

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 641-0142



Filed: 12/08/95
49th Day: 1/26/96
180th Day: 6/05/96
Staff: JCJ/V JG
Staff Report: 12/19/95
Hearing Date: 1/9-12/96
Commission Action:

STAFF REPORT: CONSENT CALENDAR

TH 9f

APPLICATION NO.: 4-95-191

APPLICANT: Flamey & Eglia Damian AGENT: Mike Barsocchini, AIA

PROJECT LOCATION: 6363 Delaplane Road, Malibu

PROJECT DESCRIPTION: Demolish existing 3200 sq. ft. two story residence and garage and construct a new 10,466 sq. ft. two story residence and four car garage, swimming pool, pool enclosure/dressing area, gazebo, new septic tank, and entry gate and fence.

Lot Area	9.7 acres
Building Coverage	6699 sq. ft.
Pavement Coverage	12,182 sq. ft.
Landscape Coverage	10,000 sq. ft.
Parking Spaces	6 spaces
Zoning	1 du/acre and 1 du/2 acres
Plan Designation	Residential I and Rural Land III
Project Density	1 du/ 9 acres
Ht abv fin grade	28 feet

LOCAL APPROVALS RECEIVED: Two Project Approvals in Concept, Planning Department, City of Malibu, dated 9/8/95 and 12/18/95; In Concept Approval for Septic System, Department of Environmental Health, City of Malibu.

SUBSTANTIVE FILE DOCUMENTS: Archaeological Reconnaissance at 6363 Delaplane Drive, Malibu, CA, by Chester King, dated August 31, 1995; Letter to Michael Barsocchini from David Whitley, dated December 8, 1995 regarding limited archaeological testing at 6363 Delaplane Drive, Malibu; Memo to Vince Bertoni from Chester King, dated December 16, 1995 regarding City of Malibu approval of foundations, pool and utilities; City of Malibu; Coastal Permit No. 4-94-178, Skene.

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends approval of the proposed project with five (5) Special Conditions addressing the protection of archaeological resources, design restrictions, landscaping and erosion control, plans conforming to the consulting geologist's recommendations, and a wild fire waiver of liability.

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions.

The Commission hereby grants a permit, subject to the conditions below, for the proposed development on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions.

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS:

1. ARCHAEOLOGICAL RESOURCES

By acceptance of this permit the applicant agrees to have a qualified archaeologist(s) and appropriate Native American consultant(s) present on-site during all grading, excavation and site preparation that involve earth moving operations. The number of monitors shall be adequate to observe the activities of each piece of active earth moving equipment. Specifically, the earth moving operations on the project site shall be controlled and monitored by the archaeologist(s) with the purpose of locating, recording and collecting any archaeological materials. In the event that an area of intact buried cultural deposits are discovered during operations, grading work in this area shall be halted and an appropriate data recovery strategy be developed, subject to the review and approval of the Executive Director, by the the applicant's archaeologist, the City of Malibu archaeologist and the Native American consultant (Chumash cultural resource manager) consistent with CEQA guidelines.

If development projects such as landscaping or auxiliary structures are proposed within 5 meters of the area where artifacts were observed on the surface, archaeological test excavations should be conducted to determine the impacts of the projects on archaeological site CA-LAN-30. The fence post auger holes shall be excavated as control auger samples and water screened through 16 mesh per inch wire screen. All residues remaining in screens shall be dried and transported to a laboratory and carefully sorted. A report shall be prepared describing recovered materials and observations concerning changes in artifacts and other remains. Artifacts and other remains shall be catalogued and curated at a responsible institution.

2. DESIGN RESTRICTIONS

Prior to issuance of the Coastal Development Permit, the applicant shall execute and record a deed restriction, in a form and content acceptable to the Executive Director, which restricts the color of the subject structure, roof, pool surround/dressing area, gazebo, entry gate to colors compatible with the surrounding environment. White tones shall not be acceptable. All windows and glass for the proposed structures, shall be of non-glare glass. The document shall run with the land for the life of the structure approved in this permit, binding all successors and assigns, and shall be recorded free of prior liens.

3. LANDSCAPING AND EROSION CONTROL

Prior to issuance of permit, the applicant shall submit landscaping and erosion control plans prepared by a licensed landscape architect for review and approval by the Executive Director. The plans shall incorporate the following criteria:

- a) All graded areas on the subject site shall be planted and maintained for erosion control and visual enhancement purposes. To minimize the need for irrigation and to screen or soften the visual impact of development all landscaping shall consist primarily of native, drought resistant plants as listed by the California Native Plant Society, Los Angeles - Santa Monica Mountains Chapter, in their document entitled Recommended Native Plant Species for Landscaping

in the Santa Monica Mountains, dated October 4, 1994. Invasive, non-indigenous plant species which tend to supplant native species shall not be used.

- b) All disturbed areas on the subject site shall be planted and maintained for erosion control and visual enhancement purposes according to the approved landscape plan within thirty (30) days of final occupancy of the residence.
- c) Should grading take place during the rainy season (November 1 - March 31), sediment basins (including debris basins, desilting basins, or silt traps) shall be required on the project site prior to or concurrent with the initial grading operations and maintained through the development process to minimize sediment from runoff waters during construction. All sediment should be retained on-site unless removed to an appropriate approved disposal location.
- d) The plan shall include vertical elements, such as trees, which break up the appearance of the proposed structure and partially screens the structure from Pacific Coast Highway, Delaplane Road, and Winding Way.

4. PLANS CONFORMING TO GEOLOGIC RECOMMENDATION

All recommendations contained in the "Geotechnical Engineering and Geologic Report, Proposed Residential Addition, 6363 Delaplane Road, Malibu, California", dated May 22, 1995 by RJF Engineering Group, including issues related to earthwork, foundations, concrete slabs-on-grade, utility trenches, and surface drainage shall be incorporated into the final plans. All plans must be reviewed and approved by the geologic consultant. Prior to the issuance of the permit the applicant shall submit, for the review and approval by the Executive Director, evidence of the consultant's review and approval of all project plans.

The final plans approved by the consultant shall be in substantial conformance with the plans approved by the Commission relative to construction, grading and drainage. Any substantial changes in the proposed development approved by the Commission which may be required by the consultant shall require an amendment to the permit or a new coastal permit.

5. WILD FIRE WAIVER OF LIABILITY

Prior to the issuance of the coastal development permit, the applicant shall submit a signed document which shall indemnify and hold harmless the California Coastal Commission, its officers, agents and employees against any and all claims, demands, damages, costs, expenses, of liability arising out of the acquisition, design, construction, operations, maintenance, existence, or failure of the permitted project in an area where an extraordinary potential for damage or destruction from wild fire exists as an inherent risk to life and property.

IV. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

A. Project Description and Location

The site is located north of Paradise Cove in the Ramirez Canyon area in the City of Malibu. (See Exhibits 1 and 2) The project site is accessed from Delaplane Road and bounded by Delaplane Road on the east, another lot on the north, Ramirez Canyon Road on the west and Pacific Coast Highway and the Skene property on the south. The 9.7 acre lot descends from approximately 207 feet to 120 feet elevation at the frontage on the Pacific Coast Highway. (See Exhibits 3 and 4.)

The applicants propose to construct a 9,396 sq. ft., 28 ft. high single family residence with 4-car garage (total gross floor area 10,466 sq. ft.), septic tank, driveway, swimming pool, pool enclosure/dressing room, gazebo, new entry gate, and fences. (See Exhibits 5, 6, 7, 8 and 9.) The Los Angeles County Land Use Plan designates the lot as both Rural Land III, one dwelling unit per two acres and Residential I, one dwelling unit per one acre. The City of Malibu designates the zoning on the lot as Rural Residential two acre minimum lot size.

The lot is presently developed with a two story residence and a garage, which the applicant proposes to demolish. Portions of the lot surrounding the residence with grasses have been disced. There is a small grove of eucalyptus trees at the driveway entrance at the northeast corner of the lot and other trees to the south of the residence. Four eucalyptus trees will be removed near the entrance driveway. This nearly ten acre parcel includes a small portion of Ramirez Creek and an oak woodland, a designated environmentally sensitive habitat area. The oak woodland in the creek below is located about 350 feet from proposed development and will not be affected by the proposed project. As noted below, the parcel is located on or near an identified archaeological site.

B. Archaeological Resources

Section 30244 of the Coastal Act states that:

Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

Archaeological resources are significant to an understanding of cultural, environmental, biological, and geological history. The Coastal Act requires the protection of such resources to reduce potential adverse impacts through the use of reasonable mitigation measures. Archaeological resources can be degraded if a project is not properly monitored and managed during earth moving activities conducted during construction. Site preparation can disturb and/or obliterate archaeological materials to such an extent that the information that could have been derived would be lost. As so many archaeological sites have been destroyed or damaged as a result of development activity or natural processes, the remaining sites, even though they may be less rich in materials, have become increasingly valuable. Further, because archaeological sites, if studied collectively, may provide information on

subsistence and settlement patterns, the loss of individual sites can reduce the scientific value of the sites which remain intact. The greater province of the Santa Monica Mountains is the locus of one of the most important concentrations of archaeological sites in Southern California. Although most of the area has not been systematically surveyed to compile an inventory, the sites already recorded are sufficient in both number and diversity to predict the ultimate significance of these unique resources.

The applicant submitted two archaeological reports for the two portions of the proposed project on the parcel. The first report dated August 31, 1995 was prepared by Chester King for the footprint area of the residence. This report is a survey of the project site which indicated that the east edge of the parcel is within a portion of prehistoric site CA-LAN-30. This site was first recorded in February 1967 by Chester King and updated in November 1969 by John Holliurake. Additional observations were recorded by King in a 1994 report concerning the parcel which is adjacent to the southeast which is owned by the Skenes. The types of artifacts and the condition of the midden indicate that most occupation at CA-LAN-30 occurred during the Early period between 4000-6000 BC.

The project area is located in the vicinity of the historic Chumash village of Sumo. Referring to all of the Point Dume area and possibly including all the marine terraces between Little Sycamore and Malibu Canyons, Sumo means 'abundance' in the Malibu Chumash dialect.

Based on an evaluation of this report and findings, the consultant finds that CA-LAN-30, a large prehistoric settlement site, extends within the boundaries of the subject parcel and makes the following recommendations:

The project is adjacent to a large archaeological site and it is possible that features associated with the site are within areas which will be excavated for the house foundations. It is recommended that the project be monitored by an archaeologist. If archaeological remains are discovered during project construction, work should be stopped and the City archaeologist and Chumash cultural resource manager should be consulted to determine appropriate mitigations measures.

If development projects such as fences, landscaping or auxiliary structures are proposed within 5 meters of the area where artifacts were observed on the surface, archaeological test excavations should be conducted to determine the impacts of the projects on archaeological site CA-LAN-30.

A second archaeological report was completed for a portion of the project. Initially, the City of Malibu granted only conceptual approval for the demolition of the residence and garage and construction of a residence. The City withheld final conceptual approval of the swimming pool, pool enclosure/dressing area, and gazebo until a Phase II archaeological survey was done. At the request of the applicant limited archaeological testing was completed by David Whitley in a report dated December 8, 1995.

The Whitney report found that:

Limited test excavations within the area of a proposed swimming pool at

6363 Delaplane Drive, Malibu failed to find evidence that recorded site CA-LAN-30 extends onto this property, or that significant extant cultural resources of any kind are present within the area of the proposed swimming pool, per se. Following the guidelines of the California Environmental Quality Act, the construction of this swimming pool, therefore, does not have the potential to result in adverse impacts to cultural resources. Based on this fact, no additional archaeological work is required or recommended for the proposed project site. However, in the unlikely event that archaeological resources are uncovered during the excavation of the swimming pool, it is recommended that an archaeologist be contacted to evaluate such remains.

Subsequently, the City of Malibu's archaeological consultant, Chester King, determined in a memo to Vince Bertoni, dated December 16, 1995 that additional conditions and limitations to the City's approval for the house foundations, swimming pool, utility lines and fencing would be necessary.

In the City of Malibu review of the Whitley report and the swimming pool and associated developments, Chester King concluded with two conditions in part that state:

The house and pool components of the project are adjacent to a large archaeological site CA-LAN-30 and it is possible that features associated with the site are within areas which will be excavated for the house foundations, swimming pool and/or utility lines. Excavations associated with the project shall be monitored by a qualified archaeologist. If archaeological remains are discovered during project construction, work should be stopped and the City Planning Director should determine appropriate mitigation measures. ... The fence along the southeastern edge of the parcel is within site CA-LAN-30. The excavation of post holes for fence posts will disturb the site. The impact can be mitigated by excavating the post holes within the site as controlled auger samples. The fence posts will be approximately 12 feet apart. The southeast boundary is 354 feet long. It appears that approximately 30 post holes will be excavated in the site. Soil from fence post auger holes shall be screened through 16 mesh per inch wire screen. All residues remaining in screens shall be dried and transported to a laboratory and carefully sorted.

Mr. King's prior recommendation in the August 31, 1995 report regarding test excavations for fence holes was modified in his December 16, 1995 memo and the City's December 18, 1995 approval. Mr. King determined that test excavations to assess the impact of the fence line project would result in impacts as great as the fence line and would cause delays in the permit process, and therefore have not been recommended. Instead, the recommended processing of soil through controlled augering of the fence post holes was determined not to cause unnecessary impacts.

Thus, with the above limitations, the City of Malibu has granted final conceptual approval for the swimming pool, pool enclosure/dressing area, gazebo, and fencing as proposed. According to City staff, there is no further archaeological information other than the above on this project site in the City files.

The Commission finds that because archaeological resources may be present on the project site and the project site is near a known archaeological site, it is necessary to require the applicant to comply with condition number one

(1). This condition requires the applicant to agree to have a qualified archaeologist(s) and appropriate Native American consultant(s) present on-site during all grading, excavation and site preparation that involve earth moving operations. The number of monitors will be adequate to observe the activities of each piece of active earth moving equipment. Specifically, the earth moving operations on the project site shall be controlled and monitored by the archaeologist(s) with the purpose of locating, recording and collecting any archaeological materials. In the event that an area of intact buried cultural deposits are discovered during such operations, grading work in this area will be halted and an appropriate data recovery strategy be developed by the City of Malibu archaeologist and the Native American consultant (Chumash cultural resource manager) consistent with California Environmental Quality Act (CEQA) guidelines. If development projects such as landscaping or auxiliary structures are proposed within 5 meters of the area where artifacts were observed on the surface, archaeological test excavations should be conducted to determine the impacts of the projects on archaeological site CA-LAN-30. The fence post auger holes will be excavated as control auger samples and water screened through 16 mesh per inch wire screen. All residues remaining in screens will be dried and transported to a laboratory and carefully sorted. A report will be prepared describing recovered materials and observations concerning changes in artifacts and other remains. Artifacts and other remains will be catalogued and curated at a responsible institution.

Thus, the Commission finds that the proposed project, as conditioned, mitigates any adverse impacts on archaeological resources and therefore, the proposed development is consistent with Section 30244 of the Coastal Act.

C. Visual Impacts

Section 30251 of the Coastal Act states that:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

The project site is located above Pacific Coast Highway to the south, bounded by Delaplane Road on the east, another lot on the north, Ramirez Canyon Road on the west and the Skene property on the south. The 9.7 acre lot descends from approximately 207 foot to 120 foot elevation along the frontage on the Pacific Coast Highway. This area is characterized by lower intensity rural-type residential development. The applicants propose to demolish an existing 3,200 sq. ft. residence and a garage and construct a new 10,466 sq. ft. residence, a four car garage, swimming pool, pool enclosure/dressing area, gazebo, entry gate and fence. (See Exhibits 4, 8, and 9.)

Vegetation on the parcel consists of numerous eucalyptus and pine trees that appear to have been planted as landscaping to the existing residence. The majority of the parcel is grassland with a few oak trees and some riparian vegetation about 350 feet down the canyon from the residence along Ramirez Creek.

The proposed project site is about one-half mile south of National Recreation Area land located along Kanan Dume Road. The residence will be visible from the coast to the south, because it is located at an elevation of about 200 feet finished grade. The proposed residence is a two story, 28 foot high, 10,466 sq. ft. structure which may partially block views of the shore or mountains from public viewing areas along Pacific Coast Highway, various beach areas and Delaplane Road.

Although the project site is visible from Pacific Coast Highway, considered a scenic highway, the Malibu/Santa Monica Mountains Land Use Plan does not designate this section of the Highway as a priority scenic segment. (See Exhibit 8 for the south elevation.) The proposed residence, although nearly three times larger than the existing residence and 28 feet high is set back from the highway in a location that minimizes the alteration of natural land forms. The location also reduces the appearance of the residence from the major public roadway, Pacific Coast Highway. The proposed maximum 1,000 cubic yards of grading is proposed to level the residence on a cut and fill basis while some grading is necessary to construct the pool. The applicant proposes to landscape the area surrounding the residence to soften the appearance of the structure. The existing trees will be augmented by additional landscaping particularly along Delaplane Road and at the entry gate to mitigate the appearance of the structure from Delaplane Road.

In conclusion, the structures will be partially visible from public viewing areas along Pacific Coast Highway, various beach areas, and Delaplane Road. In order to ensure that the color of the structures and the potential glare of the glass windows will not create adverse visual impacts, the Commission finds it necessary to require the applicant to use colors compatible with the surrounding environment and non-glare glass as required by condition number two (2). Additionally, visual impacts can be further mitigated by requiring all graded areas and the perimeter of the structures to be adequately landscaped. The landscaping should consist of native, drought resistant plants. The landscape plan should be designed to minimize and control erosion, as well as, screen and soften the visual impact of the structures. Therefore, condition number three (3) requires the applicant to submit a landscape plan meeting the above requirements to minimize the visual impact and control erosion as a result of the proposed project. The Commission finds that the proposed project, as conditioned, is consistent with Section 30251 of the Coastal Act.

D. Geologic and Fire Hazards

Section 30253 of the Coastal Act states, in part, that new development shall:

(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.

(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction

of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

The proposed development is located in the Malibu area which is generally considered to be subject to an unusually high number of natural hazards. Geologic hazards common to the Malibu area include landslides, erosion, and flooding. In addition, fire is an inherent threat to the indigenous chaparral community of the coastal mountains. Wild fires often denude hillsides in the Santa Monica Mountains of all existing vegetation, thereby contributing to an increased potential for erosion and landslides on property.

The applicant submitted an updated geologic report titled: "Geotechnical Engineering and Geologic Report, Proposed Residential Addition, 6363 Delaplane Road, Malibu, California", dated May 22, 1995 by RJR Engineering Group. The report addresses the geology issues by concluding:

Based on the available data, from our review, investigation and analysis, the subject residential development is feasible from a geologic and geotechnical standpoint and the site should be free of any geologic or geotechnical hazards, as long as the recommendations of this report are incorporated into the design and construction of the project.

The recommendations in the Geotechnical report address the following issues: earthwork, foundations, concrete slabs-on-grade, utility trenches and surface drainage. Condition number four (4) provides for final review and approval by the consulting geologist of the final project design, grading and drainage plans for the residence prior to the issuance of the permit.

The applicant has submitted a grading plan which includes a drainage plan. This plan provides for the positive discharge of water through drainage routes and energy dissipators in a manner that appears to reduce the potential for erosion. The above geology report includes recommendations regarding surface drainage which will be applied as appropriate by the consulting geologist when the final plans are reviewed and approved by the consulting geologist.

Additionally, due to the fact that the proposed project is located in an area subject to an extraordinary potential for damage or destruction from wild fire, the Commission will only approve the project if the applicant assumes liability from the associated risks. Through the waiver of liability, the applicant acknowledges and appreciates the nature of the fire hazard which exists on the site and which may affect the safety of the proposed development, as incorporated by condition number five (5).

The Commission finds that only as conditioned to incorporate all recommendations by the applicant's consulting geologist and the wild fire waiver of liability, will the proposed project be consistent with Section 30253 of the Coastal Act.

E. Septic System

The Coastal Act includes policies to provide for adequate infrastructure including waste disposal systems. Section 30231 of the Coastal Act states that:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30250(a) of the Coastal Act states in part that:

New residential, ... development, ... shall be located within, ... existing developed areas able to accommodate it ... and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

The proposed development includes connecting the existing septic system to the new residence and upgrading the system with a new septic tank to provide for adequate sewage disposal. The applicant has submitted a conceptual approval for the sewage disposal system from the Department of Environmental Health Services, City of Malibu. This approval indicates that the sewage disposal system for the project in this application complies with all minimum requirements of the City of Malibu Plumbing Code. The Commission has found in past permit actions that compliance with the health and safety codes will minimize any potential for waste water discharge that could adversely impact coastal waters. Therefore, the Commission finds that the proposed septic system is consistent with Sections 30231 and 30250 of the Coastal Act.

F. Local Coastal Program

Section 30604 of the Coastal Act states that:

(a) Prior to certification of the local coastal program, a coastal development permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity with Chapter 3 (commencing with Section 30200) and that the permitted development will not prejudice the ability of the local government to prepare a local coastal program that is in conformity with Chapter 3 (commencing with Section 30200).

Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act. The preceding sections provide findings that the proposed project will be in conformity with the provisions of Chapter 3 if certain conditions are incorporated into the project and accepted by the applicant. As conditioned, the proposed development will not create adverse impacts and is found to be consistent with the applicable policies contained in Chapter 3. Therefore, the Commission finds that approval of the proposed development, as conditioned, will not prejudice the City of Malibu's ability to prepare a Local Coastal Program for this area of Malibu that is also consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

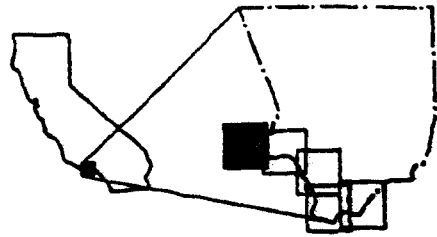
G. California Environmental Quality Act

The Coastal Commission's permit process has been designated as the functional equivalent of CEQA. Section 13096(a) of the California Code of Regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of CEQA. Section 21080.5 (d)(2)(i) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available that would substantially lessen any significant adverse impacts that the activity may have on the environment.

As discussed above, the proposed project has been mitigated to incorporate the protection of archaeological resources, design restrictions, landscaping and erosion control, the recommendations by the consulting geologist, and a wild fire waiver of liability. As conditioned, there are no feasible alternatives or mitigation measures available, beyond those required, which would lessen any significant adverse impact that the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and is found consistent with the requirements of CEQA and the policies of the Coastal Act.

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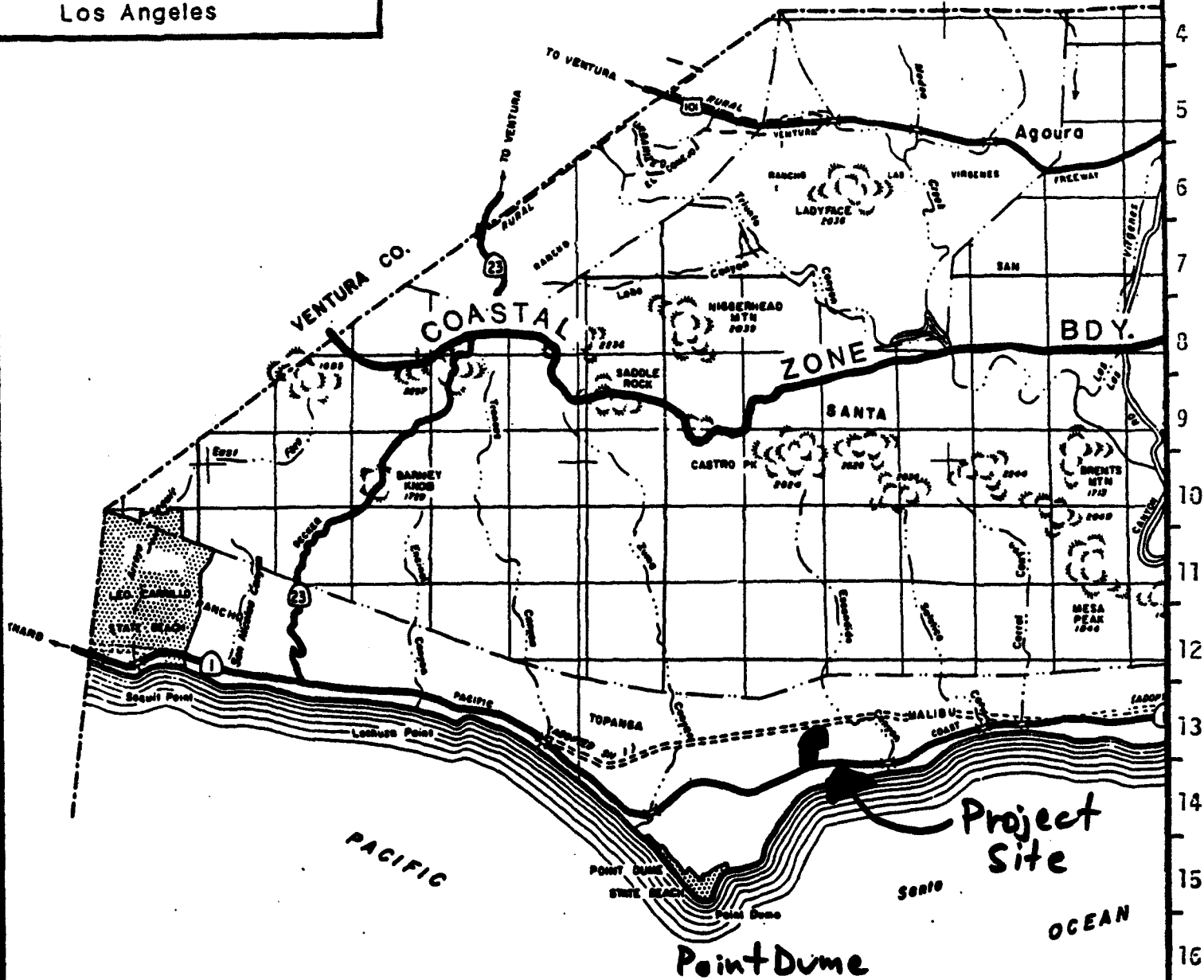
Los Angeles

EXHIBIT NO. 1

APPLICATION NO.
4-95-191

Coastal Zone

Location



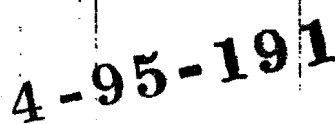
California Coastal Commission

LOCATION MAP



County of Los Angeles

Sheet 1 of 5



← ENTIRE PARCEL

(Skene Parcel)

De la plane Road

SEE GRADING PLAN FOR
APPROXIMATE TOPOGRAPHY, ETC.

Ramirez Canyon Road
Pacific Coast Highway

SURVEY / SITE PLAN

EXHIBIT NO. 3
APPLICATION NO. 4-95-191
Parcel Site Plan

11/11/2019 11:11:11 AM

GENERAL INVESTIGATIVE DIVISION

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Case-control Study

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UNCLASSIFIED CONFIDENTIAL

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(lost or were stolen)

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PARTIAL SURVEY

BARSOCCHINI & ASSOCIATES, INC.
ARCHITECTS
MICHAEL E. BARSOCCHINI, AIA • (818) 456-3625
3932 COAST VIEW DRIVE • MALIBU, CA 90265

PROPOSED RESIDENCE FOR:
FLAMEY AND EGLA DAMIAN
6363 DELARLANE DR. MALIBU, CA 90265

4-95-191

Ramirez Canyon
Road

1

First Floor Plan

LOWER FLOOR PLAN

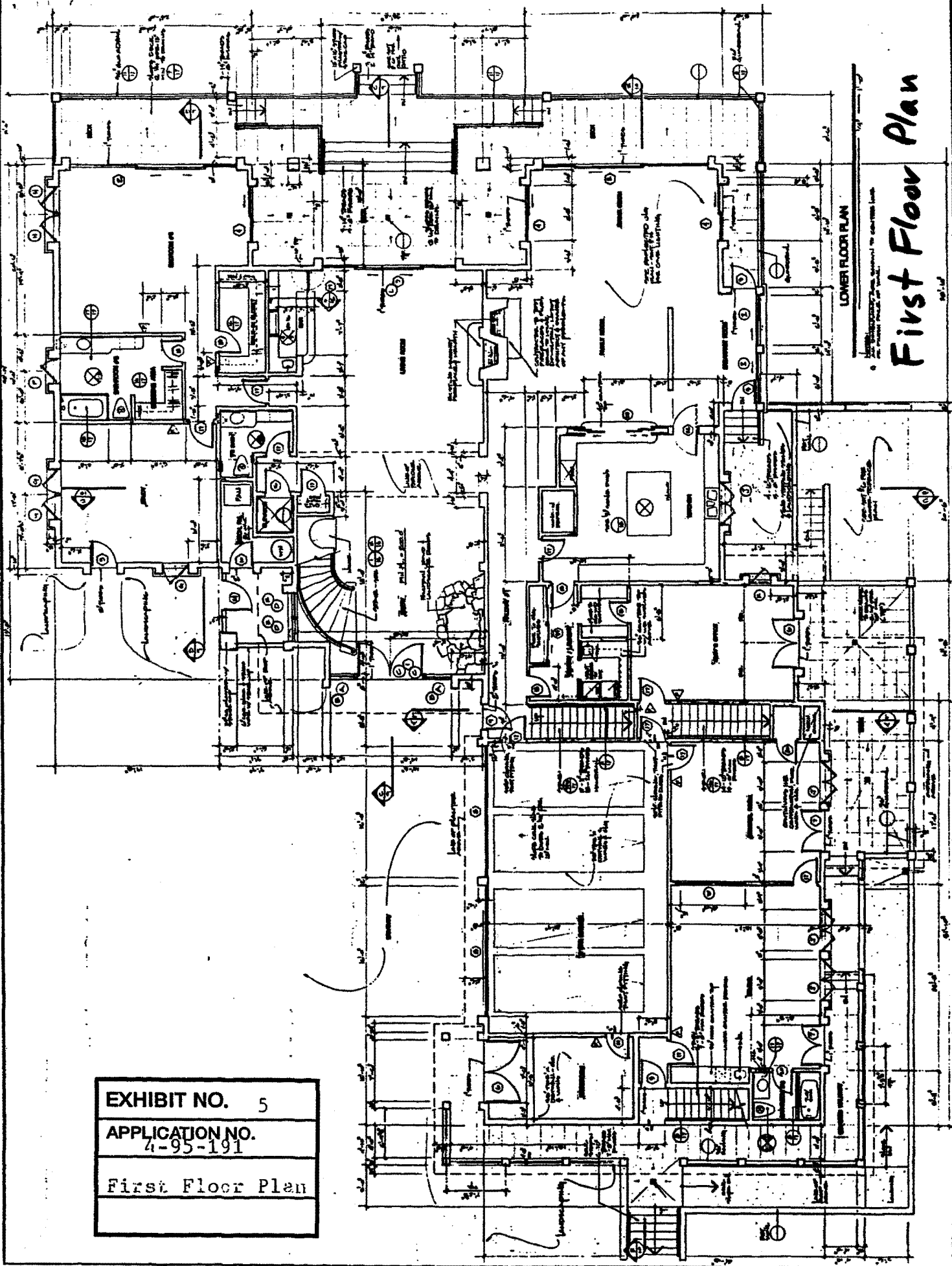


EXHIBIT NO.	5
APPLICATION NO.	4-95-191
First Floor Plan	

EXHIBIT NO. 6

APPLICATION NO.
4-95-191

Second Floor Plan

2nd Floor Plan

UPPER FLOOR PLAN

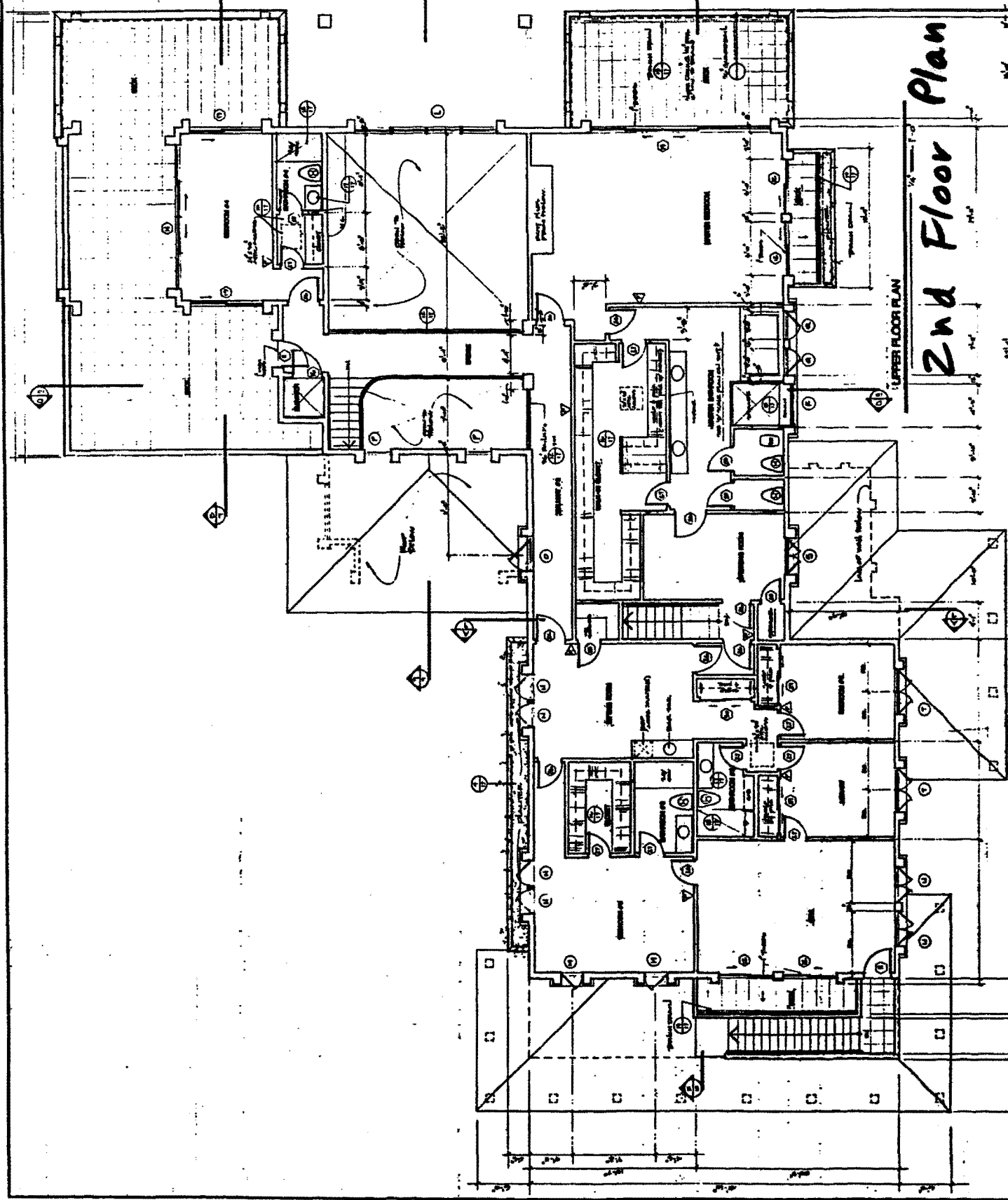
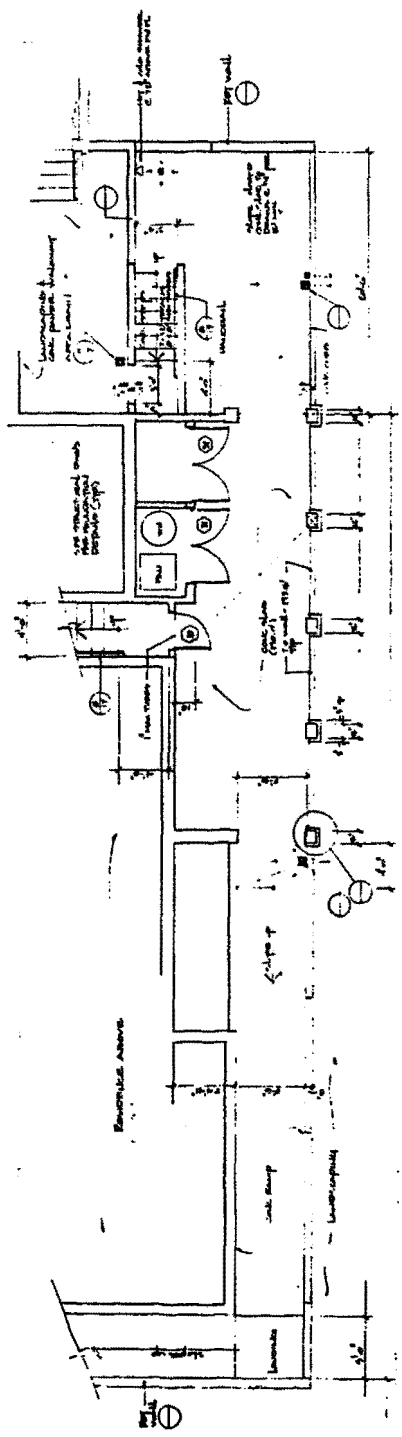
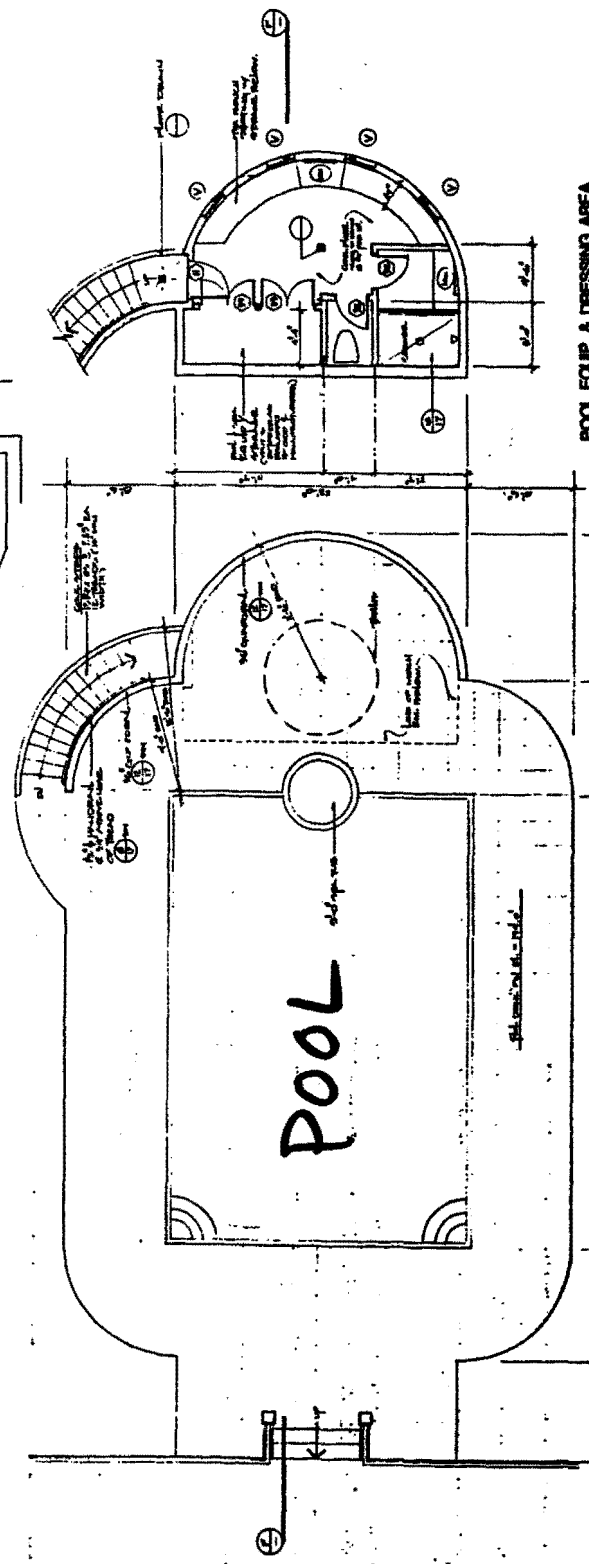
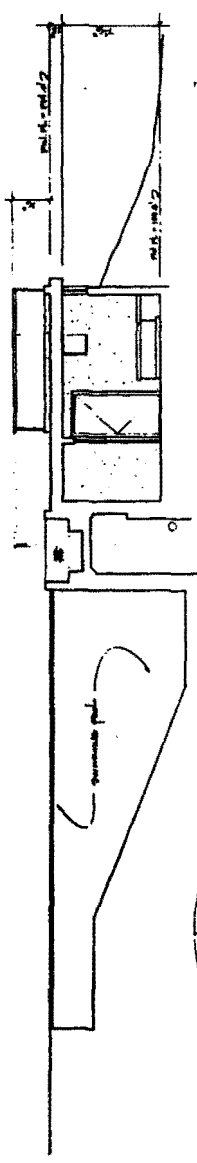


EXHIBIT NO. 7
APPLICATION NO. 4-95-191
Pool Site Plan

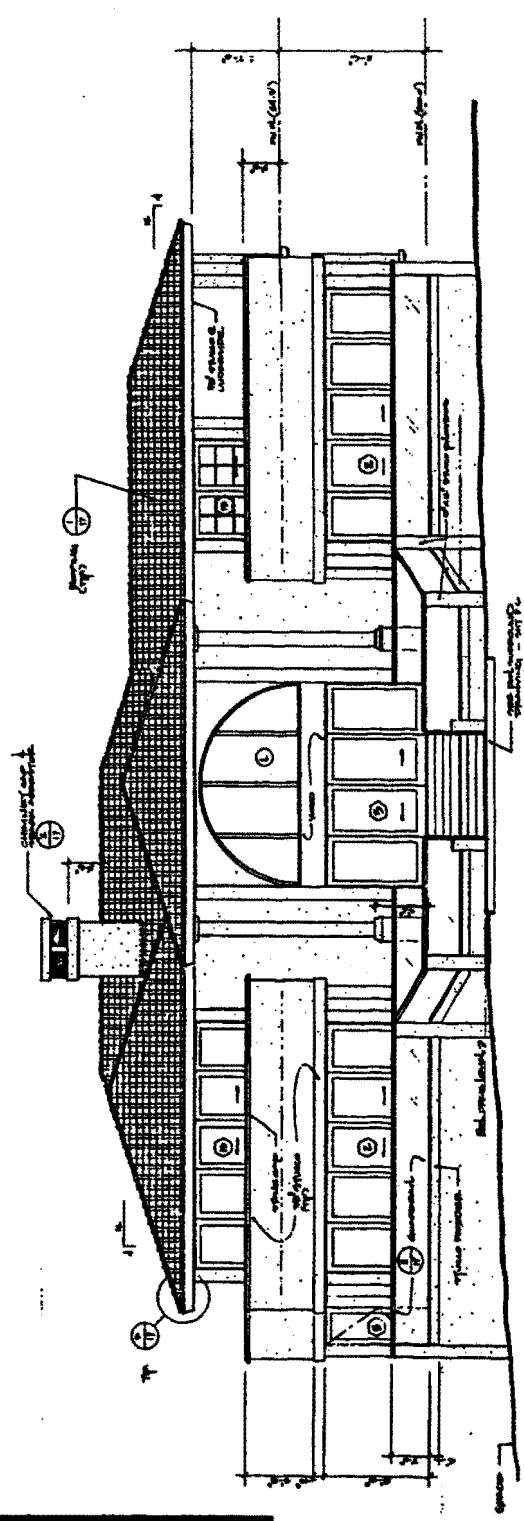


LOWER TERRACE PLAN

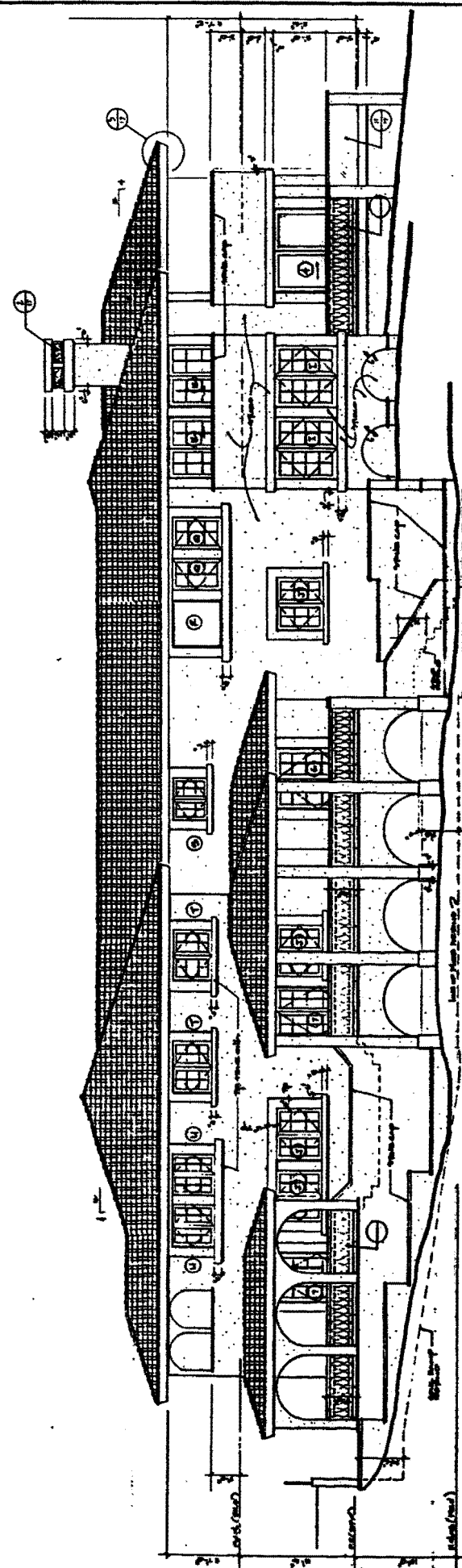


SWIMMING POOL AND SURROUND

POOL EQUIP. & DRESSING AREA

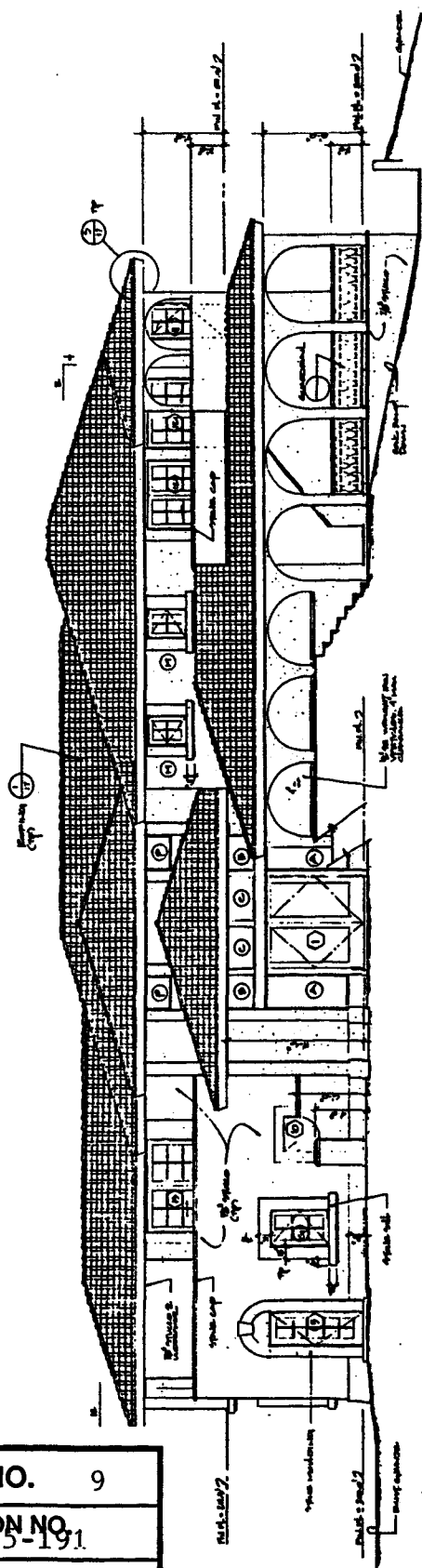


SOUTH ELEVATION
South Elevation



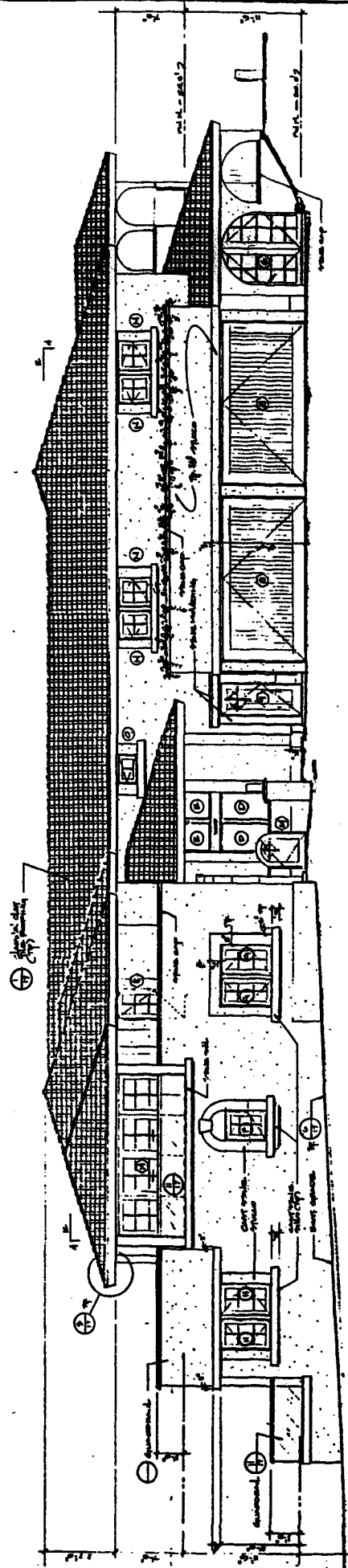
WEST ELEVATION
West Elevation

EXHIBIT NO.	8
APPLICATION NO.	4-95-191
So. & W. Elevations	



NORTH ELEVATION

North Elevation



EAST ELEVATION

East Elevation

EXHIBIT NO. 9

APPLICATION NO. 4-95-191

No. & E. Elevations