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CALIFORNIA COASTAL COMMISSION

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



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 Staff: Betz-V
 Staff Report: 10/17/96
 Hearing Date: 11/12/96

STAFF REPORT: CONSENT CALENDAR

APPLICATION NO.: 4-96-088

APPLICANT: Lucy & Warren Eakins AGENT: W. Parke Cole

PROJECT LOCATION: Site:26347 Ingleside Way, County of Los Angeles

PROJECT DESCRIPTION: Construct 4715 sq. ft., 33 foot high, three story single family residence with attached garage, pool and septic system. No grading proposed.

Lot Area	85,869 sq. ft.
Building Coverage	3,837 sq. ft.
Pavement Coverage	1,965 sq. ft.
Landscape Coverage	1,000 sq. ft.
Parking Spaces	2 covered
Zoning	A-1-1
Project Density	.5 dua
Ht abv nat. grade	33 feet

LOCAL APPROVALS RECEIVED: Approval in Concept, Department of Regional Planning dated 4-17-96.

SUBSTANTIVE FILE DOCUMENTS: Update letter to percolation test (September 10, 1996) and percolation test results letter (July 6, 1996), David Riggle; Revised Engineering Geologic Memorandum and Update (July 26, 1996), Geoplan Inc. Consulting Engineering Geologists; Certified Malibu/Santa Monica Mountains Land Use Plan; Coastal Permits 4-96-022 (Smith), 4-95-196 (Russell), 4-96-025 (Jason), 4-96-086 (Gonzalez), and 4-96-123 (Harris).

SUMMARY OF STAFF RECOMMENDATION:

The proposed development is a 4715 sq. ft., 33 foot high, three story single family residence with attached garage, pool and septic system proposed on a parcel adjacent to the Malibu Bowl small lot subdivision. No grading is proposed. A corner of the site touches the edge of the Corral Canyon Significant Watershed. Staff recommends approval of the proposed project with four (4) Special Conditions addressing future improvements, landscape and erosion control plans, drainage plans, plans conforming to the consulting geologist's recommendations, and wild fire waiver of liability.

I. STAFF RECOMMENDATION

Approval with Conditions

The Commission hereby grants a permit for the proposed development, subject to the conditions below, on the grounds that, as conditioned, 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.

III. Special Conditions

1. LANDSCAPE AND EROSION CONTROL PLANS

Prior to issuance of the permit, the applicant shall submit a landscape and erosion control plan prepared by a licensed landscape architect or otherwise

qualified landscape professional for review and approval by the Executive Director. The plans shall incorporate the following criteria:

- a) All 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, 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. Such planting shall be adequate to provide ninety (90) percent coverage within two (2) year and shall be repeated, if necessary, to provide such coverage.
- (c) Vegetation within 50 feet of the proposed house may be removed to mineral earth. Selective thinning, for purposes of fire hazard reduction, shall be allowed in accordance with an approved long-term fuel modification plan. However, in no case should vegetation thinning occur in areas greater than a 200 foot radius of the main structure. The fuel modification plan shall include details regarding the types, sizes and location of plant materials to be removed, and how often thinning is to occur. The fuel modification plan shall be reviewed and approved by the Los Angeles County Forestry Department.

2. DRAINAGE PLANS

Prior to the issuance of the Coastal Development Permit, the applicant shall submit for the review and approval of the Executive Director, a run-off and erosion control plan designed by a licensed engineer which assures that run-off from the roof, patios, and all other impervious surfaces on the subject parcel are collected and discharged in a non-erosive manner. Site drainage shall not be accomplished by sheetflow runoff. The erosion control plan shall include revegetation with drought-tolerant, native species more specifically described in the landscape plan required by Special Condition 1. Should the project's drainage structures fail or result in erosion, the applicant/landowner or successor interests shall be responsible for any necessary repairs and restoration.

3. PLANS CONFORMING TO GEOLOGIC RECOMMENDATION

Prior to the issuance of the permit the applicant shall submit, for the review and approval by the Executive Director, evidence of the geology consultant's review and approval of all project plans. All recommendations contained in the Revised Engineering Geologic Memorandum and Update (July 26, 1996), Geoplan Inc. including issues related to site preparation, foundations, and drainage, shall be incorporated in the final project plans. All plans must be reviewed and approved by the geologic consultants.

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.

4. 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.

A. Project Location and Description

The project site is located on two acres in a mountainous area in the unincorporated portion of the Santa Monica Mountains. The site is located in the Malibu Bowl area adjacent to a small lot subdivision with access from a street within the subdivision (Ingleside Way) (Exhibits I and II).

The applicant proposes to construct a 4,715 sq. ft., 33 foot high, three story single family residence with garage, pool and septic system. No grading is proposed.

The project site is located approximately one mile south of the Backbone Trail and a corner of the site touches the Corral Canyon Significant Watershed. The project site is located approximately one half mile south of a tributary of Corral Canyon Creek.

B. Environmentally Sensitive Resources.

Section 30231 of the Coastal Act is designed to protect and enhance, or restore where feasible, marine resources and the biological productivity and quality of coastal waters, including streams:

Section 30231:

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.

In addition, Section 30240 of the Coastal Act states that environmentally sensitive habitat areas must be protected against disruption of habitat values:

Section 30240:

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

The proposed project is located adjacent to the designated Malibu/Santa Monica Mountains Land Use Plan Corral Canyon Significant Watershed. The Commission has relied on the certified Malibu/Santa Monica Mountains LUP for guidance in past permit decisions. A study by England and Nelson designates these areas as Significant Ecological Areas (SEA). The report describes the concept of an SEA as follows:

The 62 significant ecological areas selected were chosen in an effort to identify areas in Los Angeles County that possess uncommon, unique or rare biological resources, and areas that are prime examples of the more common habitats and communities.

Thus, the goal of the project was to establish a set of areas that would illustrate the full range of biological diversity in Los Angeles County, and remain an undisturbed relic of what was once found throughout the region. However, to fulfill this function, all 62 significant ecological areas must be preserved in as near a pristine condition as possible ...

If the biotic resources of significant ecological areas are to be protected and preserved in a pristine state, they must be left undisturbed. Thus, the number of potential compatible uses is limited. Residential, agricultural, industrial, and commercial developments necessitate the removal of large areas of natural vegetation and are clearly incompatible uses.

The Land Use Plan policies addressing protection of Significant Watersheds are among the strictest and most comprehensive in addressing new development. In its findings regarding the Land Use Plan, the Commission emphasized the importance placed by the Coastal Act on protecting sensitive environmental resources. The Commission found in its action certifying the Land Use Plan in December 1986 that:

coastal canyons in the Santa Monica Mountains require protection against significant disruption of habitat values, including not only the riparian corridors located in the bottoms of the canyons, but also the chaparral and coastal sage biotic communities found on the canyon slopes.

The LUP contains several policies designated to protect the Watersheds, and ESHA's contained within, from both the individual and cumulative impacts of development:

Protection of Environmental Resources

P63 Uses shall be permitted in ESHAs, DSRs, Significant Watersheds, and Significant Oak Woodlands, and Wildlife Corridors in accordance with Table 1 and all other policies of this LCP.

Table 1 states that for "existing parcels smaller than 20 acres in proximity to existing development and/or services, and/or on the periphery of the significant watershed", residential uses are permitted: "at existing parcel cuts (buildout of parcels of legal record) in accordance with specified standards and policies...". The Table 1 policies applicable to Significant Watersheds and, therefore, Wildlife Corridors are as follows:

Allowable structures shall be located in proximity to existing roadways, services and other development to minimize the impacts on the habitat.

Structures shall be located as close to the periphery of the designated watershed as feasible, or in any other location for which it can be demonstrated that the effects of development will be less environmentally damaging.

Grading and vegetation removal shall be limited to that necessary to accommodate the residential unit, garage, and one other structure, one access road and brush clearance required by the Los Angeles County Fire Department. The standard for a graded building pad shall be a maximum of 10,000 sq. ft.

New on-site access roads shall be limited to a maximum length of 300 feet or one third of the parcel depth, whichever is smaller. Greater lengths may be allowed through conditional use, provided that the Environmental Review Board and County Engineer determine that there is no acceptable alternative.

Site grading shall be accomplished in accordance with the stream protection and erosion control policies.

Other applicable LUP policies include:

P64 An Environmental Review Board (ERB) comprised of qualified professionals with technical expertise in resource management (modeled on the Significant Ecological Areas Technical Advisory Committee) shall be established by the Board of Supervisors as an advisory body to the Regional Planning Commission and the Board to review development proposals in the ESHAs, areas adjacent to the ESHAs, Significant Watersheds, Wildlife Corridors, Significant Oak Woodlands, and DSRs. The ERB shall provide recommendations to the Regional Planning Commission (or decision making body for coastal permits) on the conformance or lack of conformance of the project to the policies of the Local Coastal Program. Any recommendation of approval shall include mitigation measures designed to minimize adverse impacts on environmental resources. Consistent with P271 (a)(7), projects shall be approved by the decision making body for coastal permits only upon a finding that the project is consistent with all policies of the LCP.

- P65 The Environmental Review Board shall consider the individual and cumulative impact of each development proposal within a designated Significant Watershed. Any development within a significant watershed shall be located so as to minimize vegetation clearance and consequent soil erosion, adverse impacts on wildlife resources and visual resources, and other impacts. Therefore, development should be clustered and located near existing roads, on areas of relatively gentle slopes as far as possible outside riparian areas in canyons and outside ridgeline saddles between canyons which serve as primary wildlife corridors.
- P67 Any project or use which cannot mitigate significant adverse impacts as defined in the California Environmental Quality Act on sensitive environmental resources (as depicted on Figure 6) shall be denied.

Stream Protection and Erosion Control

- P82 Grading shall be minimized for all new development to ensure the potential negative effects of runoff and erosion on these resources are minimized.
- P84 In disturbed areas, landscape plans shall balance long-term stability and minimization of fuel load. For instance, a combination of taller, deep-rooted plants and low-growing ground covers to reduce heat output may be used. Within ESHAs and Significant Watersheds, native plant species shall be used, consistent with fire safety requirements.
- P88 In ESHAs and Significant Watersheds and in other areas of high potential erosion hazard, require site design to minimize grading activities and reduce vegetation removal based on the following guidelines:

Structures should be clustered.

Grading for access roads and driveways should be minimized; the standard new on-site access roads shall be a maximum of 300 feet or one-third the parcel depth, whichever is less. Longer roads may be allowed on approval of the County Engineer and Environmental Review Board and the determination that adverse environmental impacts will not be incurred. Such approval shall constitute a conditional use.

Designate building and access envelopes on the basis of site inspection to avoid particularly erodible areas.

Require all sidecast material to be recompacted to engineered standards, re-seeded, and mulched and/or burlapped.

- 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.
- P96 Degradation of the water quality of groundwater basins, nearby

streams, or wetlands shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other harmful waste shall not be discharged into or alongside coastal streams or wetlands.

The proposed project site contains steep slopes and drains to a tributary blue line stream and nearby environmentally sensitive habitat areas, and is situated in part within the designated Corral Canyon Significant Watershed.

Although the proposed building site is not within the Corral Canyon Significant Watershed Area it is adjacent to the watershed area and therefore development on this site could adversely impact the sensitive watershed resources if not properly designed. The goal of the watershed protection policies of the LUP is to protect significant watersheds as viable units. The Table 1 policies are designed to minimize the impact of residential development on these sensitive resource areas. In this case the proposed project is in conformance with all of the Table one policies of the The lup.

The proposed development was found by the County to be exempt from review by the Environmental Review Board (ERB) because the building site itself was outside of the Significant Watershed Boundary. In making this finding, the County also noted that the project was subject to conditions regarding control of drainage to minimize erosion and revegetation of disturbed areas to minimize and mitigate impacts to the sensitive watershed area.

As mentioned previously, the applicant proposes no grading, although a minor, incidental amount of soil disturbance will result from the construction of the residence. In addition, the impervious surfaces created will increase both the volume and velocity of storm water runoff from the site. If not controlled and conveyed off-site in a non-erosive manner this runoff would result in increased erosion on and off site. Increased erosion not only destabilizes the the site it results in sedimentation of nearby streams. To ensure that the proposed project minimizes erosional impacts the Commission finds it necessary to require the applicant to submit detailed drainage plans which illustrate how runoff will be conveyed off-site in a non-erosive manner. This will ensure consistency with above-noted policies P63, P82, P88, P91, and P96 by avoiding impacts on the watershed and stream to the north and mitigating all other drainage impacts to a level of insignificant impact.

Landscaping of the areas disturbed by construction activities will also serve to minimize erosion and ensure site stability. In addition, LUP policies P84 and P88 require that areas disturbed by construction be revegetated with native plant species. Therefore, the Commission finds it necessary to require the applicant to submit a landscape and erosion control plan as a special condition of approval.

These conditions will ensure that all impacts of site disturbance and increased impervious surfaces and increase in peak runoff rates resulting from the proposed project are mitigated to the maximum extent feasible, thereby minimizing any adverse affects on the habitat of the designated Significant Watershed. Therefore, for all of the reasons set forth above, the Commission finds that only as conditioned will the proposed project be consistent with the policies found in Sections 30230, 30231 and 30240 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.

In addition, the certified Los Angeles County Land Use Plan includes the following policies regarding protection of visual resources, which are used as guidance and are applicable to the proposed development. These policies have been applied by the Commission as guidance, in the review of development proposals in the Santa Monica Mountains.

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 maximum extent feasible.

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.

- be visually compatible with and subordinate to the character of its setting.

- be sited so as not to significantly intrude into the skyline as seen from public viewing places.

P134 Structures shall be sited to conform to the natural topography, as feasible. Massive grading and reconfiguration of the site shall be discouraged.

The project site including the driveway ranges from approximately 1230 ft. to 1270 ft. above sea level with the development of the single family residence

proposed at an elevation of approximately 1240 ft. The area to the north is characterized by vacant land and undisturbed native vegetation. The intervening topography and blending with other residences in the area at similar and higher elevations significantly lessens the impact on views from the Backbone Trail and the Significant Watershed. The applicant has minimized the amount of grading and landform alteration of the site by designing a residence that conforms with the natural topography. Consequently, the proposed development does not conflict with the Coastal Act and LUP policies. To ensure visual impacts associated with site construction are mitigated and to soften the visual impact of the development the Commission finds that it is necessary to require the applicant to landscape the disturbed areas on site with native drought resistant plants. Therefore, the Commission finds the proposed project be 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.

In addition, the certified Los Angeles County Land Use Plan includes the following policies regarding hazards, which are applicable to the proposed development. These policies have been applied by the Commission as guidance, in the review of development proposals in the Santa Monica Mountains.

- P147 Continue to evaluate all new development for impact on, and from, geologic hazard.
- P149 Continue to require a geologic report, prepared by a registered geologist, to be submitted at the applicant's expense to the County Engineer for review prior to approval of any proposed development within potentially geologically unstable areas including landslide or rock-fall areas and the potentially active Malibu Coast-Santa Monica Fault Zone. The report shall include mitigation measures proposed to be used in the development.
- P154 Continue to review development proposals to ensure that new development does not generate excessive runoff, debris, and/or chemical pollution that would have a significantly negative impact on the natural hydrologic system.
- P156 Continue to evaluate all new development for impact on, and from, fire hazard.

The proposed development is located in the Santa Monica Mountains area which is generally considered to be subject to an unusually high number of natural hazards. Geologic hazards common to the 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.

The Commission reviews the proposed project's risks to life and property for development such as proposed in this application in areas where there are geologic, flood and fire hazards. Regarding the geologic and flood hazards, the applicant submitted a Revised Engineer Geologic Memorandum and Update (July 26, 1996) by Geoplan Inc. The 1996 report notes that:

...proposed residential development is feasible.

Provided geologic conditions remain unchanged and provided the development is designed and implemented in compliance with plans and specification which meet UBC (1994) standards and the recommendations of the project consultants, it is reasonable to infer that the proposed development will be free from hazard of landslide, settlement or slippage and that it will not have adverse geologic effect on neighboring property.

The 1996 Geotechnical report addresses a number of issues and recommends further review of foundation footings, drainage, septic system, seismic safety, and review of final plans. Based on the findings and recommendations of the consulting geologist, the Commission finds that the development is consistent with PRC Section 30253 so long as all recommendations regarding the proposed development are incorporated into project plans. Therefore, the Commission finds it necessary to require the applicants to submit the final project plans that have been certified in writing by the geology consultant as conforming to their recommendations, as noted in special condition one (3).

Minimizing the erosion of the site is important to reduce geological hazards and minimize sediment deposition in nearby environmentally sensitive habitat area including the significant watershed area. In addition, the recommendations of the consulting geologists emphasize the importance of proper drainage and erosion control measures to ensure the stability of development on the site. For these reasons the Commission finds it necessary to require a drainage/erosion control plan prepared by a licensed engineer to minimize erosion on the site and sedimentation off-site in the sensitive watershed area. In addition, landscaping of disturbed areas on-site will enhance site stability and minimize erosion of the site. Therefore, the Commission finds that it is necessary to require that all disturbed areas are landscaped with native drought resistant plants.

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.

Thus, the Commission finds that only as conditioned to incorporate all recommendations by the applicant's consulting geologist; submit a drainage plan; a wild fire waiver of liability and a landscape and erosion control plan will the proposed project be consistent with Section 30253 of the Coastal Act.

E. Septic System

The Commission recognizes that the potential buildout of lots in the Santa Monica Mountains, and the resultant installation of septic systems, may contribute to adverse health effects and geologic hazards. 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 constructing a septic tank and seepage pit. The applicant has submitted an approval for the sewage disposal from the Department of Health Services, Los Angeles County. This approval indicates that the sewage disposal system for the project complies with all minimum requirements of the County of Los Angeles 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

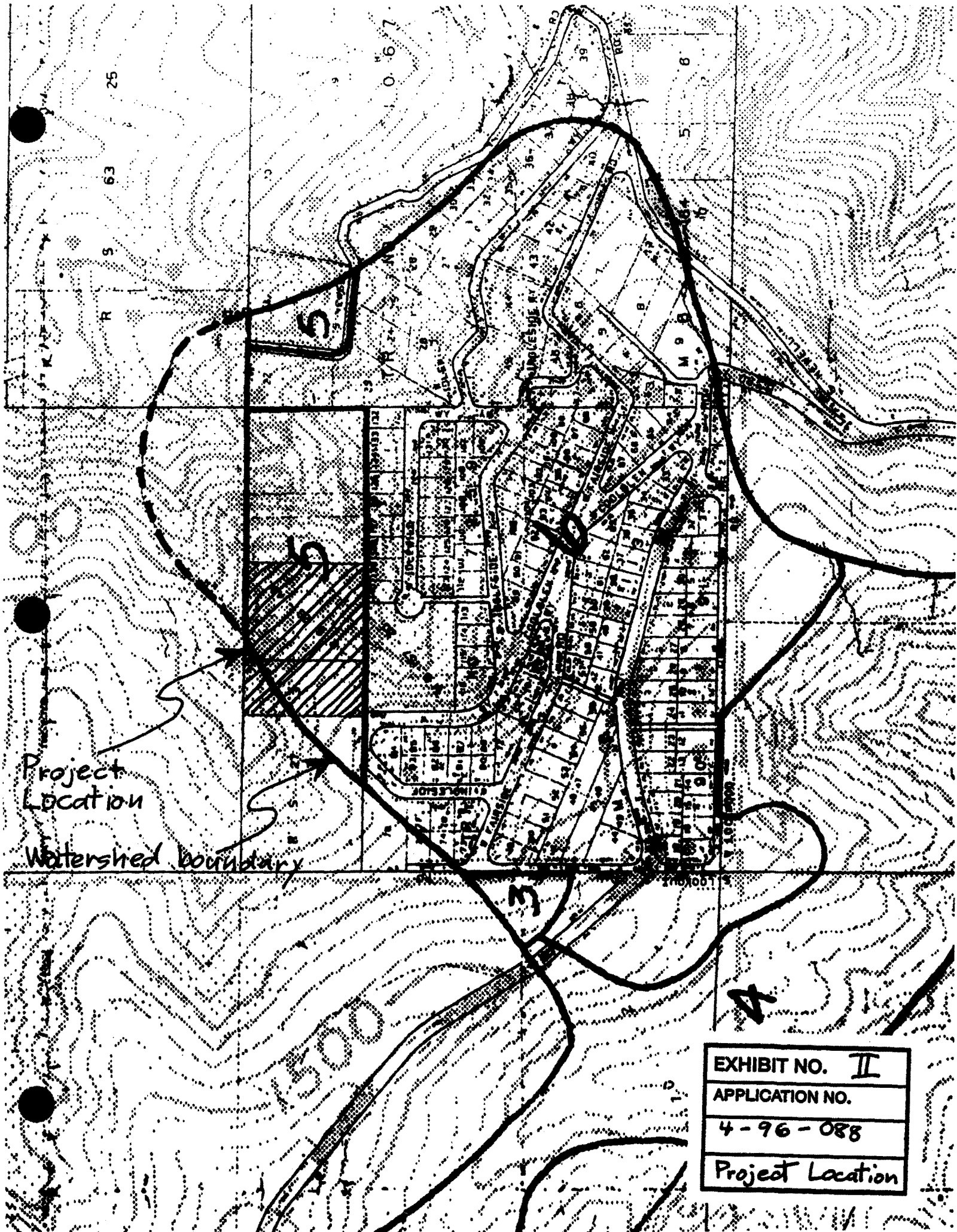
the applicable policies contained in Chapter 3. Therefore, the Commission finds that approval of the proposed development, as conditioned, will not prejudice the County of Los Angeles' ability to prepare a Local Coastal Program for this area of the Santa Monica Mountains that is also consistent with 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 design restrictions, future development conditions, landscape and erosion control plans, plans conforming to the consulting geologist's recommendations, 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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Project Location

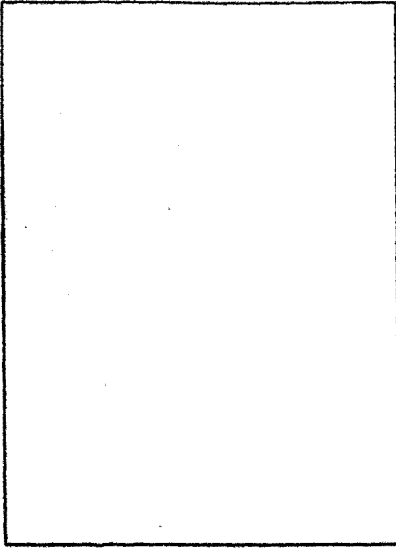
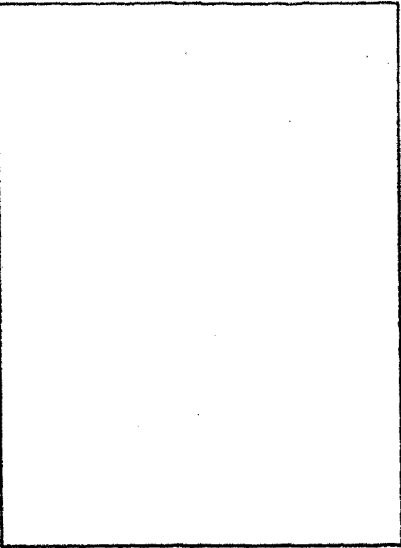
Watershed boundary

EXHIBIT NO. II
APPLICATION NO.
4-96-088
Project Location

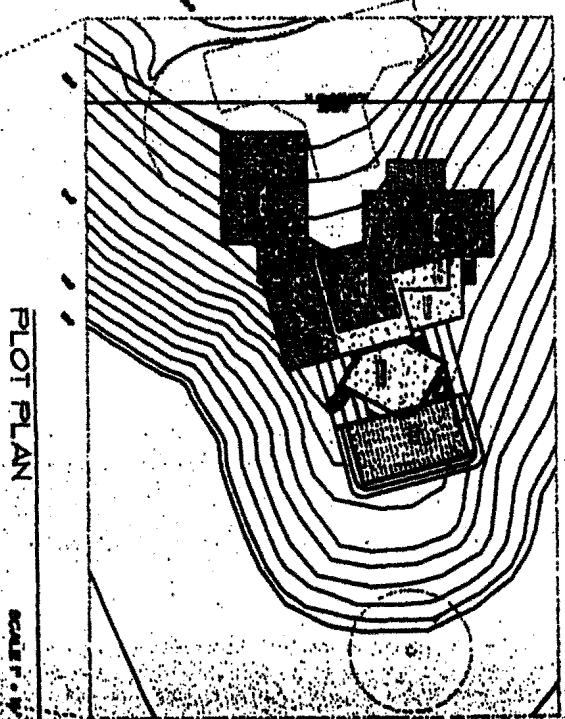
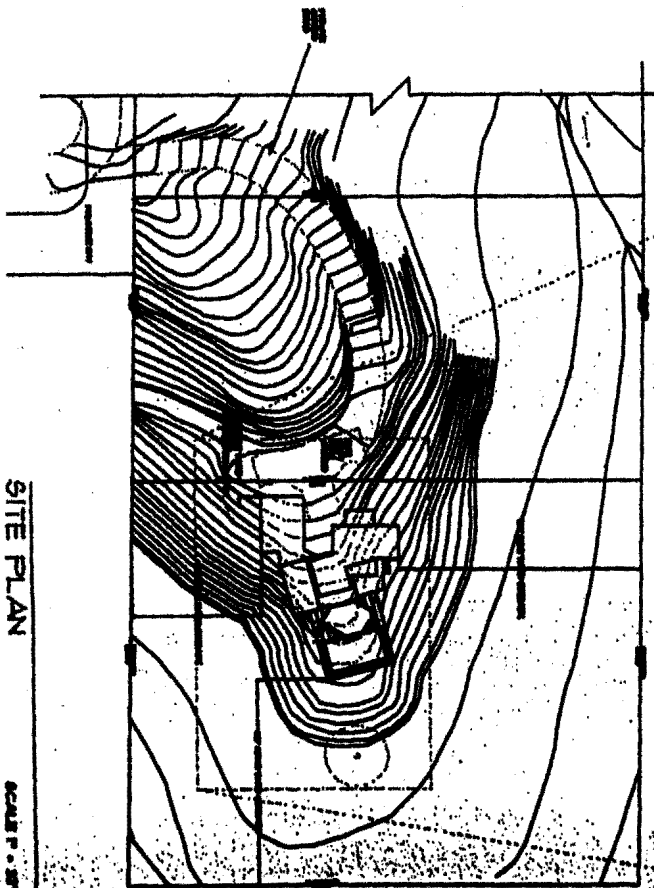
EAKINS RESIDENCE

UPPER LEVEL	5100 SQFT 8.4%	GRADING	N/A
MAIN LEVEL	3400 SQFT	CUT	0
LOWER LEVEL	13600 SQFT	FILL	0
TOTAL SQFT	4,0800 SQFT	TOTAL	0
CLEARANCE	625 @ 90FT	MAX CUT/FILL	N/A
TOTAL SQFT	4,115 @ 90FT		
CONSTRUCTION	TYPE 5		
OCCUPANCY	R-3		
ZONING	A-11		
TAX ID	4473-1-48		
LOT AREA	22 ACRES		
PERMITS	BB-1024		
PERM PLAN	13, 19, 19 / PRECINCT 10		

TAX ID MAP PARCEL 4457-6-3



THOMAS GUIDE 93 PAGE



APPROVAL IN CONCEPT TITLE SHEET & PLOT PLAN



EAKINS RESIDENCE
 26347 INGLESIDE WAY
 MALIBU, CA 90265



R.O. ARC
 REGISTERED ARCHITECT
 STATE OF CALIFORNIA
 NO. 12345

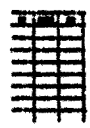
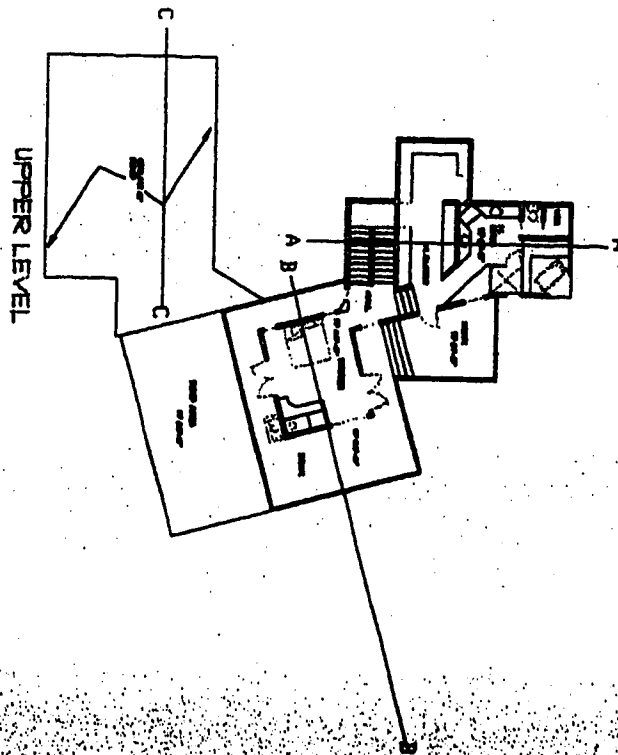
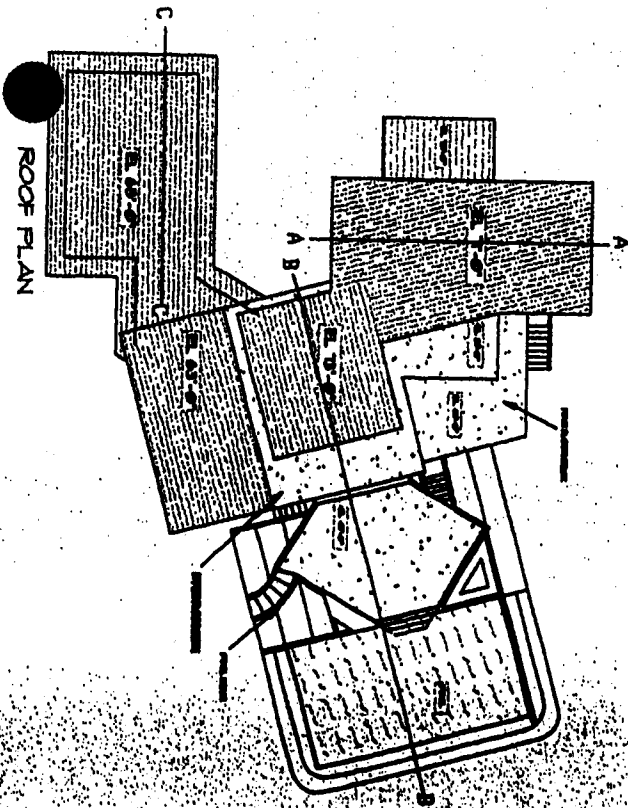
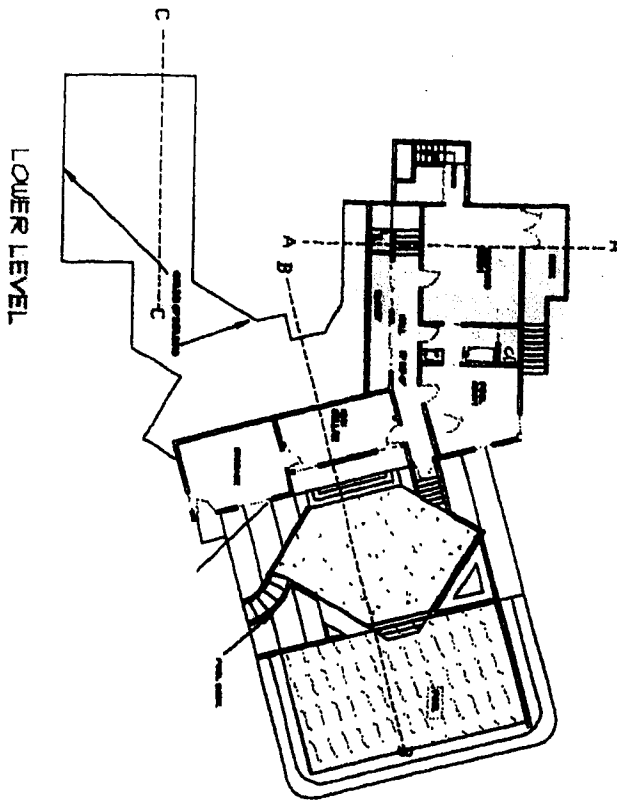
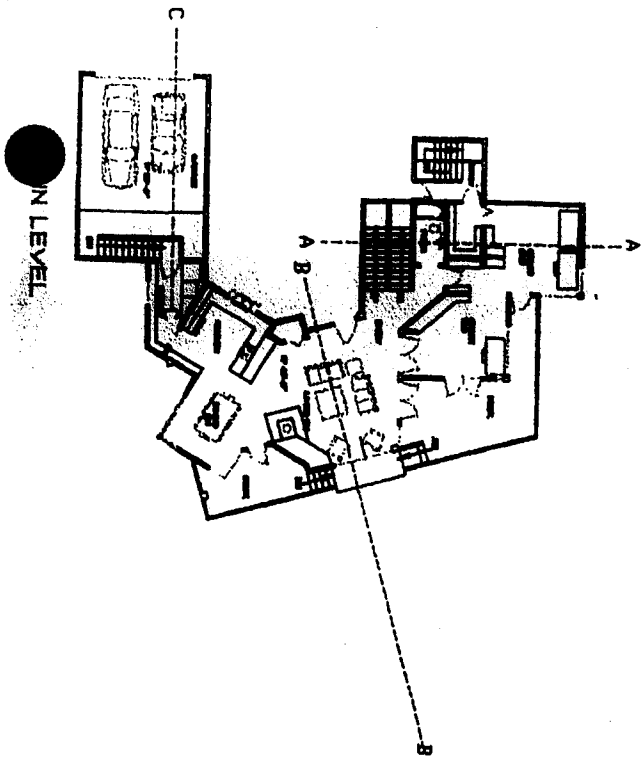


EXHIBIT NO. III
APPLICATION NO.
4-96-088
site Plan

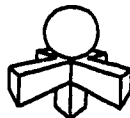


APPROVAL IN CONCEPTUAL PLANS

EAKINS RESIDENCE

16341 INGLEBIDE WAY

PALM BU, CA 90765

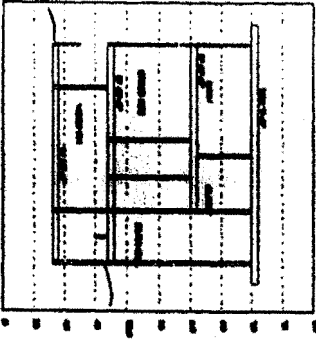


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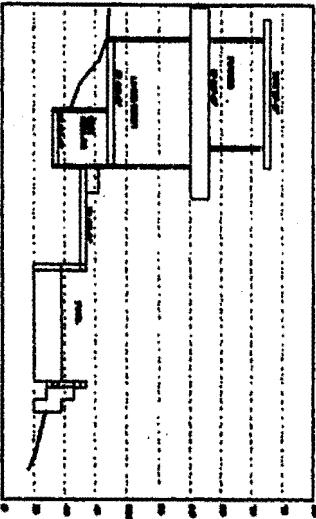
2215 W. PALM BLVD
 PALM BEACH, FL 33411
 407-851-1234

EXHIBIT NO. IV
APPLICATION NO. 4-96-088
Floor Plan

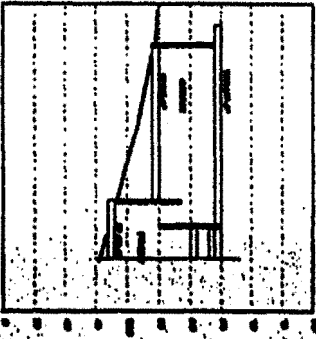
SECTION A-A



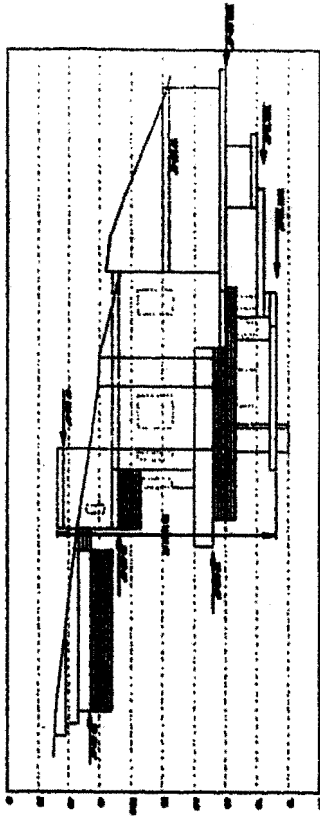
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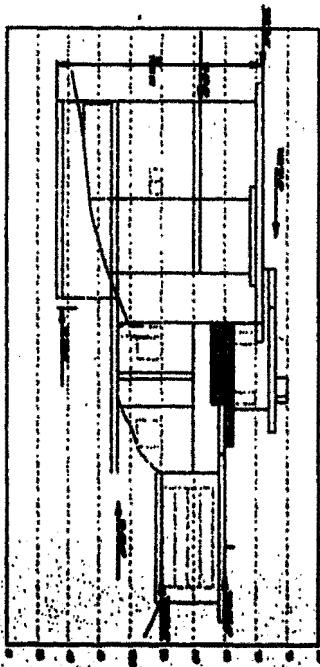
SECTION C-C



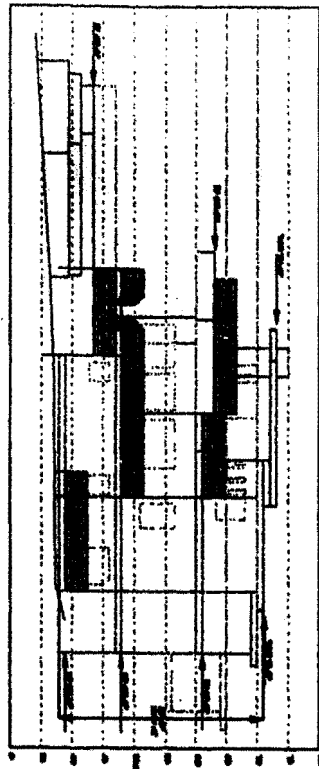
SOUTH ELEVATION



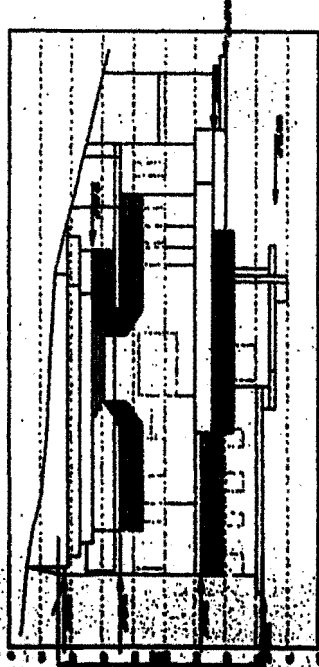
WEST ELEVATION



NORTH ELEVATION



EAST ELEVATION



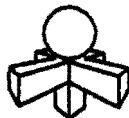
CONCEPTUAL ELEVATIONS AND SECTIONS



EAKINS RESIDENCE

7634 INGLESDALE WAY

MALIBU, CA 90265



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2100 10TH AVENUE
MAYWOOD, CA 94068
TEL: 415-961-5525



EXHIBIT NO. V
APPLICATION NO. 4-96-088
<i>Building elevations</i>