sanitation, which operated the landfill and owned the road right-of-way, was willing to address some of the community concerns. The slope of the landfill access road was increased within the landfill property which allowed for a flatter road adjacent to Grape Arbor Park, a boulevard stop at Canwood Street, and the ability to retain community access at Canwood Street.

Widening the Lost Hills Road Bridge and meeting Department of Transportation 2050 standards will again challenge planners and engineers. Detailed designs have not been developed, however, based on discussions to date, concepts that currently have support of the community include: a cloverleaf configuration on the northeast side of Lost Hills Road and the 101 Freeway; a Canwood Street alignment that intersects Lost Hill Road and is close or adjacent to the current alignment; improvements that provide for pedestrian and bicycle rider access and safety; and, the utilization of traditional traffic controls to ensure safe travel to and from the community. When the construction begins, one-half of the new bridge will be constructed next to the existing structure, then traffic will be moved to the new structure, allowing the existing structure to be demolished and the remainder of the new bridge constructed in the alignment of the old bridge.

## **NEW CALABASAS DEVELOPMENT CODE COMING UP SOON**

Now that Calabasas has finished updating its General Plan, it will soon be taking on the task of revising and updating its Development Code. If general plans are the land use “constitution” of a city or county that contain broad brush land use policies, then development codes are like statute laws enacted within the framework of that “constitution” that specify in much greater detail how the land use policies of the General Plan are to be implemented and applied to specific areas and land uses.

Development codes deal with such important issues as zoning and development standards and permitted uses, the size and type of commercial signs and the zones in which they are permitted, building height limits, setbacks of buildings and houses from the street and from each other, policies on grading, parking requirements, fire codes, night lighting, and variances, to name just a few.

For example, the new Calabasas General Plan requires in Policy III-5 that the City should “ ... preserve ridgelines and other significant landforms”, but, as we’ve already discovered with Los Angeles County, a similar general statement of purpose in the North Area Plan lacked specific standards and, therefore, could not adequately control ridgeline development. Only the County Ridgeline Ordinance, adopted four years after the North Area Plan, with its detailed setback standards has given the County the tools to control the location and height of homes on and near significant ridgelines. A Development Code that defined what a protected ridgeline was in Calabasas and where development would or would not be permitted on that ridgeline would have a function similar to the County’s Ridgeline Ordinance.

Similarly, to take another recent land use issue, Policy IV-5 in the new Calabasas General Plan requires the City to “Maintain buffers between natural riparian areas and development ...”, but it does not specify how wide those buffers should be. The Development Code should contain that level of specificity.

The new General Plan lists 17 “land use districts” and mentions a few general land uses that could be permitted in each of them. A Development Code would specify a longer list of uses that would be permitted in each zone as a matter of right, along with those uses that would be permitted as conditional uses with a Conditional Use Permit. Basically, a general plan will specify the community’s vision of how it would like to grow in the future and the planning goals and policies that will achieve that level of growth. On the other hand, a development code should contain specific codes and ordinances that will carry out with more specificity the goals and policies found in the general plan.

The revised Development Code will retain much of the old Code with certain additions and modifications. The biggest change anticipated is to transfer the development standards in the current General Plan’s Consistency Review Program into the revised Development Code.

A year ago the General Plan Advisory Committee was told that staff was going to recommend that “ all of the items (in the General Plan Consistency Review Program) that function as development standards would be transferred into the appropriate chapters of the Development Code,” while, “as feasible, items that are guidelines (as opposed to standards) will be modified to function as standards and incorporated into the Development Code.” ... “Some items in the General Plan Consistency Review Program have already been incorporated into the existing Development Code. (landform grading, pervious surface requirements, landscaping requirements).”

If you believe the draft Development Code leaves out policies, standards, or other code items that are significant, now is also the time to speak out while the Code is being revised and updated, not after the Code has been adopted.

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Although anticipated in February, the City of Calabasas currently plans to introduce the Draft Development Code with an overview of the Code at the Planning Commission meeting on Thursday, May 21<sup>st</sup>. Two weeks later, on Thursday, June 4<sup>th</sup>, a workshop will be held on the Code.

## **CALABASAS CONSIDERING TIME EXTENSION FOR PERMITS**

Calabasas is considering adopting an ordinance that would extend the expiration date of all development permits that were valid on January 1, 2009, for two years. At present permits are valid for one year with a one-year extension possible. The two-year extension would be on top of this, giving approved permits a life of four years.

City staff is recommending this extension of permit deadlines because, according to the staff report on the proposed ordinance, "The economic downturn has had a pronounced effect on construction in Calabasas . . . and requests for time extensions have skyrocketed. The most common reason for requesting a time extension is that the applicants cannot obtain financing for the project."

The state has already approved SB 1185, which extends all tentative tract maps and parcel maps for a year.

There are several questions raised by this proposed ordinance. First, is it really necessary given the state measure moving through the system; second, can this situation be addressed on a case by case basis without generating a blanket extension and third, what should the City's role be in mitigating the effects of an economic downturn on development?

Watch for this to come before the City Council in the near future.