

CALIFORNIA COASTAL COMMISSION

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

Filed: 10/1/98
 49th Day: 11/19/98
 180th Day: 3/30/99
 Staff: JEL-V
 Staff Report: 10/15/98
 Hearing Date: 11/3-6/98

**STAFF REPORT: REGULAR CALENDAR****APPLICATION NO.: 4-98-169****APPLICANT: Richard Connolly****AGENT:****PROJECT LOCATION: 2225 South Little Las Flores Dr., Topanga (Los Angeles County)**

PROJECT DESCRIPTION: Construct a two-story 28 ft. high, 2,418 sq. ft. single family residence with 600 sq. ft. garage; driveway; retaining wall, water tank, and septic system. A temporary mobile home during construction, and 2,133 cu. yds. of grading (933 fill & 1,200 cu. yds of cut).

| | |
|----------------------------|-----------------------------|
| Lot area: | 55.380 sq. ft. (1.29 acres) |
| Building coverage: | 3,018 sq. ft. |
| Pavement coverage: | 2,000 sq. ft. |
| Landscape coverage: | 7,864 sq. ft. |
| Parking spaces: | three |
| Ht abv fin grade: | 28 feet |

LOCAL APPROVALS RECEIVED: Los Angeles County: Department of Regional Planning, Approval in Concept, 4/21/98; Department of Health Services, Design Approval, 6/5/98; Fire Department, In Concept Approval, 6/3/98;

SUBSTANTIVE FILE DOCUMENTS: Malibu/Santa Monica Mountains certified Land Use Plan; Geotechnical Study, Solus Geotechnical, 12/12/90; Update Geologic and Geotechnical Engineering Investigation, C.Y. Geotech, Inc., 3/31/98; CDP 4-95-213 (Peschke).

SUMMARY OF STAFF RECOMMENDATION

The proposed residence is located in a canyon of the Santa Monica Mountains off Saddle Peak Road, adjacent to the Tuna Canyon Trail. Coastal issues include visibility from the trail and the degree of landform alteration. Staff recommends approval of the project with special conditions relating to: *color restriction; landscape, drainage and erosion control; future improvements; conformance to geologic; and wildfire waiver of liability; and removal of temporary mobile home.*

STAFF RECOMMENDATION

The staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions

The Commission hereby grants, subject to the conditions below, a permit for the proposed development on the grounds that the development, as conditioned, 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 effects 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. Structure and Roof Color Restriction

Prior to issuance of a coastal development permit, the applicant shall execute and record a deed restriction in a form and content acceptable to the Executive Director, which restricts the color of the subject structure to natural earth tones, compatible with the surrounding earth colors (white tones will not be acceptable). The document shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Coastal Commission-approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

2. Landscape, Erosion Control and Drainage Plans

Prior to issuance of the coastal development permit, the applicant shall submit landscape, erosion control and drainage plans for review and approval by the Executive Director. The landscape, erosion control and drainage plans shall be reviewed and approved by the consulting geologist to ensure the plans are consistent with the geologist's recommendations for slope stability and proper site drainage. The plans shall incorporate the following criteria:

- (a) *Landscape and Erosion Control Plans*, prepared by a licensed landscape architect, which assure all graded and disturbed areas on the subject site shall be planted and maintained for erosion control and visual enhancement purposes within (60) days of final occupancy of the residence. 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 cut and fill slopes, and disturbed areas, shall be stabilized with planting at the completion of final grading. Planting should utilize accepted planting procedures, consistent with fire safety requirements. Such planting shall be adequate to provide 90 percent coverage within two (2) years, and this requirement shall apply to all disturbed soils;
- (c) All plantings shall be maintained in good growing condition throughout the life of the project and, whenever necessary, shall be replaced with new plant materials to ensure continued compliance with applicable landscape requirements;

- (d) 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 either outside the coastal zone or to a site within the coastal zone permitted to receive fill;
- (e) A *Drainage 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 manner which avoids ponding on the pad area. Site drainage shall not be accomplished by sheetflow runoff over the bluff. The drainage plan shall include installation of slope dewatering devices if determined necessary by the Consulting Engineer;
- (f) The Permittee shall undertake development in accordance with the final approved plans. Any proposed changes to the approved final landscape, erosion control or drainage plans shall be reported to the Executive Director. No changes to said plans shall occur without a Commission-approved amendment to the coastal development permit, unless the Executive Director determines that no amendment is required.

3. Future Improvements

Prior to the issuance of a coastal development permit, the applicant shall execute and record a document, in a form and content acceptable to the Executive Director, stating that the subject permit is only for the development described in the Coastal Development Permit No. 4-98-169; and that any additions or future improvements to the permitted structure(s), or property, including but not limited to clearing of vegetation and grading, that might otherwise be exempt under Public Resource Code Section 30610(a),(b), will require an amendment to this permit or an additional permit from the Coastal Commission or the affected local government authorized to issue such coastal development permits.. Removal of vegetation consistent with L. A. County Fire Department standards relative to fire protection is permitted.

The document shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Coastal Commission-approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

4. Plans Conforming to Geologic Recommendations

Prior to the issuance of a coastal development permit the applicant shall submit, for review and approval by the Executive Director, evidence of the geology and geotechnical consultants' review and approval of all project plans. All recommendations contained in the Geotechnical Study, prepared by Solus Geotechnical, dated 12/12/90; and the Update

Geologic and Geotechnical Engineering Investigation, prepared by C.Y. Geotech, Inc., dated 3/31/98, shall be incorporated into all final design and construction plans including recommendations concerning: site preparation & fill placement, footing setback, conventional footing, cut & fill slope, retaining walls, sewage disposal, temporary excavation, slabs-on-grade, drainage, slope maintenance. 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.

5. Wildfire Waiver of Liability

Prior to the issuance of a 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, operation, maintenance, existence, or failure of the permitted project in an area where an extraordinary potential for damage or destruction from wildfire exists as an inherent risk to life and property.

6. Removal of Temporary Mobile Home

The applicant shall remove the "temporary mobile home" within 90 days of the applicant's receipt of the certificate of occupancy for the residence from Los Angeles County.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description and Background

The applicant proposes to construct a two-story 28 ft. high, 2,418 sq. ft. single family residence with 600 sq. ft. attached garage, water tank and septic system. The project, as proposed, will require 2,133 cu. yds. of grading (933 fill & 1,200 cu. yds of cut) and a 4' high by 103' long retaining wall to accommodate a 10,000 sq. ft. building pad and an 20' wide by 140' long driveway from Little Las Flores Canyon. The applicant is also requesting to install a temporary mobile home during the construction of the proposed residence. Other incidental improvements include a 5' high garden wall along the northern property line, a 5' fence around the propane and water tanks, and a 4' high garbage can enclosure.

The lot is located on the south side of Little Las Flores Canyon road, approximately ½ mile south of its intersection with Saddlepeak Road. The property forms a rectangular shaped parcel, approximately 480 feet long along the west and east property lines. The site of the

proposed building pad is situated on a roughly level ridge top with adjacent descending slopes on the east, west, and south sides. There is also a descending slope to the north from the road to the proposed building pad. Existing vegetation consists of native brush and chaparral.

Access to the proposed building pad area would be achieved by a 20' wide by 140' long backwards "S" shaped driveway. The LA County Fire Department conceptually approved a 20' width for this driveway on June 3, 1998. The applicant has indicated his intention to request an amended approval from the Fire Department to reduce the width of the driveway from 20' to 18', which would in turn reduce the amount of grading (cut) by 300 cu. yds.

Commission staff contacted the Fire Department regarding the proposed width reduction on 10/13/98. Fire Department staff indicated that given the relatively steep 25 foot drop in elevation from the road to the building pad, and the backwards "S" configuration, special consideration would be needed prior to the issuance of an amended Fire Department approval. Consequently, the proposed driveway remains at the approved 20' width; should the project be approved by the Commission and the applicant subsequently obtains Fire Department approval for a reduction of the driveway width and grading, staff could amend the coastal development permit on an immaterial basis.

B. Visual Resources and Landform Alteration

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 Malibu/Santa Monica Mountains LUP 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.

- P129** ***Structures should be designed and located so as to create an attractive appearance and harmonious relationship with the surrounding environment.***
- P125** ***New development shall be sited and designed to protect public views from LCP-designated scenic highways to and along the shoreline and to scenic coastal areas, including public park lands. Where physically and economically feasible, development on sloped terrain should be set below road grade.***
- 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 land forms;*
- *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.*

P131 *Where feasible, prohibit placement of structures that will break the ridgeline view, as seen from public places.*

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

P135 *Ensure that any alteration of the natural landscape from earthmoving activity blends with the existing terrain of the site and the surroundings.*

P138b *Buildings located outside of the Malibu Civic Center shall not exceed three (3) stories in height, or 35 feet above then existing grade, whichever is less.*

The applicant is proposing to construct a two-story 28 ft. high, 2,418 sq. ft. single family residence with an attached 600 sq. ft. garage. The proposed construction is of stucco exterior, with both flat and red tile roofing, nine sets of French doors and numerous other $\frac{3}{4}$ length casement windows.

Adjacent development consists of a two-story single family home to the east and a temporary trailer to the west. There are also two single family homes visible to the north along Swenson Drive. The site is not visible from Saddlepeak Road or any other scenic highway or park. From the south, however, the proposed project would be visible from the Tuna Canyon Trail.

To assess any potential visual impacts of this project to the public, the Commission reviews the publicly accessible locations where the proposed development is visible, such as parks and trails. The Tuna Canyon Trail is located approximately 500 feet to the west, and 300 feet to the south of the proposed project and would be visible by those using the trail.

The Commission typically also examines the building site, any proposed grading, and the size of the structure. Staff conducted a site visit of the subject property and found the proposed building pad location to be most appropriate, given its natural plateau and the ravines to east, south and west sides of the proposed pad.

The applicant originally submitted a proposal to create a 12,400 sq. ft. building pad with 2,400 cu. yds. of grading (1,200 cu. yds. fill and 1,200 cu. yds. cut). The majority amount of the cut, 847 cu. yds., would be necessary for the driveway and similarly the majority of the fill, 1,016 cu.

yds would be necessary for the building pad. Staff expressed concern regarding the amount of landform alteration associated with the size of the proposed pad and grading.

The applicant indicated that it would be possible to reduce the building pad and has agreed to reduce the size of the building pad to 10,000 sq. ft. which would, in turn, reduce the amount of grading to 2,133 cu. yds. (933 cu. yds. fill and 1,200 cu. yds cut). Thus, the Commission finds that the revised grading plan minimizes the alteration of natural landforms on the subject site and is compatible with the character of the surrounding area.

The proposed 2,418 sq. ft., 28 ft. high, two story residence of stucco and tile materials will not create any significant adverse impact on the surrounding visual resources due to the height, mass or bulk of the structure, given the location of the building pad on a natural plateau, the rising slope behind the proposed structure, and the surrounding residences of similar height, mass and bulk. However, the proposed structure would degrade public views from the Tuna Canyon Trail if it is finished in a color inconsistent with the surrounding natural landscape. Further, should the numerous windows of the proposed structure be of a reflective nature, the resultant glare from the windows would create an adverse visual impact to those using the Trail.

Thus, because the residence is visible from a public trail it is necessary to ensure that the design of the project will minimize any visual impacts to the maximum extent feasible. To ensure any visual impacts associated with the colors of the structure and the potential glare of the window glass will be minimized, the Commission finds it necessary to require the applicant to use colors compatible with the surrounding environment & non-glare glass, as required by *Special Condition number one (1)*.

The Commission has also found through past permit action that landscaping softens, screens and mitigates the visual impact of development. Therefore, the Commission finds it necessary to require a revised landscaping plan in keeping with the native vegetation of the Santa Monica Mountains to mitigate any visual impacts of development through the use of native, drought tolerant plantings, as specified in *Special Condition number two (2)*.

In addition, future developments or improvements to the property have the potential to create visual impacts as seen from the public places, as noted. It is necessary to ensure that future developments or improvements normally associated with a single family residence, which might otherwise be exempt, be reviewed by the Commission for compliance with the visual resource protection policies of the Coastal Act. *Special Condition number three (3)*, the future improvements deed restriction, will ensure the Commission will have the opportunity to review future projects for compliance with the Coastal Act.

Therefore, the proposed project, as conditioned, will not adversely impact the scenic public views in this area of the Santa Monica Mountains. Thus, the Commission finds that the proposed project is consistent, as conditioned, with Section 30251 of the Coastal Act.

C. Geologic Stability and 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, 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 Malibu/Santa Monica Mountains certified Land Use Plan also provides policy guidance, in regards to geologic hazards, as follows:

- P147** Continue to evaluate all new development for impact on, and from, geologic hazard.
- P148** Continue to limit development and road grading on unstable slopes to assure that development does not contribute to slope failure.
- 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.
- P150** Continue Hillside Management procedures as contained in Ordinance No. 82-0003 for proposed development on sites with an average slope greater than 25 percent (4:1). Grading and/or development-related vegetation clearance shall be prohibited where the slope exceeds 2:1, except that driveways and/or utilities may be located on such slopes where there is no less environmentally damaging feasible alternative means of providing access to homesites located on slopes of less than 50%, where no alternative homesites exist on the property, and where maximum feasible mitigation measures are taken.

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 existing vegetation, thereby contributing to an increased potential for erosion and landslides on property.

The subject site consists of an approximately level ridge top bounded on the east, south, and west by descending slopes and on the north by Little Las Flores Road. The slope gradient of the descending slopes varies from 3.5:1 to 2.5:1. The gradient of slope within the site varies from 4:1 to 3:1. The total height of the slopes is about 100 feet.

1. Geology

The applicant has submitted a Geotechnical Study, dated 12/12/90, prepared by Solus Geotechnical, and an Update Geologic and Geotechnical Engineering Investigation, dated 3/31/98, prepared by C.Y. Geotech, Inc., for the subject site.

In regard to slope stability, circular stability analyses were performed to evaluate the static and seismic (pseudo-static) gross slope stability of the south facing descending slopes. The slope stability analysis indicated that the south-facing descending slope has factors of safety greater than minimum code requirements for both static and seismic conditions. The Solus Geotechnical Report stated that landslide deposits offsite identified by Campbell and Yerkes were explored by Geoplan Inc. and were determined to not exist. There was also no evidence of deep-seated slope failure in the north adjacent property during the time of the Geoplan's field visit.

Based on the geotechnical consultants' site observations, evaluation of previous research, analysis and mapping of geologic data, and geotechnical engineering evaluation and analysis, both the geologic and geotechnical engineers have provided recommendations to address the specific geotechnical conditions related to site preparation & fill placement, footing setback, conventional footing, cut & fill slope, retaining walls, sewage disposal, temporary excavation, slabs-on-grade, drainage, slope maintenance. All plans must be reviewed and approved by the geologic consultants.

In conclusion, Geoplan Inc., the consulting engineers state that:

"Based upon the findings of this investigation, it is our opinion that the proposed development will be safe from geologic hazards such as landslide, settlement, and slippage, and will not adversely affect the stability of adjacent properties provided the recommendations of this report are properly incorporated into the design and are implemented during construction.."

Based on the findings and recommendations of the consulting geologist and geotechnical engineer, the Commission finds that the development is consistent with Section 30253 of the Coastal Act so long as all recommendations regarding the proposed development 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 geologist and geotechnical engineer as conforming to their recommendations, as noted in *Special Condition number four (4)* for the final project plans for the proposed project.

2. Erosion

Site surface drainage is via sheetflow down the slopes and into natural canyons. The consultant has found that the potential damage to hillside homes by floods, mudslides, erosion, raveling of slopes, and concentrated drainage can be reduced by proper drainage control and slough protection. The consultant specifically recommends that positive

drainage should be provided to direct water away from the residence and to prevent runoff water from flowing uncontrolled over the top of the slopes.

Thus, the Commission finds that uncontrolled runoff associated with the construction of the proposed project could create significant erosion and sedimentation impacts offsite.

In order to ensure that drainage and potential erosion from the residential building pad is conveyed from the site in a non-erosive manner and erosion is controlled and minimized during construction, the Commission finds it necessary to require the applicant to submit drainage and interim erosion control plans, as required by *Special Condition number two (2)*. This condition requires the erosion control plan be completed by a licensed landscape architect and the drainage control plan by a licensed engineer.

3. Fire

The Coastal Act also requires that new development minimize the risk to life and property in areas of high fire hazard. The Coastal Act recognizes that new development may involve the taking of some risk. Coastal Act policies require the Commission to establish the appropriate degree of risk acceptable for the proposed development and to establish who should assume the risk. When development in areas of identified hazards is proposed, the Commission considers the hazard associated with the project site and the potential cost to the public, as well as the individual's right to use his property.

Vegetation in the coastal areas of the Santa Monica Mountains consists mostly of coastal sage scrub and chaparral. Many plant species common to these communities produce and store terpenes, which are highly flammable substances (Mooney in Barbour, Terrestrial Vegetation of California, 1988). Chaparral and sage scrub communities have evolved in concert with, and continue to produce the potential for frequent wild fires. The typical warm, dry summer conditions of the Mediterranean climate combine with the natural characteristics of the native vegetation to pose a risk of wild fire damage to development that cannot be completely avoided or mitigated.

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 these 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, as incorporated by *Special Condition number five (5)*. The Commission finds that only as conditioned is the proposed project consistent with Section 30253 of the Coastal Act.

D. Cumulative Impacts of New Development: Temporary Trailer

Section 30250(a) of the Coastal Act states:

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. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of the surrounding parcels.

In addition, the certified Malibu/Santa Monica Mountains LUP, which the Commission considers as guidance for implementing the Chapter 3 policies of the Coastal Act, contains policy 271 which states:

"In any single-family residential category, the maximum additional residential development above and beyond the principal unit shall be one guest house or other second unit with an interior floor space not to exceed 750 gross square feet, not counting garage space."

The issue of second units on lots with primary residences consistent with the new development policies of the Coastal Act has been a topic of local and statewide review and policy action by the Commission. These policies have been articulated in both coastal development permit conditions and policies and implementing actions of LCPs. Further, the long-time Commission practice of reviewing coastal development permits and the implementation actions of LCPs has upheld policies such as the 750 sq. ft. size limit in the Malibu Coastal Zone.

The Commission notes that concerns about the potential future impacts on coastal resources and coastal access might occur with any further development of the subject property. Impacts such as traffic, sewage disposal, recreational uses, visual scenic quality and resource degradation would be associated with the development of the additional unit in this area.

The applicant proposes to install a 18' by 60' mobile home on-site, to be located adjacent to Little Las Flores Canyon road, during the construction period. The applicant has obtained LA County Department of Regional Planning approval for said trailer for period not to exceed 12 months, after which the applicant would need a conditional use permit from the County.

The Commission, through past permit actions has considered such trailers to be second units and subject to the same consideration as guest houses. To ensure that the proposed trailer is removed from the site upon completion of the new residence, the Commission thus finds it necessary to require that the trailer be removed within 90 days of issuance of the certificate of occupancy by Los Angeles County, as noted in *Special Condition number six (6)*.

Thus, the Commission finds that, as conditioned, the proposed project is consistent with Section 30250(a) and with all the applicable policies of the Coastal Act.

E. Septic System

The Commission recognizes that the potential build-out of lots in Malibu, 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 proposed septic system includes a 1,500 gallon septic tank with seepage pits. The installation of a private sewage disposal system was reviewed by the consulting geologist, Solus geotechnical, and found that: 1) the system should have no adverse impacts upon site development; 2) it should not adversely affect the stability of adjacent properties; and 3) it should not affect the quality of the groundwater, if properly constructed in accord with County standards, the consultant's recommendations and properly maintained.

A percolation test was performed on the subject property which indicated the percolation rate meets Uniform Plumbing Code requirements for a four bedroom residence and is sufficient to serve the proposed single family residence. The applicant has submitted a conceptual approval for the sewage disposal system from the Los Angeles County Department of Health Services, based on a four bedroom single family residence. This approval indicates that the sewage disposal system for the project in this application complies with all minimum requirements of the Uniform 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 Section 30231 of the Coastal Act.

F. Local Coastal Program

Section 30604(a) of the Coastal Act states that:

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 County's ability to prepare a Local Coastal Program for Malibu which is also consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

G. California Environmental Quality Act

Section 13096(a) of the Commission's administrative regulations requires Commission approval of a Coastal Development Permit application to be supported by a finding showing the application, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) 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 effects which the activity would have on the environment.

The proposed development would not cause significant, adverse environmental effects which would not be adequately mitigated by the conditions imposed by the Commission. Therefore, the proposed project, as conditioned, is found consistent with CEQA and with the policies of the Coastal Act.

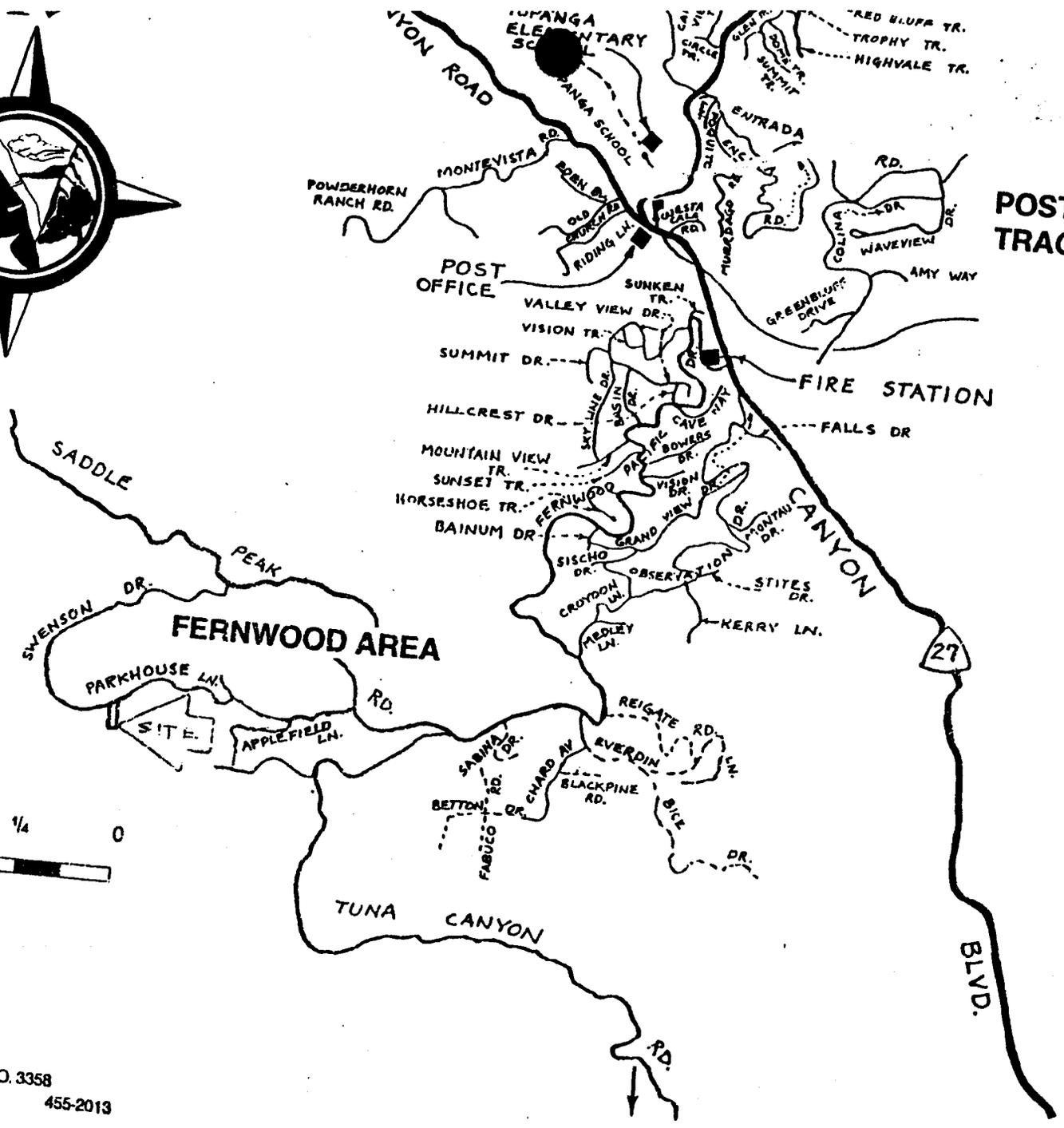
VICINITY MAP



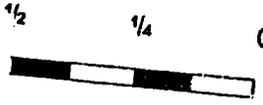
STATE PARK

TOPANGA STATE PARK

POST OFFICE TRACT AREA

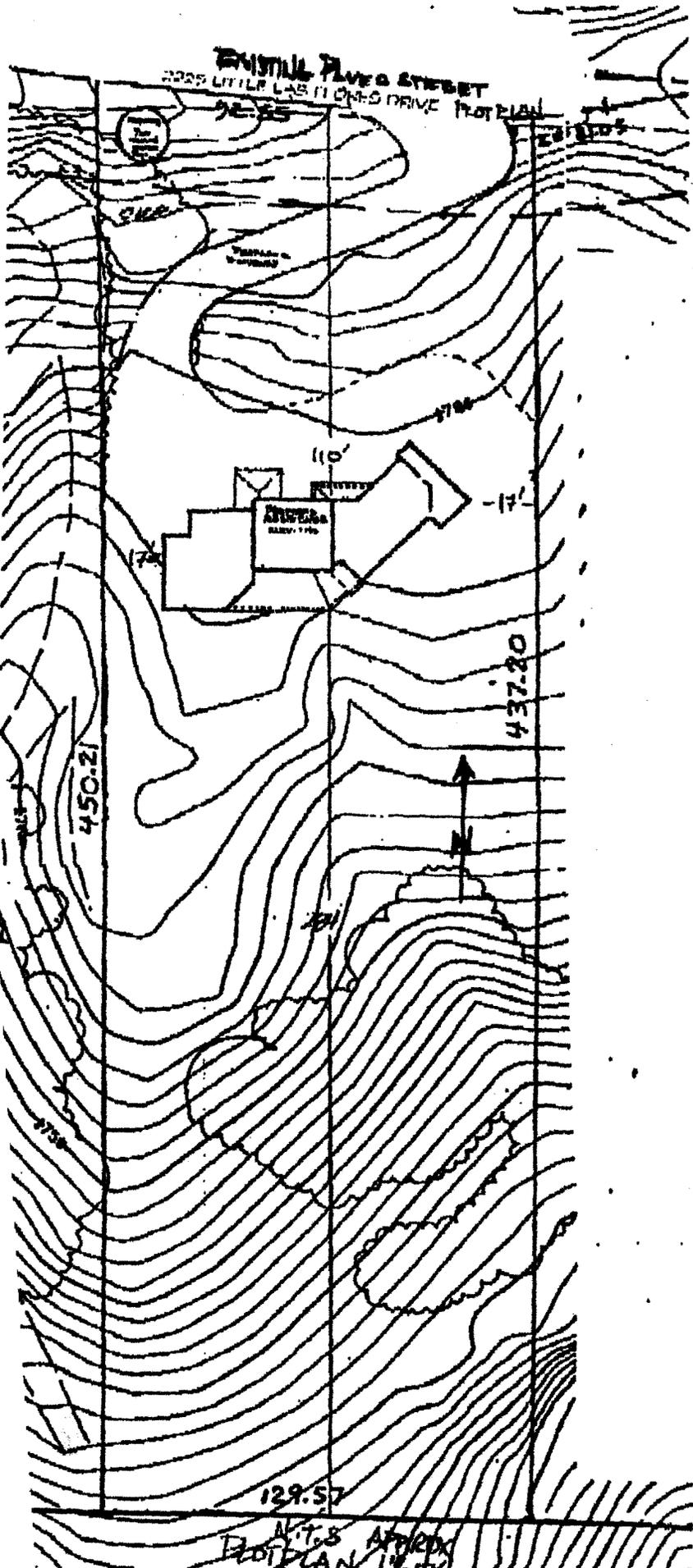


1986 SCALE



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| EXHIBIT NO. | 1 |
| APPLICATION NO. | 498-169 (CORRECTED) |

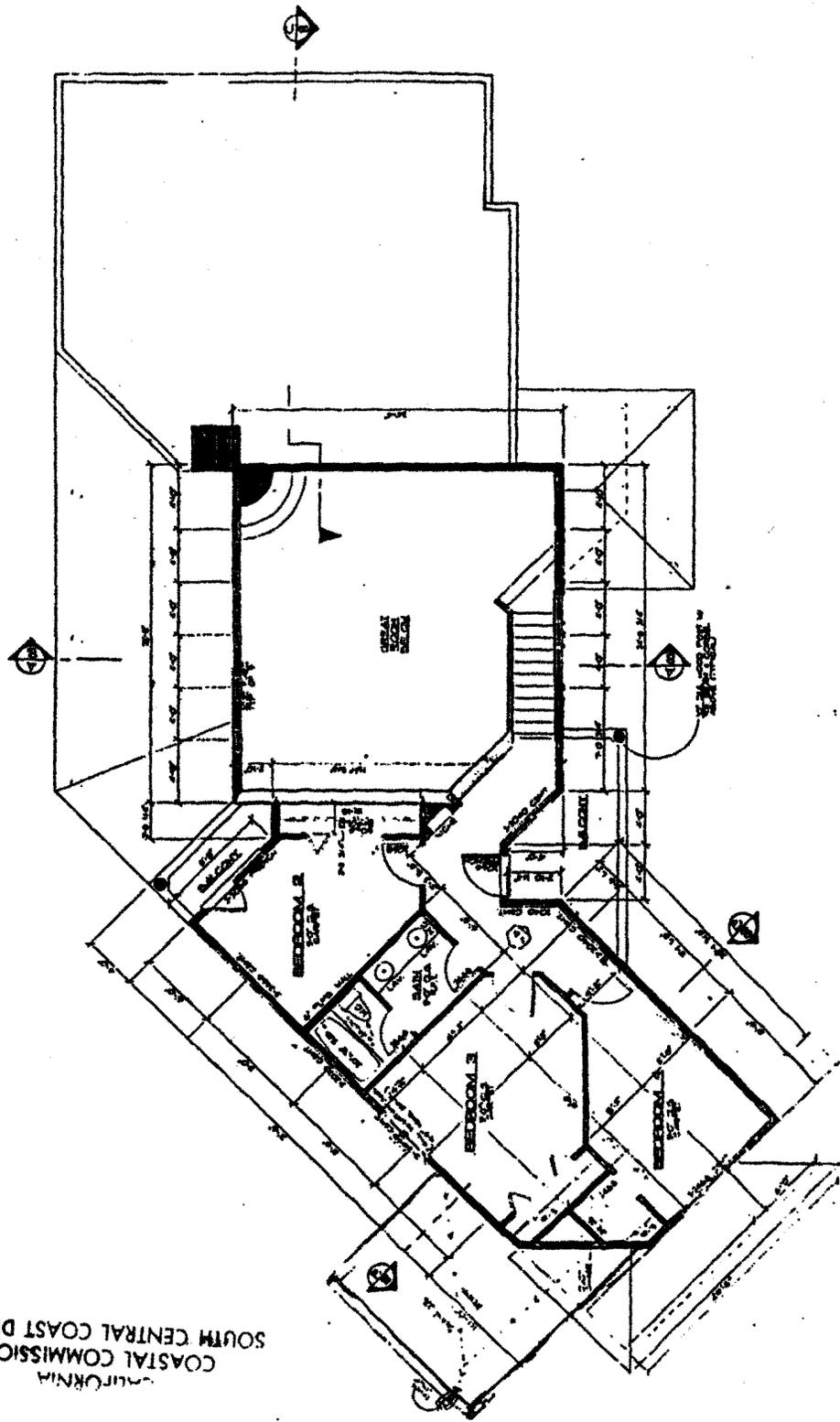
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 CC # 4086

SITE PLAN
 2225 Little Lay
 Topanga, CA
 Owner: Mr & Mrs
 23100 Ave San Lui
 Woodland Hills, C.
 Tel: 818 876 01

| |
|-----------------|
| EXHIBIT NO. 2 |
| APPLICATION NO. |
| 4-00 1101 |



SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"

2226 Little Las Flores Rd. Topanga, CA 90290

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

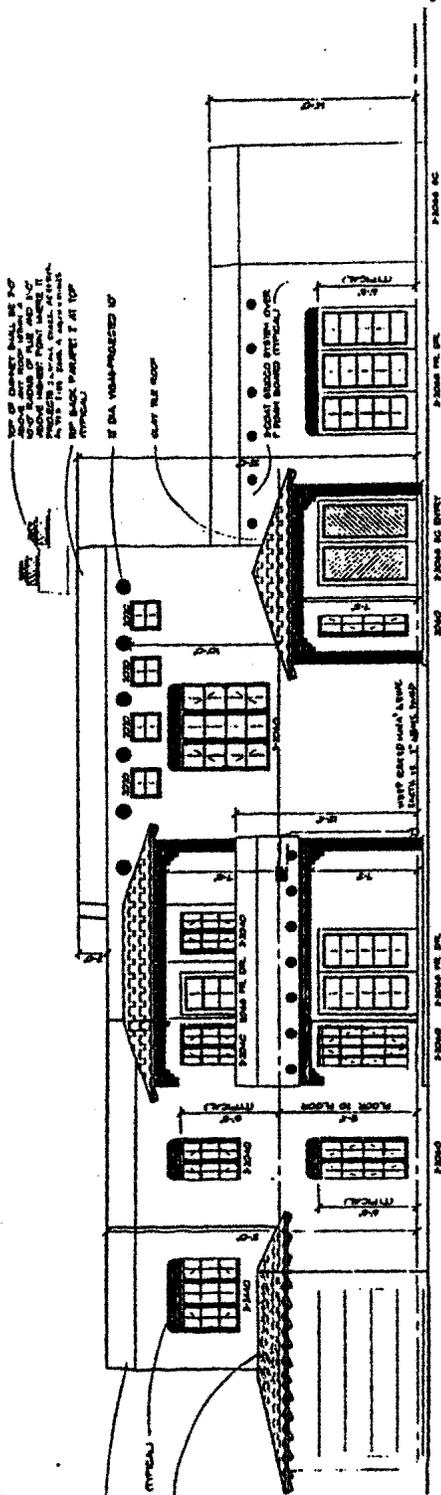
JUL 29 1998

RECEIVED

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|---------------------|---|
| EXHIBIT NO. | 4 |
| APPLICATION NO. | |
| 4-98-169 (CONNOLLY) | |
| SECOND FLOOR | |

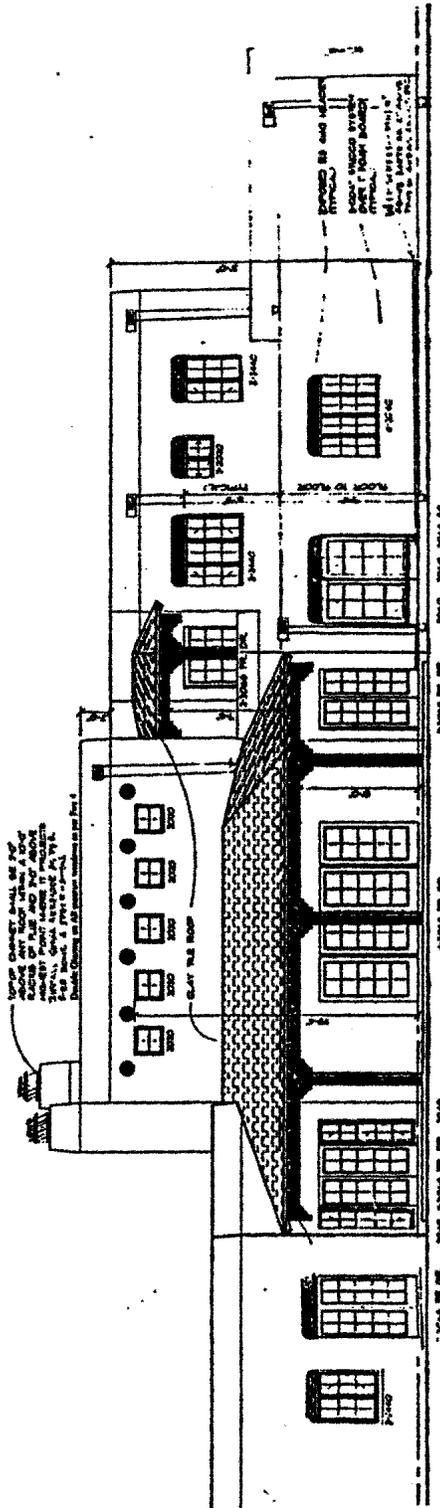
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FRONT ELEVATION (North)

SCALE: 1/4" = 1'-0"



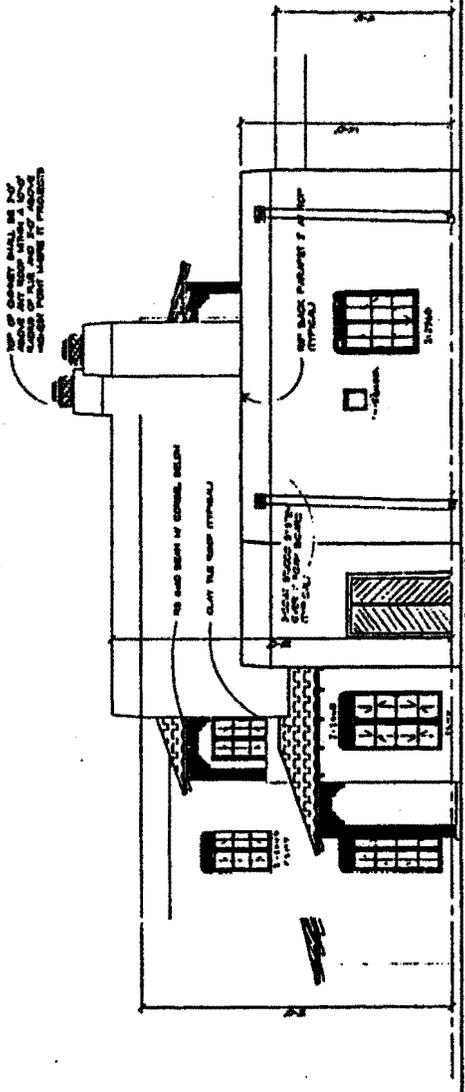
REAR ELEVATION (South)

SCALE: 1/4" = 1'-0"

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|------------------------|---|
| EXHIBIT NO. | 5 |
| APPLICATION NO. | |
| 4-98-169 (CONNOLLY) | |
| NORTH/SOUTH ELEVATIONS | |

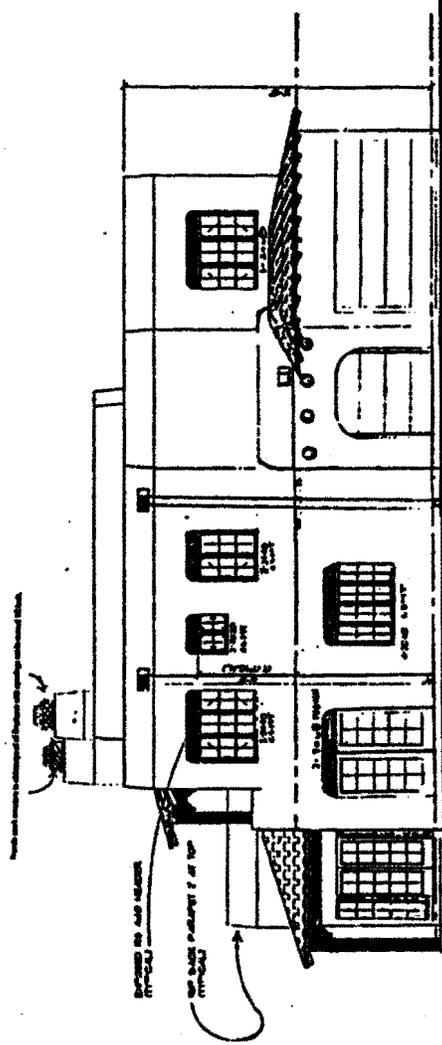
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RIGHT ELEVATION (WEST)

SCALE: 1/4" = 1'-0"



LEFT ELEVATION (EAST)

SCALE: 1/4" = 1'-0"

| | |
|----------------------|---------------------|
| EXHIBIT NO. | 6 |
| APPLICATION NO. | 4-98-169 (CONNOLLY) |
| EAST/WEST ELEVATIONS | |

| | | | |
|------|------|----|----------|
| DATE | TIME | BY | REVISION |
| | | | |
| | | | |
| | | | |

2226 Little Lee Flores Rd. Topanga, CA 90290