CALIFORNIA COASTAL COMMISSION

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



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Staff Report: 4/24/97 Hearing Date: 5/13-16/97

STAFF REPORT: CONSENT CALENDAR

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APPLICATION NO.: 4-96-156

APPLICANT: Jim Coulson and Steve Duren AGENT: Jim Coulson

PROJECT LOCATION: 1059 Greenleaf Canyon Road, Topanga Canyon, Los Angeles

County

PROJECT DESCRIPTION: Addition to existing 3,308 sq. ft. two story single family residence of 1,528 sq. ft. to first story, 374 sq. ft. to second story, 1,087 sq. ft. basement, and 1,876 sq. ft. deck. New septic system. No grading.

Lot Area 9.1 acres
Building Coverage 3,436 sq. ft.
Pavement Coverage 7,400 sq. ft.
Landscape Coverage 3,300 sq. ft.
Parking Spaces 4 open

Plan Designation Rural Land I, 1 du/10 ac; Mountain Land, 1,du/20 ac

Project Density .11 du/ac Ht abv fin grade 35 feet

LOCAL APPROVALS RECEIVED: County of Los Angeles Department of Regional Planning Approval in Concept dated 1/7/97; County of Los Angeles Department of Health Services approval for design purposes dated 2-13-97.

SUBSTANTIVE FILE DOCUMENTS: Certified Malibu/Santa Monica Mountains Land Use Plan; Pacific Geology Consultants, Inc.: Supplemental Engineering Geologic Report, April 22, 1996; Report of Limited Engineering Geologic Investigation, August 25, 1995; Coastline Geotechnical Consultants, Inc.: Reply to Geotechnical Engineering and Geologic Review Sheets, May 3, 1996; Geotechnical Engineering Investigative Report, September 26, 1995.

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends approval of the proposed project with four (4) Special Conditions addressing landscape and erosion control plans, drainage plans, plans conforming to the consulting geologist's recommendations, and a 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. <u>Expiration</u>. 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.
- 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. <u>Interpretation</u>. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
- 5. <u>Inspections</u>. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
- 6. <u>Assignment</u>. 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. <u>Terms and Conditions Run with the Land</u>. 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 permit, the applicant shall submit a landscape plan prepared by a licensed landscape architect 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 shall be stabilized with planting at the completion of construction. 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 construction 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 site preparation and maintained through the development process to minimize sediment from runoff waters during construction. All sediment should be retained on-site unless removed to an appropriate approved disposal location.

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 roofs, decks, 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. 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 reports, Pacific Geology Consultants, Inc.: Supplemental Engineering Geologic Report, April 22, 1996; Report of Limited Engineering Geologic Investigation, August 25, 1995; Coastline Geotechnical Consultants, Inc.: Reply to Geotechnical Engineering and Geologic Review Sheets, May 3, 1996; Geotechnical Engineering Investigative Report, September 26, 1995 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. <u>Findings and Declarations</u>.

A. Project Location and Description

The proposed development includes a number of additions to an existing 3,308 sq. ft. two story single family residence. The proposal includes the addition of 1,528 sq. ft. to the first story, a new 1,087 sq. ft. basement, the addition of 374 sq. ft. to the second story, and addition of 1,876 sq. ft. in deck area. A new septic system is proposed. The development is on an existing pad and there is no new grading, except for clearance for a portion of the existing slope which is approximately fifty cu yds. The appearance will change from a log cabin with a peaked roof to a western/hacienda type design with flat roofs and a large amount of deck area.

The project site is located on 9.1 acres overlooking the north end of Topanga Canyon and approximately 250 ft. above the stream in Greenleaf Canyon. The project site is on an existing pad reached by an existing unpaved private road. The site already contains a workshop/weightlifting outbuilding and a modular outbuilding on blocks used as a construction office. There is an existing water tank located uphill of the residence. Much of the area around the residence for a distance of several hundred feet has been cleared to bare ground. The road leading up to the site has been recently scraped.

The project building site has several levels and ranges from approximately 1270 ft. to 1285 ft. above sea level. The proposed development will be keyed into the side of the hill slightly so that it will be three stories in appearance from the front (southeast) facing onto Greenleaf Canyon with a maximum height of thirty-five feet above natural grade.

The subject parcel is not located within, but is located above the Topanga Canyon Disturbed Significant Oak Woodland which contains a blue line stream located east of Greenleaf Canyon Road. The riparian corridor associated with this stream ia Commission designated Environmentally Sensitive Habitat Area.

B. 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 (paraphrased): P147: evaluate impact on, and from, geologic hazard; P 149: require a geologic report prior to approval; P 154: not generate excessive runoff, debris, and/or chemical pollution that would impact on the natural hydrologic system; and P 156: evaluate impact on 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. The applicant has submitted a report -- Pacific Geology Consultants, Inc., Report of Limited Engineering Geologic Investigation, August 25, 1995 -- which notes that:

Providing the recommendations contained in this report, in addition to those of the Geotechnical Engineer, are followed, the ... additions are safe from landslide hazard, settlement or slippage. Furthermore, the proposed construction will not adversely affect off-site properties. ...

Further, the Coastline Geotechnical Consultants, Inc., Reply to Geotechnical Engineering and Geologic Review Sheets, May 3, 1996 states that: "...The stability analysis, provided herein, indicates a factor of safety ... which exceeds the normally accepted minimum for stable slopes. ...".

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 as noted in condition three (3).

Minimizing the erosion of the site is important to reduce geological hazards and minimize sediment deposition in nearby environmentally sensitive habitat area. The consultant in the August 25, 1996 study noted above recommended

that all slope areas be planted with erosion retardant ground cover to prevent surface erosion, which is drought resistant, has an extensive, deep root system, and requires minimum maintenance and low irrigation demand. The County approval notes that all graded slopes subject to erosion shall be stabilized and replanted with native non-invasive species and that runoff from impervious surfaces shall be collected, retained and dissipated on-site to avoid erosion into the oak woodland and creek.

The site has been already cleared of native brush in an area several hundred feet from the residence. The replacement plants, if provided in a landscape plan, will minimize and control erosion, as well as screen and soften the visual impact of the proposed development. Special Condition number one (1) requires a landscape plan that provides for the use of native plant materials, plant coverage and replanting requirements, and sediment basins if grading occurs during the rainy season.

Special condition number two (2) for a drainage/erosion control plan to minimize erosion and provide for surface discharge in a non-erosive manner, is required mitigate potential impacts on Environmentally Sensitive Habitat Areas. The proposed project will significantly increase the amount of impervious surfaces on the subject site and, as staff observed during a site visit, the current site drainage system is inadequate and resulting in erosion and minor gullying. The impervious surfaces created by the residence 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 will result in increased erosion on and off site. This will pototentialy result in future erosion and soil slippage unless proper revegetation is undertaken according to the Pacific Geology Consultants, Inc., Report of Limited Engineering Geologic Investigation, August 25, 1995

The Commission finds it necessary require through Special Condition number three (3) that the applicant submit project plans that have been certified in writing by the consulting geology consultant as conforming to their recommendations, for the final project design, grading and drainage plans for the residence. With this conditions, the project will be consistent with the above-noted Coastal Act policies.

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, provide for a wild fire waiver of liability, require a landscape and erosion control plan and require a drainage control plan, will the proposed project be consistent with Section 30253 of the Coastal Act.

C. Environmentally Sensitive Resource Areas

Section 30250(a) of the Coastal Act provides that new development be located within or near existing developed areas able to accommodate it, with adequate public services, where it will not have significant adverse effects, either individually or cumulatively, on coastal resources:

New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

Section 30105.5 of the Coastal Act defines the term "cumulatively", as it is used in Section 30250(a), to mean that:

the incremental effects of an individual project shall be reviewed in conjunction with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

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

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:

- (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 Malibu/Santa Monica Mountains Land Use Plan policies addressing protection of ESHAs 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 distribution 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 Certified Malibu/Santa Monica Mountains Land Use Plan, used as guidance in past Commission permit decisions, also contains a number of policies aimed at the protection of resources and 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.
- 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 site is located above the Topanga Canyon Disturbed Significant Oak Woodland which contains a blue line stream, located east of Greenleaf Canyon Road. The parcel in question does include a segment of the creek and the road, but this is not impacted directly by the proposed development. The terrain is steep with slopes greater than 30% such as those east of the project site dropping approximately 250 ft. into the canyon. The site itself is at a distance of approximately 500 ft. to the creek.

The creek and riparian area in Greenleaf Canyon, approximately 500 ft. east of the project site, is a designated environmentally sensitive habitat area (ESHA). However, the subject site is not within an area recognized by the certified LUP as an ESHA. The project was not reviewed by the County of Los Angeles Environmental Review Committee because the project was not located within the Greenleaf Canyon Disturbed Significant Oak Woodland or within 200 ft. of the ESHA as defined by the certified LUP.

Section 30240 requires that development in areas adjacent to ESHAs shall be designed to prevent impacts which would significantly degrade such areas. addition, Section 30231 of the Coastal Act requires that the biological productivity of streams be maintained through, among other means, minimizing waste water discharges and entrainment, controlling erosion,...and minimizing alteration of natural streams. In this case, the proposed project will significantly increase the amount of impervious surfaces on the subject site. In addition, staff observed during a site visit that the current site drainage system is inadequate and is resulting in erosion. The impervious surfaces created by the building 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 will result in increased erosion on and off site. Increased erosion in addition to raising issues relative to geologic stability as addressed above, also result in sedimentation of the nearby stream. The increased sediments in the water course can adversely impact riparian systems and water quality. These impacts include:

1. Eroded soil contains nitrogen, phosphorus, and other nutrients. When carried into water bodies, these nutrients trigger algal blooms that

reduce water clarity and deplete oxygen which lead to fish kills, and create odors.

- 2. Erosion of streambanks and adjacent areas destroys streamside vegetation that provides aquatic and wildlife habitats.
- 3. Excessive deposition of sediments in streams blankets the bottom fauna, "paves" stream bottoms, and destroys fish spawning areas.
- 4. Turbidity from sediment reduces in-stream photosynthesis, which leads to reduced food supply and habitat.
- 5. Suspended sediment abrades and coats aquatic organisms.
- 6. Erosion removes the smaller and less dense constituents of topsoil. These constituents, clay and fine silt particles and organic material, hold nutrients that plants require. The remaining subsoil is often hard, rocky, infertile, and droughty. Thus, reestablishment of vegetation is difficult and the eroded soil produces less growth.
- 7. Introduction of pollution, sediments, and turbidity into marine waters and the nearshore bottom has similar effects to the above on marine life. Pollutants in offshore waters, especially heavy metals, are taken up into the food chain and concentrated (bioaccumulation) to the point where they may be harmful to humans, as well as lead to decline of marine species.

The drainage plan required (Condition 2 discussed under Geologic and Fire Hazards above) will ensure that runoff will be conveyed off-site in a non-erosive manner and minimize the impact on the ESHA by controlling sedimentation and hydrological impacts. Furthermore, the landscaping plan required (Condition 1 discussed under Geologic and Fire Hazards above) will not only minimize erosion and ensure site stability, but also minimize any adverse affects on the habitat of the designated blue-line stream and offshore areas. These conditions therefor protect against disruption of habitat values and protect the stream and riparian corridor's biological productivity. The Commission finds that only as conditioned in one (1) and two (2) above will the proposed project be consistent with the policies found in Sections 30231, 30240 and 30250(a) of the Coastal Act.

D. 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, used for guidance in past Commission decisions, includes policies protecting visual resources. These policies have been applied by the Commission as guidance in the review of development proposals in the Santa Monica Mountains (paraphrased): P 91: minimize impacts and alterations of physical features; P 129: attractive appearance and harmonious relationship with the surrounding environment; P 130: conceal raw-cut slopes, not significantly intrude into the skyline as seen from public viewing places; P 134: conform to the natural topography, as feasible, massive grading and reconfiguration discouraged.

The project site overlooks the north end of Topanga Canyon and approximately 250 ft. above the stream in the canyon bottom. As noted above, the appearance will change from a log cabin with a peaked roof to a western/hacienda type design with flat roofs and a large amount of deck area.

The existing house and pad are visible from many private locations in the Topanga Canyon area, but are not visible from designated trails or scenic vistas. The view from the nearby Henry Ridge Trail is blocked because the trail is on the opposite side of the ridge from the site. The development is located below the ridge line which lessens the view impact. The view from the trail to the east (Deadhorse Trail, Musch Trail, and unnamed trail route through Sylva Park) is blocked by an intervening ridge. Because of intervening topography and vegetation, the site is not visible from Topanga Canyon Road, a designated scenic highway, or from any scenic vista.

The surrounding area is characterized by large lots in contrast to the small-lot subdivision closer to Topanga Canyon Road. The character of the site and proposed development is consistent in character. Lower intensity rural-type residential development, orchards, cleared land and natural chapparal and this character is repeated by the proposed project.

The view impact is further mitigated by the design which shows the residence being built into the hillside and the stories being stepped in harmony with the surrounding slopes. The project building pad has several levels and ranges from approximately 1270 ft. to 1285 ft. above sea level. The proposed development will be keyed into the side of the hill slightly so that it will be three stories in appearance from the front (southeast) facing onto Greenleaf Canyon. The building height of 35 ft. above finished grade is consistent with the certified LUP. The view impact is also decreased by location of the residence in the approximate middle of the cleared area and being set back from the steep drop into Greenleaf Canyon.

In summary, the proposed development site is consistent with the surrounding area, the most suitable location for a residence on this site and the applicant has minimized the visual impact of the proposed addition.

In addition, use of native plant material in the above-required landscaping plans can soften the visual impact of construction and development in the Santa Monica Mountains. The use of native plant materials to revegetate graded areas not only reduces the adverse affects of erosion, but ensures that the natural appearance of the site remains after development.

Therefore, the Commission finds that the project as conditioned minimizes impacts to public views to and along the coast. The Commission finds that the proposed project as conditioned will be consistent with Section 30251 of the Coastal Act.

E. 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. 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 new septic system. This system was subject to review by the County of Los Angeles Department of Health Services for design purposes. The Commission has found in past permit actions that compliance with the County of Los Angeles health and safety codes will minimize any potential for waste water discharge that could adversely impact coastal waters and streams. 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

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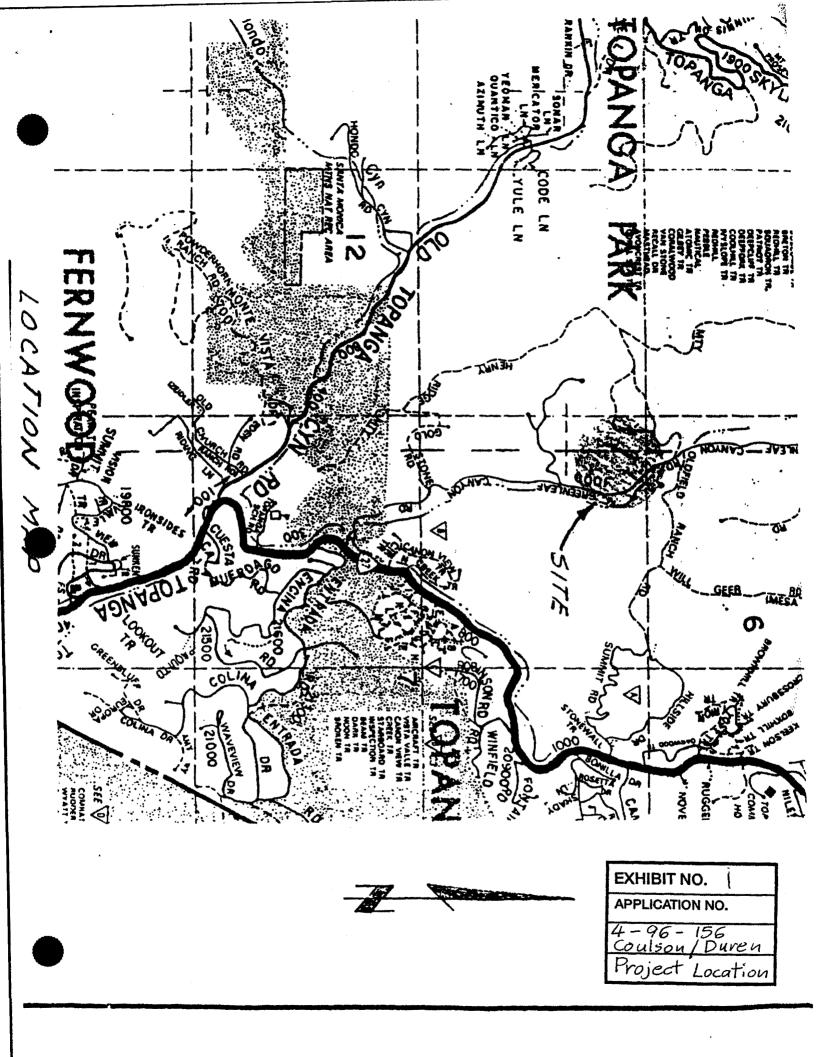
finds that approval of the proposed development, as conditioned, will not prejudice the County of Los Angeles' ability to prepare a Local Coastal Program for this area of the Santa Monica Mountains that is also consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

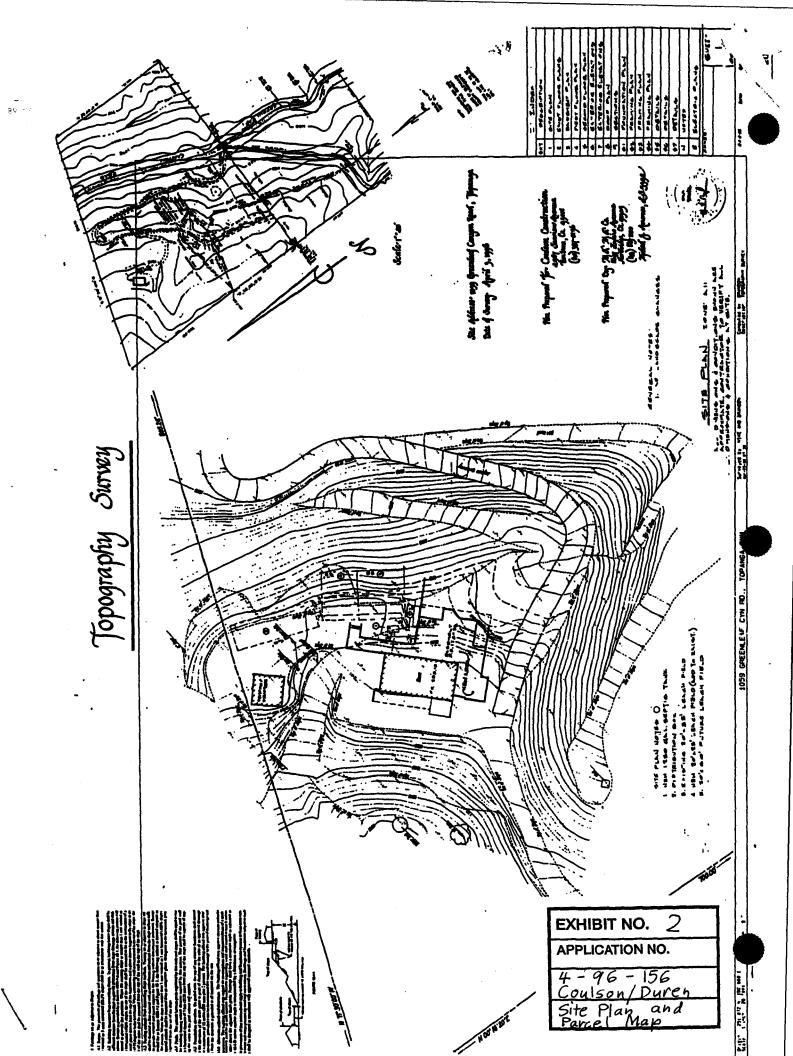
G. California Environmental Quality Act

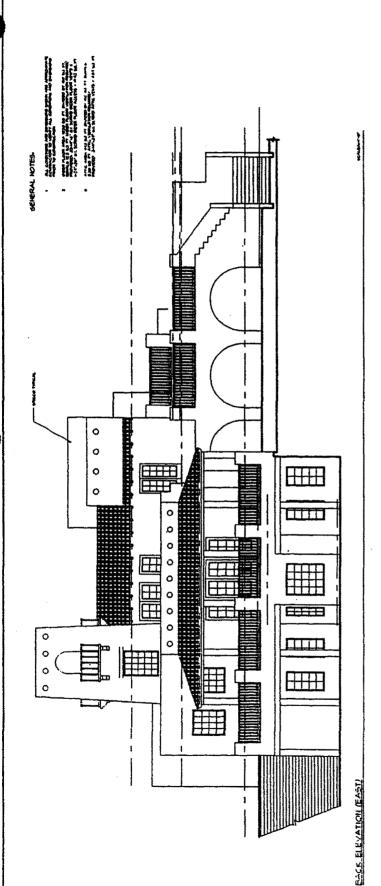
The Coastal Commission's permit process has been designated as the functional equivalent of CEQA. Section 13096(a) of the California Code of Regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any 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 landscape and erosion control plans, drainage 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 within the meaning of the California Environmental Quality Act of 1970. Therefore, the proposed project has been determined to be consistent with CEQA and the policies of the Coastal Act.

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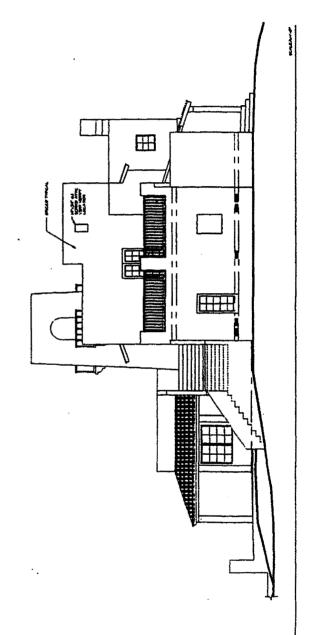


EXHIBIT NO. 3

APPLICATION NO.

4-96-156 Coulson/Duren Building Elevation •