

## CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA  
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## RECORD PACKET COPY

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Staff: TAD-VNT TAD  
Staff Report: 9/19/96  
Hearing Date: October 8-11, 1996  
Commission Action:

STAFF REPORT: CONSENT CALENDAR

APPLICATION NO.: 4-96-151

APPLICANT: Los Angeles County Public Works Department

AGENT: Ali Babanalbandi - LACPWD Waterworks & Sewer Dept.

PROJECT LOCATION: 3101 Sumacridge Drive, Malibu Region, Los Angeles County.

PROJECT DESCRIPTION: Construction of a 18'-0", 300,000 gallon concrete water tank, and the demolition of an existing 100,000 gallon water tank damaged by the 1993 Old Topanga Firestorm. The new water tank covers 2,310 sq. ft., and the project involves 5,600 cubic yards of grading. The applicant proposes to transport all excess cut materials to either a landfill location outside the coastal zone or to a site within the coastal zone which has valid permits to accept fill material.

Lot area:	7,500 sq. ft.
Building coverage:	2,310 sq. ft.
Pavement coverage:	2,890 sq. ft.
Landscape coverage:	2,300 sq. ft.
Ht abv fin grade:	18'-0"

LOCAL APPROVALS RECEIVED: None Required.

SUBSTANTIVE FILE DOCUMENTS: Geologic Report, dated November 2, 1994, and Geotechnical Investigation Report, dated April 23, 1996, prepared by the LACPWD Materials Engineering Division.

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends that the Commission determine that the proposed project, as conditioned, is consistent with the requirements of the California Coastal Act. Staff further recommends special conditions regarding; a revegetation & landscaping program, and interim erosion control plans.

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 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 development during construction, 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.

II. Special Conditions.

1. Revegetation and Erosion Control Plans.

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

- (a) All graded and disturbed 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 and drought resistant plants (as listed by the California Native Plant Society, Santa Monica Mountains Chapter, in their document entitled Recommended Native Plant Species for Landscaping Wildland Corridors in the Santa Monica Mountains, dated October 4, 1994). Invasive, non-indigenous plant species which tend to supplant native species shall not be used. Such planting shall be adequate to provide 90 percent coverage within two (2) year and shall be repeated, if necessary, to provide such coverage.
- (b) Description of temporary drainage and erosion control features such as sandbagging, tarping, or any alternative best management practices for containing stockpiled material and minimizing erosion from staging and construction areas. The temporary plans shall be illustrated in plan view.
- (c) Time frame for the placement and removal of the temporary erosion control measures, and a maintenance schedule and criteria for maintenance.

### III. Findings and Declarations

The Commission hereby finds and declares:

#### A. Project Description

The County of Los Angeles Public Works Department proposes the construction of a rectangular 300,000 gallon concrete water tank, and the demolition of an existing 100,000 gallon water tank damaged by the 1993 Old Topanga Firestorm. The new water tank, to be placed on a 4.29 acre parcel, covers a 2,310 sq. ft. section of the lot. This project also involves the construction of retaining walls, a small booster pump station, and a future booster pumping station with associated piping. The water tank is to be partially buried which will require 5,600 cubic yards of grading. Only 8' of the water tanks overall height of 18'-0" will be visible as 10' of the tank will lie below the natural grade of the project site. The partial burial of the water tank will dramatically reduce the associated visual impacts of this project.

As mentioned above, 5,600 cubic yards of grading (cut) will occur as apart of this project. The applicant proposes to transport all excess cut materials to either a landfill location outside the coastal zone or to a site within the coastal zone which has valid permits to accept fill material. The exact location of fill disposal will be determined by the applicant when the proposed project is implemented. The applicant further proposes to install landscape materials, including an irrigation system, following construction activities at the site. However, revegetation plans have not been developed to date.

The new water tank is needed to replace a 10,000 gallon water tank which was destroyed during the 1993 Old Topanga Firestorm. The removal of the remains of this water tank is also a part of this project. The proposed project site is a 4.29 acre, flat, rural lot, in the Rambla Pacifico/La Costa area of the City of Malibu. This area is fairly built-out and consists of numerous lots

containing single family residences. The project site and adjacent area was heavily damaged by the 1993 Old Topanga Firestorm and the area is still in the process of rebuilding following this disaster. No significant vegetation or habitat areas exist or will be impacted by the proposed development. The proposed project site is visible from a limited section of Pacific Coast Highway and Malibu Beach; However, the proposed project will not adversely impact visual resources.

The Commission has previously approved permits for the construction of water storage tanks [5-91-258 (L.A. Co. Water Works District 29) and 4-93-016 (L.A. Co. Public Works)]. These permits were approved with conditions regarding geologic stability and landscaping.

#### B. Geologic Stability

Section 30253 of the Coastal Act states:

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.

In addition, the Malibu/Santa Monica Mountains Land Use Plan contains policies which have been found to be consistent with the Coastal Act and, therefore, may be looked to as guidance by Commission staff in the analysis of a project's conformity with Coastal Act policy. The LUP contains the following policies regarding geologic hazards which are applicable to the proposed development:

P147 Continue to evaluate all new development for impact on, and from, geologic hazard.

P148 Continue to limit development and road grading on unstable slopes to assure that development does not contribute to slope failure.

The applicant proposes the construction of a partially buried, rectangular, 300,000 gallon concrete water tank, and the demolition of an existing 100,000 gallon water tank damaged by the 1993 Old Topanga Firestorm. The project involves 5,600 cubic yards of grading.

The proposed development is located in the Santa Monica Mountains, an area which is generally considered to be subject to an unusually high amount of natural hazards. Geologic hazards common to the Santa Monica Mountains 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 vegetation, thereby contributing to an increased potential for erosion and landslide on the property.

The Coastal Act requires that new development assure "stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area..."

The applicant has submitted a Geologic Report, dated November 2, 1994, and Geotechnical Investigation Report, dated April 23, 1996, prepared by the LACPWD Materials Engineering Division. The April 23, 1996, report states as follows:

The subject site has a current static factor of safety of 1.35. After grading of the site and construction of the proposed rectangular reservoir, the subject site will have a static factor of safety of 1.46. These values are below the normally acceptable value of 1.50.

The applicant has further submitted evidence, in a letter dated September 11, 1996, that the water tank is to be designed to address the concerns and recommendation of the applicant's geologic consultant and increases the factor of safety for the proposed project site to 1.5. This will be done through the use of steel reinforcement and deep piles.

In order to minimize erosion and provide further geologic stability by minimizing surface runoff, the Commission finds it necessary to require the applicant to submit a revegetation and erosion control plan for all areas of the site disturbed by development activities. This plan will require the applicant to landscape the site with native and drought tolerant vegetation for visual enhancement and erosion control purposes. Additionally, this condition requires the applicant to submit interim erosion control plans for areas disturbed by grading and development activities which indicate the best management practices that should be implemented to control erosion and sedimentation on site. The use of best management practices will help to ensure that sedimentation is controlled on site until such time that revegetation efforts are completed. Only as conditioned is the proposed project consistent with Section 30253 of the Coastal Act.

### C. Grading/Landform Alteration & Visual Resources

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 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.

In addition, the Malibu/Santa Monica Mountains Land Use Plan contains policies which have been found to be consistent with the Coastal Act and, therefore, may be looked to as guidance by Commission staff in the analysis of a project's conformity with Coastal Act policy. The LUP contains the following policies regarding landform alteration and the protection of visual resources which are applicable to the proposed development:

- P82 Grading shall be minimized for all new development to ensure the potential negative effects of runoff and erosion on these resources are minimized.
- P90 Grading plans in upland areas of the Santa Monica Mountains should minimize cut and fill operations in accordance with the requirements of the County Engineer.
- P91 All new development shall be designed to minimize impacts and alterations of physical features, such as ravines and hillsides, and processes of the site (i.e., geological, soils, hydrological, water percolation and runoff) to the maximum extent feasible.
- P125 New development shall be sited and designed to protect public views from LCP-designated scenic highways to and along the shoreline and to scenic coastal areas, including public parklands. Where physically and economically feasible, development on sloped terrain should be set below road grade.
- P129 Structures should be designed and located so as to create an attractive appearance and harmonious relationship with the surrounding environment.
- P130 In highly scenic areas and along scenic highways, new development (including buildings, fences, paved areas, signs, and landscaping) shall:
  - be sited and designed to protect views to and along the ocean and to and along other scenic features, as defined and identified in the Malibu LCP.
  - minimize the alteration of natural landforms.
  - be landscaped to conceal raw-cut slopes.
- P134 Structures shall be sited to conform to the natural topography, as feasible. Massive grading and reconfiguration of the site shall be discouraged.
- P135 Ensure that any alteration of the natural landscape from earthmoving activity blends with the existing terrain of the site and the surroundings.

The visual impact of this project is limited to the lots directly adjacent to the project site, and these impacts should be less than those that currently exist due to the nature of the proposed development. The 5,600 cubic yards of grading proposed as a part of this project will occur so that all but 8' of the overall height of the structure, approximately 30', can be placed below the existing grade of the project site. The existing water tank, to be removed as a part of this development, is placed on grade and is approximately 12'-0" tall. Therefore, the proposed water tank will present less visual impacts than those that currently exist at the project site. Although the water tank may be visible from a small stretch of Pacific Coast Highway and Malibu Beach, the project should not increase existing impacts to visual resources, and those impacts that do exist should be decreased by the removal of the existing water tank.

However, to ensure that any visual impacts which may result from disturbance of the site are minimized to the greatest extent feasible, and to also ensure that erosion and sedimentation control is provided, the Commission finds it necessary to require the applicant to submit a revegetation and erosion control plan for the site. This plan shall require the applicant to revegetate those portions of the site disturbed by construction with native and drought tolerant vegetation, which will in turn provide erosion control to the site, and restore the scenic and visual qualities of the area to a level compatible with the surrounding environment. Additionally, the required interim erosion control plans for areas disturbed by grading and development activities will indicate the best management practices that should be implemented to control erosion and sedimentation on site. The use of best management practices will help to ensure that sedimentation is controlled on site until such time that revegetation efforts are completed, and will ensure that all of the impacts of the proposed grading are mitigated. The Commission finds that the project as conditioned, is consistent with Section 30251 of the Coastal Act.

D. 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 the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a local program that is in conformity with the provisions of 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 which is also consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

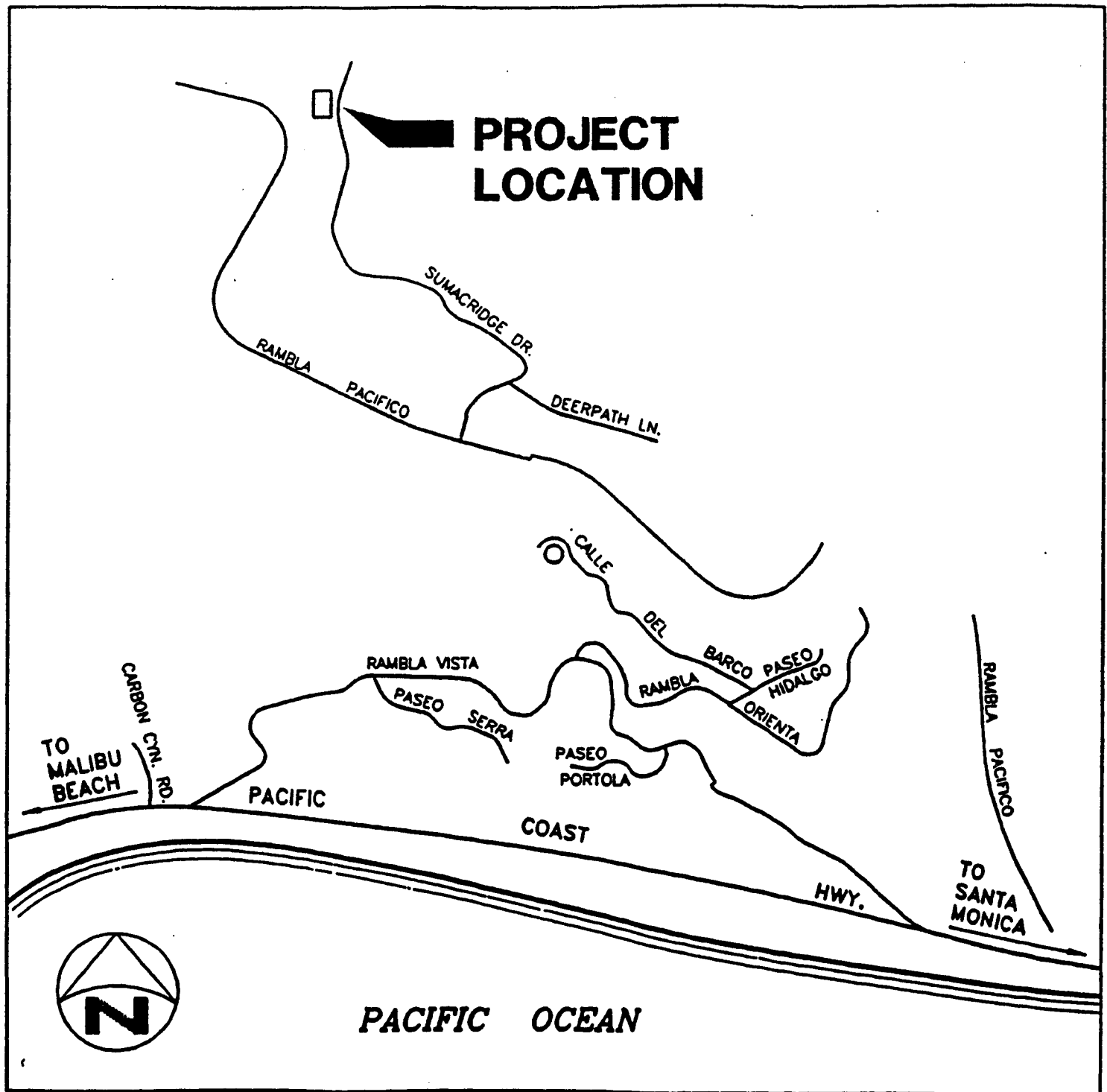
E. CEQA.

Section 13096(a) of the Commission's administrative regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned, to be consistent with any applicable requirement of the California Environmental Quality Act (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 which would substantially lessen any significant adverse impact which the activity may have on the environment.

As conditioned to prepare and implement a revegetation and erosion control plan, there will be no negative impacts caused by the proposed development which have not been adequately mitigated. Therefore, the proposed project, as conditioned, is found to be consistent with CEQA and the policies of the Coastal Act.

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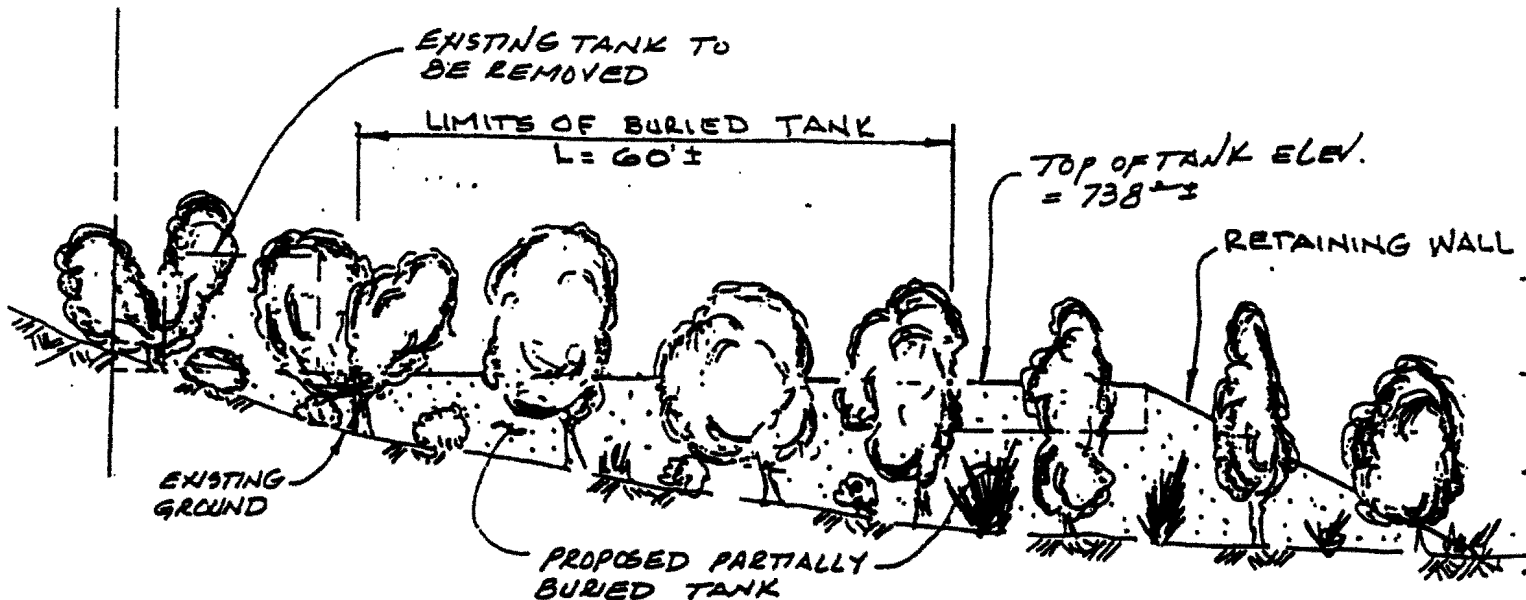
## LOCATION MAP

EXHIBIT NO. 1

APPLICATION NO.

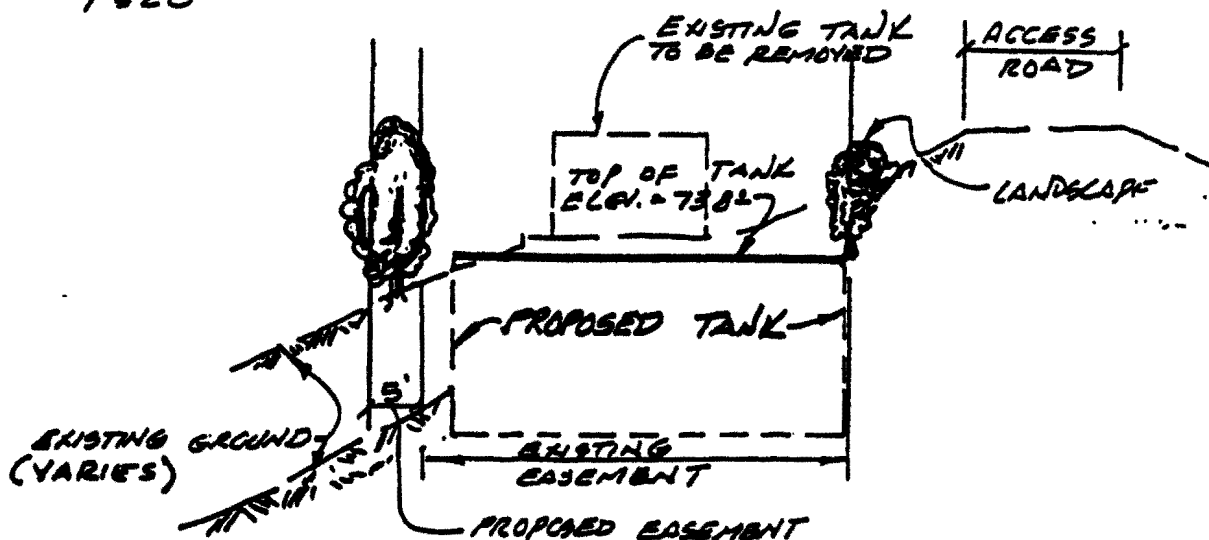
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## SECTION A-A

1" = 20'



## SECTION B-B

1" = 20'

EXHIBIT NO. 3

APPLICATION NO.

4-96-181