

**CALIFORNIA COASTAL COMMISSION**

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



Filed: 3/26/96  
 49th Day: 5/13/96  
 180th Day: 9/21/96  
 Staff: JCJ/VJCJ  
 Staff Report: 4/15/96  
 Hearing Date: 5/7-10/96  
 Commission Action:  
 7223A

STAFF REPORT: CONSENT CALENDAR

**Thill**

APPLICATION NO.: 4-96-038  
 APPLICANT: Anthony Verebes AGENT: Suzanne Correll  
 PROJECT LOCATION: 2275 Tuna Canyon Road, Topanga, Los Angeles County

PROJECT DESCRIPTION: Construct a two story 2400 sq. ft. single family residence and carports, with a 1695 sq. ft. deck and stairway. Existing building pad, driveway, retaining wall, and septic system constructed per coastal permit 5-91-343.

Lot Area: 3.5 acres  
 Building Coverage: 1,500 sq. ft.  
 Pavement Coverage: 4,600 sq. ft.  
 Landscape Coverage: 16,000 sq. ft.  
 Parking Spaces: 3  
 Plan Designation: Rural Land I and III  
 Zoning Category: 1 unit/10 acres and 1 unit/2 acres  
 Project Density: 1 unit/3 acres  
 Ht abv fin grade: 25 feet

LOCAL APPROVALS RECEIVED: Project Approval in Concept, Department of Regional Planning, Los Angeles County; Sewage Disposal Approved, Department of Health Services.

SUBSTANTIVE FILE DOCUMENTS: Certified Malibu/Santa Monica Mountains Land Use Plan, Los Angeles County; Coastal Permit No. 5-91-343, Verebes; Coastal Permit No. 4-95-189, Klipp.

SUMMARY OF STAFF RECOMMENDATION: Staff recommends approval of the proposed project with three (3) Special Conditions; addressing the consulting geologist's recommendations, a wild fire waiver of liability, and a fuel modification plan. The project is located south of Fernwood and west of Topanga Canyon along a ridge of the Santa Monica Mountains. The parcel has been graded and includes a building pad, and driveway. This application only addresses the construction of a residence; no further grading is proposed.

### III. SPECIAL CONDITIONS:

#### 1. 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 reports, "Rough Grade Compaction Report for 2275 Tuna Canyon Road, Lot 44, RS76-74/77, Topanga", dated July 6, 1993 and updated July 20, 1995 by Strata-Tech, Inc., and "As Graded Geologic Report", dated June 23, 1993 and "Engineering Geologic Memorandum, Proposed Residential Development", updated September 13, 1995, by Geoplan, Inc., including issues related to foundation design must be incorporated into the final 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.

#### 2. 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.

#### 3. FUEL MODIFICATION PLAN

Prior to issuance of the permit, the applicant shall submit a copy of a Fuel Modification Plan that may include the previously approved landscaping and erosion control plans for review and approval by the Executive Director. The plans shall incorporate the following criteria:

- a) Vegetation within 50 feet of the proposed residence 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 submitted pursuant to this special condition. However, in no case should vegetation thinning occur in areas greater than a 200' 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. In addition, the applicant shall submit evidence that the fuel modification plan has been reviewed and approved by the County of Los Angeles Forestry Department.

### IV. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

The parcel consists of a graded vacant hillside site on an eastern flank of the Santa Monica Mountains. The earth material on the site consists of gravelly silty clayey sand ranging in depths of three to four feet underlain by competent basalt with minor fractured sandstone limited to the north facing slopes at the building site. The parcel, with about 225 feet of relief, has slopes ranging from horizontal at the building site to about 1:1 on the flanks of east trending ravines and ridges. Past grading to create the existing building pad and driveway required a cut of about 2,100 cubic yards and a fill of about 2,000 cubic yards of material. As noted above, the Commission approved this grading in coastal permit 5-91-343. From Tuna Canyon Road, the driveway descends about 20 feet to the building pad. At the building pad the site descends to the north and east. To the west is an existing retaining wall adjacent to a 1 1/2 : 1 slope. The septic system is located on a flat pad to the east and below the building pad.

According to the Los Angeles County of Public Works Department, the OES-FEMA map dated 9-21-94 indicates that this site has burned in the past 10 to 30 years.

The Commission reviews the proposed project's risks to life and property in areas where there are geologic, flood and fire hazards. Regarding the geologic and erosion hazard, the applicant submitted two geologic related reports titled: "Preliminary Geotechnical Feasibility Investigation of Proposed Residential Development at 2270 Tuna Canyon Road, Lot 44, RS76-74/77, Topanga, California", dated September 11, 1989 by Strata-Tech, Geotechnical Consultants. Additional report updates were provided March 13, April 6, and August 14, 1990. An additional report was done July 6, 1993, "Rough Grade Compaction Report for Tuna Canyon Road, Lot 44, RS76-74/77 Topanga Canyon, California", dated July 6, 1993 and updated July 20, 1995. The second report submitted is titled: "Engineering Geologic Report Proposed Residential Development", dated September 19, 1988, by Geoplan, Inc. This report was updated June 23, 1993 and again September 13, 1995.

The Strata-Tech report addresses the geology and soil issues by stating:

It is concluded that the proposed building site is buildable and that it will be unaffected by landslide, slippage or settlement, provided construction is conducted in accordance with the recommendations of project consultants and the constraints of the applicable sections sections of the Building Code. No adverse affect upon adjoining properties will result.

The Geoplan report concludes that:

... advise that there has been no change in geologic conditions at the building site at 2270 Tuna Canyon Road where it is intended to construct a single-family dwelling and appurtenances to be served by a private sewage disposal system. Since the site was graded most of the graded slopes have been extensively landscaped and landscaping is continuing. It is concluded that there has been no appreciable change in conditions and that the site is free from evidence of geologic hazard of landslide, settlement or slippage. Accordingly, implementation of the proposed development in accordance with the plans and specifications and requirements of the County Building Ordinance and the recommendations of the project consultants will have no adverse geologic affect on neighboring property.

- 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 applicant propose to construct a two story residence and two carports on the parcel. The applicant has completed all site grading, a building pad, a driveway, and a septic system. No further grading is proposed.

In the review of this project, the Commission reviews the publicly accessible locations where the proposed development is visible to assess potential visual impacts to the public. The Commission examines the building site and the proposed structure.

The Malibu Land Use Plan protects visual resources in the Santa Monica Mountains. Tuna Canyon Road is recognized as a second priority "Scenic Highway" which is given special treatment when evaluating potential impacts caused by new development. The project site is located north of the most prominent portions of the ridgeline along Tuna Canyon Road. The development of the residence and carports raises two issues regarding the siting and design: one, whether or not public views from public roadways will be adversely impacted, or two, whether or not public views from public trails will be impacted. The size of the building pad, about 2,500 sq. ft., is existing and does not appear visible from any public location.

Regarding views from public roadways, the existing driveway has limited public visibility. The driveway leads directly north off of Tuna Canyon Road, and extends about 200 feet to the building pad. Visibility of the proposed residence will limited as the building pad is located about 20 feet below the Tuna Canyon Road driveway access and is screened by existing oak trees and

P218 The construction of individual septic tank systems shall be permitted only in full compliance with building and plumbing codes...

P226 The County shall not issue a coastal permit for a development unless it can be determined that sewage disposal adequate to function without creating hazards to public health or coastal resources will be available for the life of the project beginning when occupancy commences.

The project site includes an existing septic system to provide for adequate sewage disposal. The applicant's approval for the sewage disposal from the Department of Health Services, Los Angeles County is adequate for the proposed residence. 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 residence connected to the existing 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).

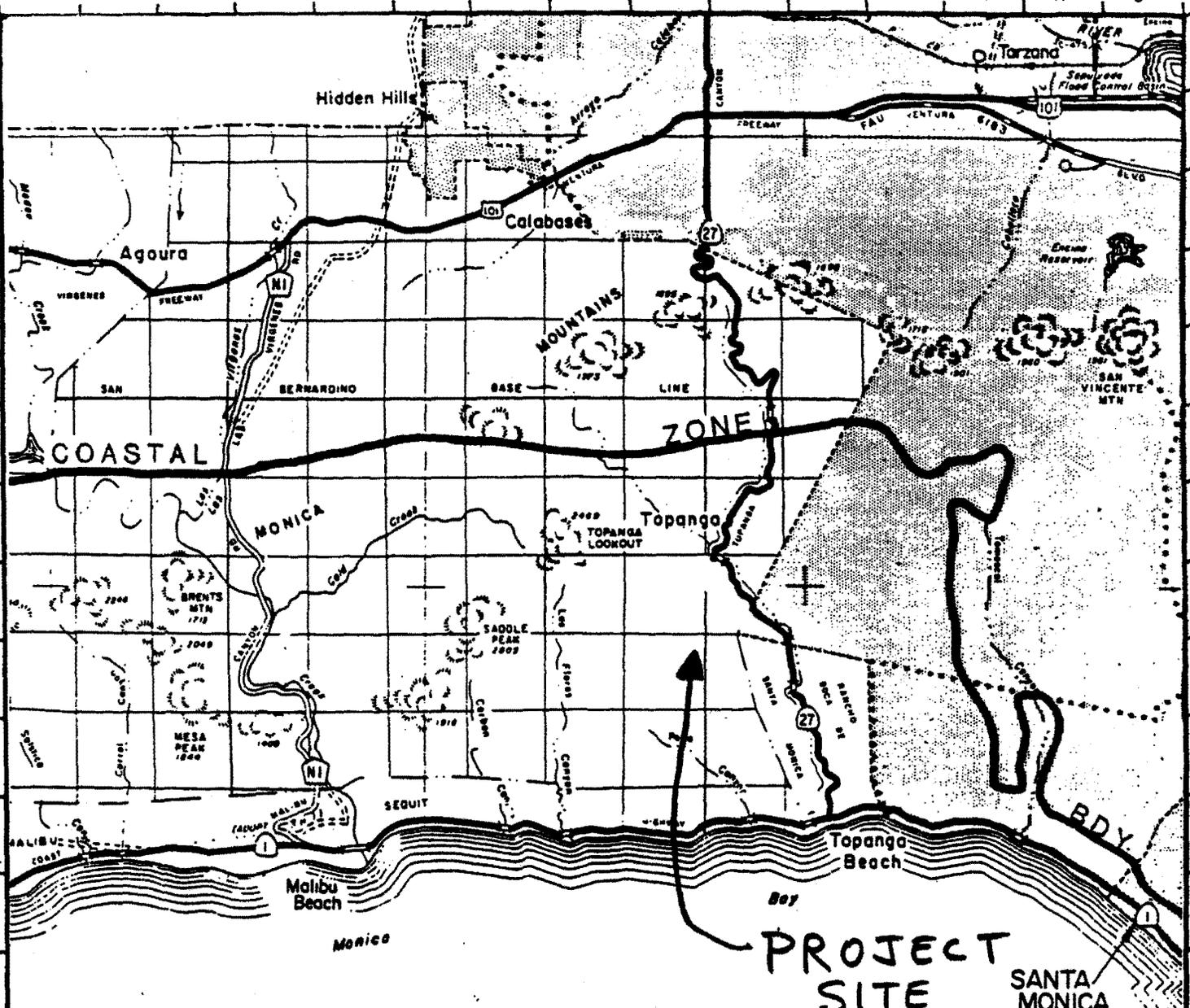
Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act. The preceding sections 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

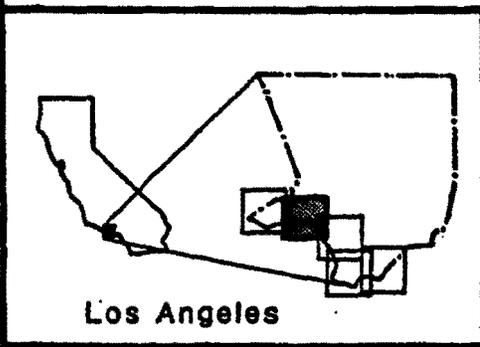
The Coastal Commission's permit process has been designated as the functional equivalent of CEQA. Section 13096(a) of the California Code of Regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any 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.

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PROJECT SITE  
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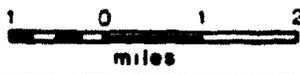


Los Angeles

EXHIBIT NO. 1
APPLICATION NO. 4-96-038
Location Map

California Coastal Commission

# LOCATION MAP





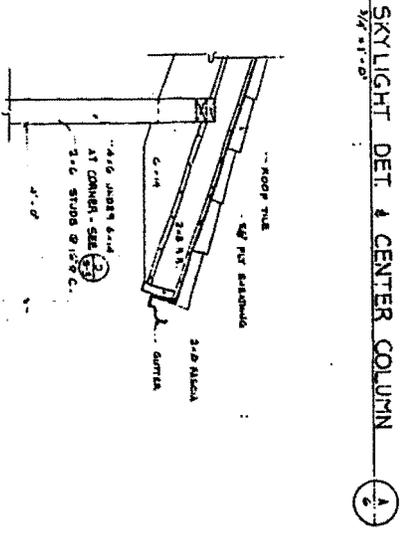


OVERHANG DET  
3/4" = 1'-0"

2

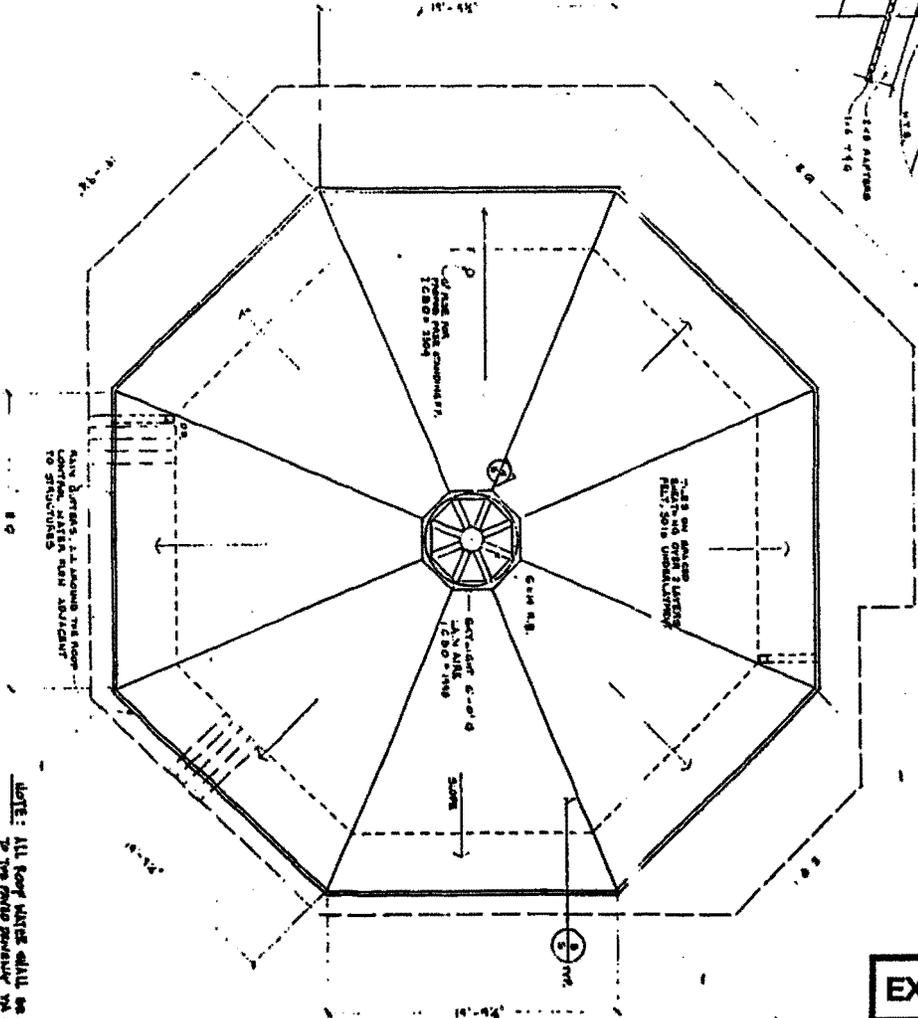
ROOF PLAN  
1/4" = 1'-0"

3

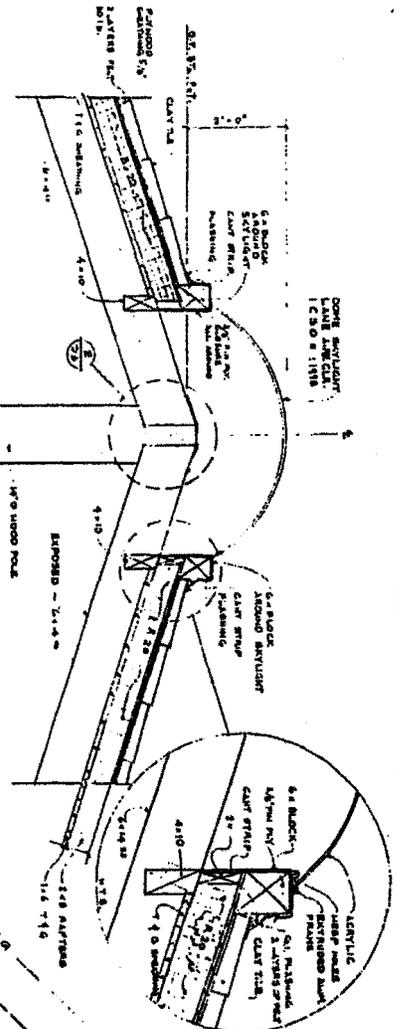


SKYLIGHT DET & CENTER COLUMN  
1/2" = 1'-0"

1



NOTE: ALL ROOF WORK SHALL BE CONDUCTED TO THE PERMITS PREVIOUSLY IN THE APPROVED FILES



LEGEND

—	ROOF LINE
- - -	SECOND FL.
—	DECK LINE
—	SLOPE LINE

EXHIBIT NO. 7
APPLICATION NO. 4-96-038
Roof Plan

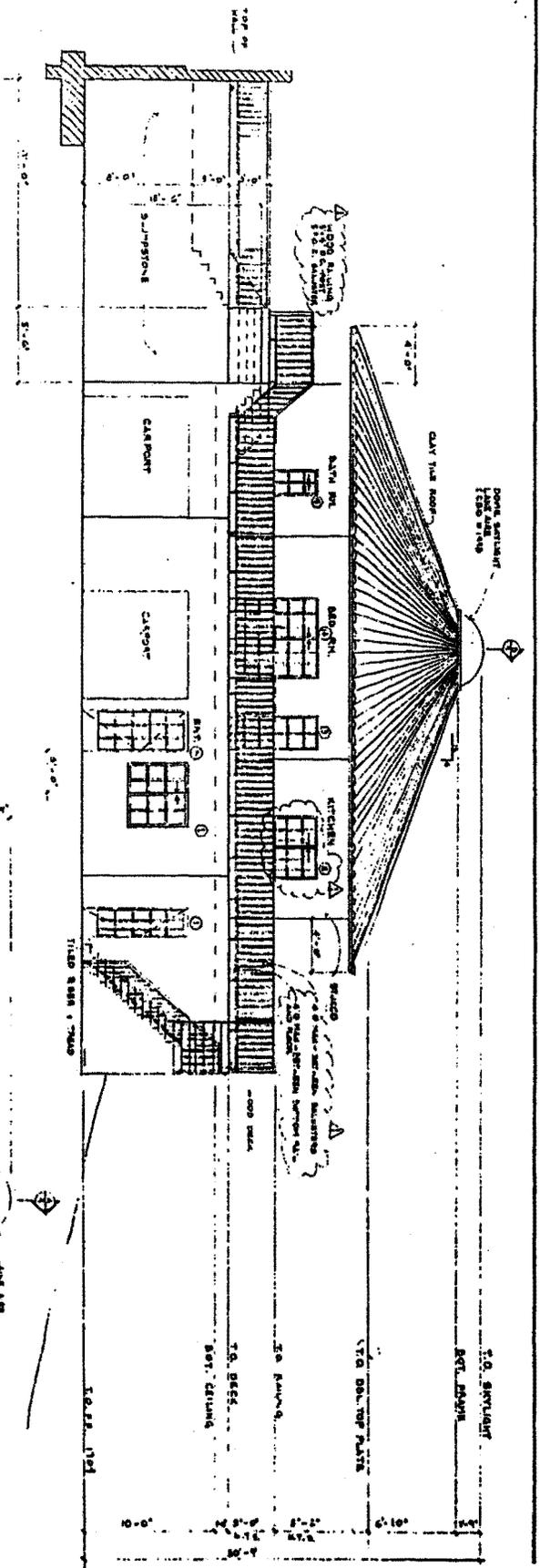
TONY VEREBES RESIDENCE

ROOF PLAN

10  
11-15-97  
12-15-97  
13-15-97  
14-15-97  
15-15-97

SOUTH ELEVATION

1/8" = 1'-0"



EAST ELEVATION

1/8" = 1'-0"

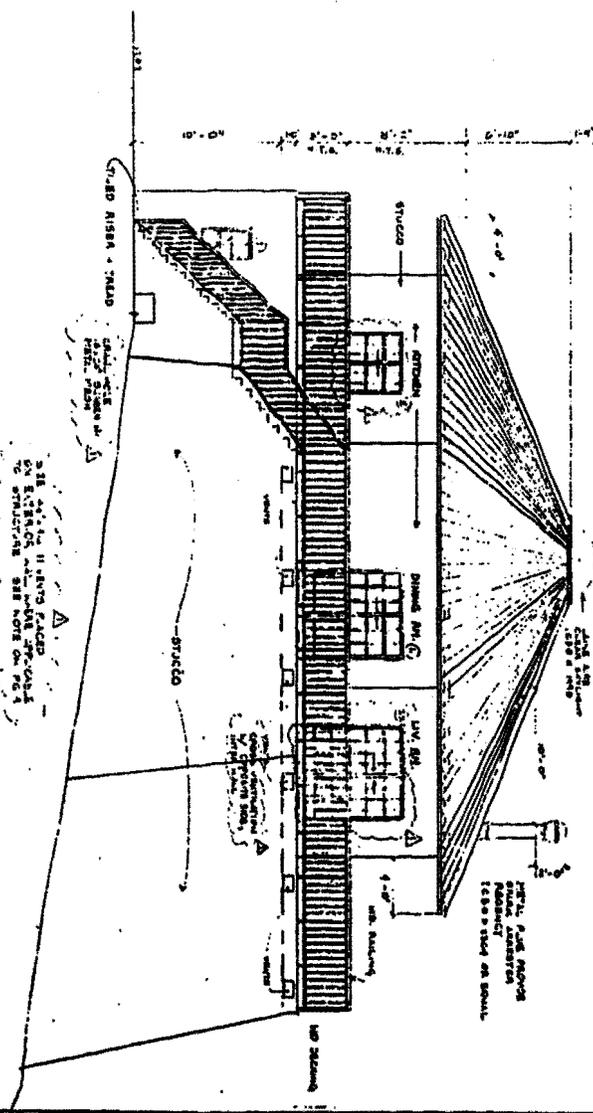


EXHIBIT NO. 9  
 APPLICATION NO.  
 4-96-038  
 Elevations

18	TONY VEREBES RESIDENCE	ELEVATIONS EAST & SOUTH
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