

# RECORD PACKET COPY

STATE OF CALIFORNIA—THE RESOURCES AGENCY

PETE WILSON, Governor

## CALIFORNIA COASTAL COMMISSION

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



Filed: 2/5/96  
49th Day: 3/25/96  
180th Day: 8/3/96  
Staff: TAD-VNT TAD  
Staff Report: 2/23/96  
Hearing Date: March 12-15, 1996  
Commission Action:

STAFF REPORT: CONSENT CALENDAR

W17i

APPLICATION NO.: 4-96-016

APPLICANT: Skip Danielson AGENT: Blake Shelters

PROJECT LOCATION: 6420 Via Escondido, City of Malibu, Los Angeles County.

PROJECT DESCRIPTION: The construction of a 28'-0", 2 story, 4,470 sq. ft. single family residence (SFR). Project involves 30 cubic yards of grading.

Lot area:	24,141 sq. ft.
Building coverage:	4,380 sq. ft.
Pavement coverage:	2,896 sq. ft.
Landscape coverage:	120 sq. ft.
Parking spaces:	3
Ht abv fin grade:	28'-0"

LOCAL APPROVALS RECEIVED: City of Malibu: Approval in Concept Planning Department, Environmental Health Department  
Septic Approval in Concept, Geologic and Geotechnical Engineering Approval in Concept.

SUBSTANTIVE FILE DOCUMENTS: California Coastal Act of 1976, as of January 1995, Archaeological Records Search, dated August 8, 1995, and a Anthropological Consultants, Archaeological Reconnaissance, dated August 24, 1995, prepared by Chester King, Topanga Anthropological Consultants, Engineering Geologic Reports, dated December 20, 1988, June 22, 1995, October 9, 1995, and November 20, 1995, prepared by GeoPlan, Inc., and Geotechnical Engineering Reports, dated October 25, 1995 and November 20, 1995, prepared by West Coast Geotechnical.

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.

### III. Special Conditions.

#### 1. Landscaping and Erosion Control Plan

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

- (a) All graded & 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, Santa Monica Mountains Chapter, in their document entitled Recommended List of Plants 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 slopes and soils shall be stabilized with planting at the completion of final grading. Planting should be of native plant species indigenous to the Santa Monica Mountains using accepted planting procedures, consistent with fire safety requirements. Such planting shall be adequate to provide 90 percent coverage within 2 years and shall be repeated, if necessary, to provide such coverage.
- (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 dumping location.

#### 2. Plans Conforming to Geologic Recommendation

All recommendations contained in the Engineering Geologic Reports, dated December 20, 1988, June 22, 1995, October 9, 1995, and November 20, 1995, prepared by GeoPlan, Inc., and Geotechnical Engineering Reports, dated October 25, 1995 and November 20, 1995, prepared by West Coast Geotechnical, shall be incorporated into all final design and construction including foundations, grading and drainage. All plans must be reviewed and approved by the consultants. Prior to the issuance of the coastal development permit, the applicant shall submit, for review and approval by the Executive Director, evidence of the consultants' 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.

### 3. Wild Fire Waiver of Liability

Prior to the issuance of the coastal development permit, the applicants 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, operation, 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 as follows:

#### A. Project Description and Background

The applicant proposes the construction of a new 4,470 sq. ft., 28'-0", 2 story, single family residence (SFR) with attached 3 car garage. This project involves the installation of a new private septic system, and the grading of approximately 30 cubic yards. The proposed building site is a 24,141 sq. ft. lot located on Via Escondido in the City of Malibu and is not located within or adjacent to an environmentally sensitive habitat area. The City of Malibu Archaeologist has surveyed the project site and has determined that there is no indication of cultural resources on the site.

#### 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.

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 applicant has submitted Engineering Geologic Reports, dated December 20, 1988, June 22, 1995, October 9, 1995, and November 20, 1995, prepared by GeoPlan, Inc., and Geotechnical Engineering Reports, dated October 25, 1995 and November 20, 1995, prepared by West Coast Geotechnical. The applicant's

consultants conclude that the project may be developed from a geotechnical standpoint. Slope stability analyses carried out by the consultants indicate that the slopes have a factor of safety in excess of 1.5. The Geotechnical Engineering Report, dated October 25, 1995, prepared by West Coast Geotechnical states:

It is the opinion of West Coast Geotechnical that the proposed development will be safe against hazard from landslide, excessive settlement or slippage, and that the proposed development will not have an adverse affect on the stability of the subject site or immediate vicinity, provided our recommendations are made part of the development plans and implemented during construction.

Based on the recommendations of the consulting geologists the Commission finds that the development is consistent with Section 30253 of the Coastal Act so long as the geologic consultant's geologic recommendations are incorporated into the project plans. Therefore, the Commission finds it necessary to require the applicant to submit project plans that have been certified in writing by the consulting Engineering Geologist as conforming to their recommendations.

The Commission also finds that minimization of site erosion will add to the stability of the site. Erosion can best be minimized by requiring the applicant to landscape all disturbed areas of the site with native plants, compatible with the surrounding environment. The applicant has submitted a grading, drainage, and landscape plan for the proposed project which will ensure that all proposed disturbed areas of the site are stabilized and vegetated thus providing erosion control and site stability.

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 can only approve the project if the applicant assumes the 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. Only as conditioned is the proposed project consistent with Section 30253 of the Coastal Act.

#### C. Septic System

The Commission recognizes that the potential build-out of lots in the Santa Monica Mountains, and the resultant installation of septic systems, may contribute to adverse health effects and geologic hazards in the local area. 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, minimizing alteration of natural streams.

The applicant proposes the construction of a new private septic system to accommodate the sewage needs for the proposed development. The applicant has submitted evidence from the City of Malibu Environmental Health Department that the proposed septic system is in conformance with the minimum requirements of the City of Malibu Uniform Plumbing Code. The City of Malibu's minimum health code standards for septic systems have been found protective of coastal resources and take into consideration the percolation capacity of soils along the coastline, the depth to groundwater, etc. Therefore, the Commission finds that the proposed project is consistent with Section 30231 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).

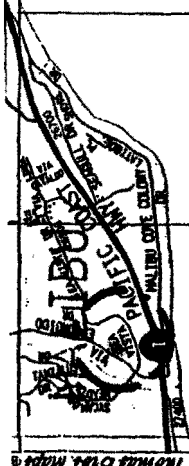
E. CEQA

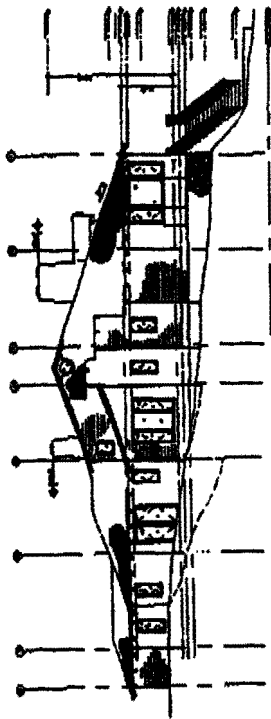
Section 13096(a) of the Commission's administrative regulations requires Commission approval of Coastal Development Permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California 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. The proposed project, as conditioned will not have significant adverse effects on the environment, within the meaning of the California Environmental Quality Act of 1970. Therefore, the proposed project, as conditioned, has been adequately mitigated and is determined to be consistent with CEQA and the policies of the Coastal Act.

EXHIBIT NO.	1
APPLICATION NO.	
	4-96-016

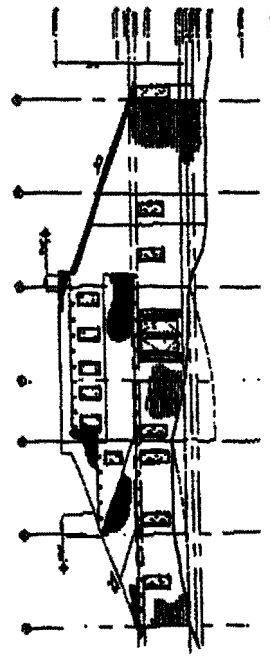
OCEAN

PACIFIC

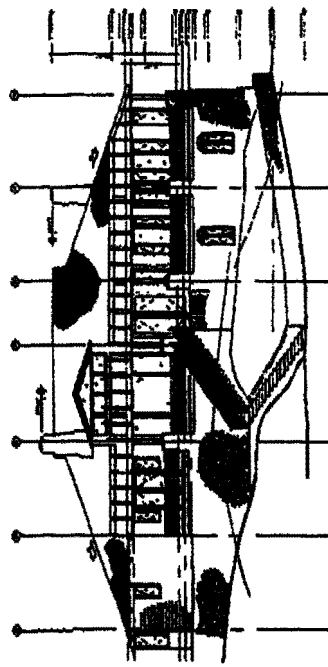




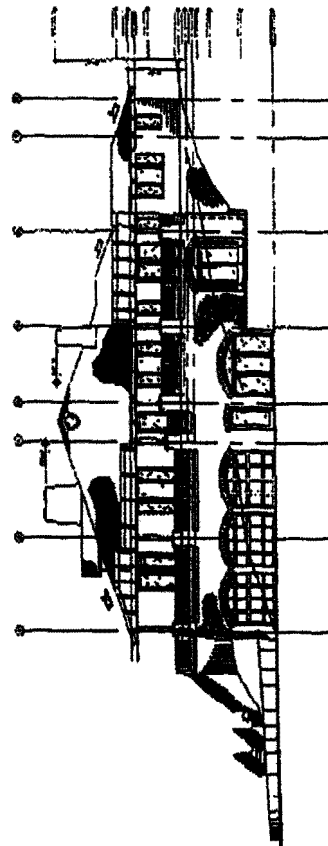
**(A)** NORTH ELEVATION



**(C)** EAST ELEVATION

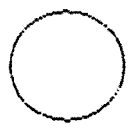


**(B)** WEST ELEVATION



**(D)** SOUTH ELEVATION

**BLAKE SHELTERS ARCHITECT**  
ARCHITECTURAL & ENGINEERING  
1000 W. 10TH AVE., SUITE 100  
DENVER, CO 80202-1000  
TEL: 303-733-1000 FAX: 303-733-1001



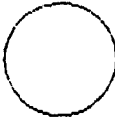
# DANIELSON RESIDENCE

6429 VIA ESCONDIDO  
MALIBU CA

<b>EXHIBIT NO. 2</b>
<b>APPLICATION NO.</b>
4-96-016

**BLAKE  
SHELTERS  
ARCHITECT**

ARCHITECTURE + ENGINEERING  
3001 JENSEN AVENUE, SUITE 100  
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# DANIELSON RESIDENCE

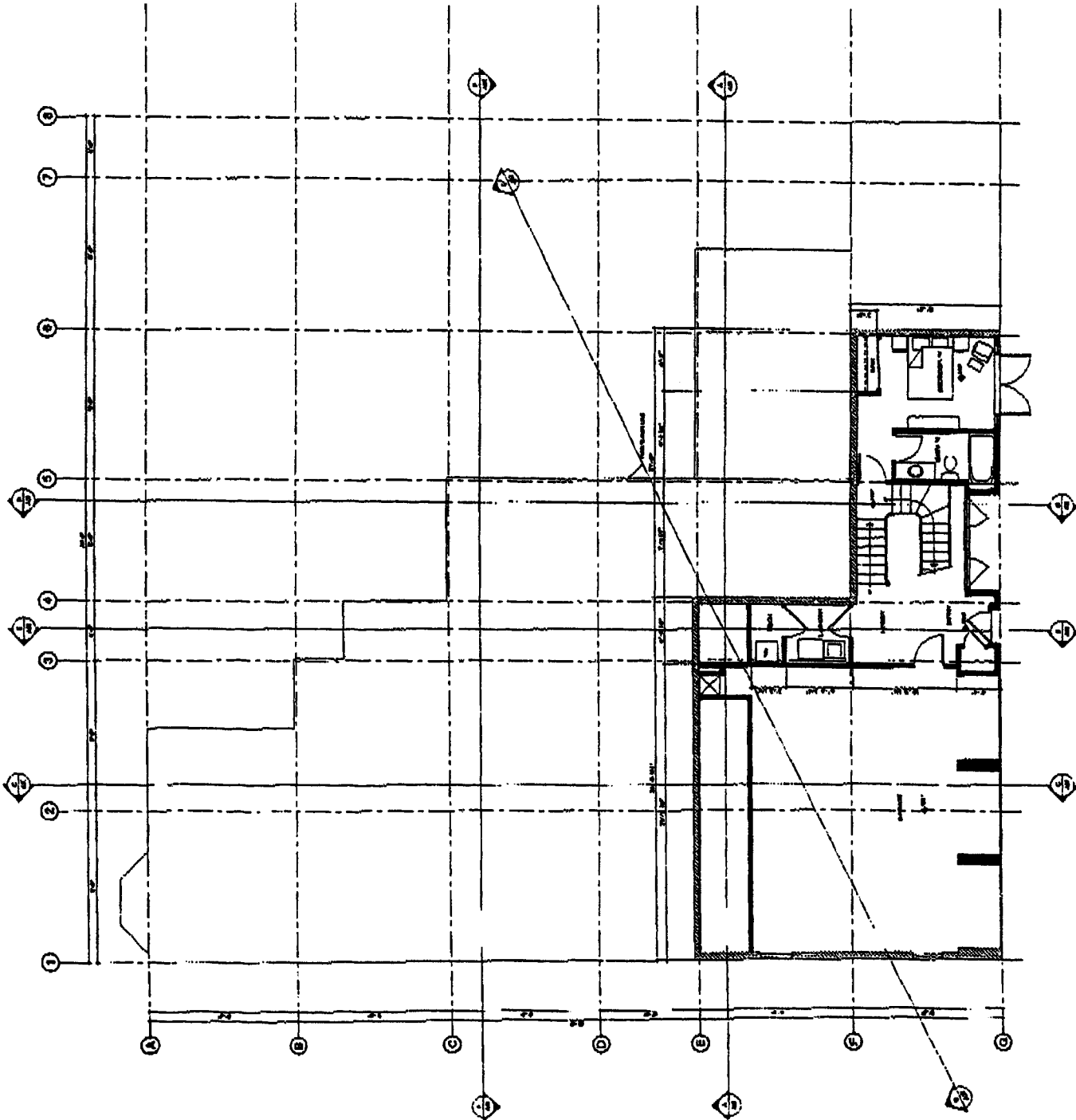
6120 VIA ESCONDIDO  
MALIBU CA

DATE	1/20/96
PROJECT NO.	222-2344
CLIENT	DANIELSON RESIDENCE
ARCHITECT	BLAKE SHELTERS ARCHITECT
ENGINEER	
DATE	1/20/96
PROJECT NO.	222-2344
CLIENT	DANIELSON RESIDENCE
ARCHITECT	BLAKE SHELTERS ARCHITECT
ENGINEER	

**EXHIBIT NO. 3**

**APPLICATION NO.**

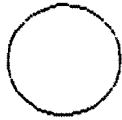
4-96-016



**A GROUND FLOOR PLAN**

**BLAKE  
SHELTERS  
ARCHITECT**

ARCHITECTURE + ENGINEERING  
3000 WILSON AVENUE, SUITE 200  
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# DANIELSON RESIDENCE

6420 VIA RECONCILIO  
MAYFIELD CA

<b>EXHIBIT NO. 4</b>
<b>APPLICATION NO.</b>
<b>4-96-016</b>

