

CALIFORNIA COASTAL COMMISSION

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



RECORD PACKET COPY

ITEM: TU 5(h)

Filed: 11/02/98
49th Day: 12/21/98
180th Day: 5/01/99
Staff: MH-V
Staff Report: 11/17/98
Hearing Date: 12/09/98
Commission Action:

K2

STAFF REPORT: CONSENT CALENDAR**APPLICATION NO. 4-98-245****APPLICANTS: Yelena Antseliovich AGENT: Donald Schmitz****PROJECT LOCATION: 6336 Gayton Place, City of Malibu, Los Angeles County.**

PROJECT DESCRIPTION: Remodel the interior of existing 2-story, 4,947 sq. ft. single family residence, construct swimming pool, tennis court, patios, and retaining walls, renovate the existing septic disposal system, and perform 660 cubic yards of grading (330 cu. yds. cut and 330 cubic yds. fill).

Lot area: 89,483 sq. ft.
Building Coverage: 4,947 sq. ft.
Pavement Coverage: 11,215 sq. ft.
Landscape Coverage: 73,321 sq. ft.
Parking Spaces: 2
Project Density: 1 du/ac
Ht. abv fin grade: N/A

LOCAL APPROVALS RECEIVED: City of Malibu: Planning Department Approval in Concept, August 3, 1998; Environmental Health Department, Septic Approval, July 21, 1998.

SUBSTANTIVE FILE DOCUMENTS: Malibu/Santa Monica Mountains Land Use Plan; Geotechnical Engineering and Geologic Report, RJR Engineering Group, Inc., dated October 21, 1997; Grading and Drainage Plan, JK Associates, Civil Consulting Engineers, undated; Coastal Development Permit 4-98-194 (Sittig).

STAFF RECOMMENDATION: Staff recommends approval of the proposed project with special conditions regarding: **Landscaping and Erosion Control, Geology, Wild Fire Waiver of Liability, Tennis Court Lighting Prohibition, Swimming Pool Drainage Plan.** Of special concern is the presence on site of a blue line stream that is directly tributary to the Pacific Ocean.

STAFF RECOMMENDATION:

I. Approval with Conditions.

The staff recommends that the Commission adopt the following resolution:

The Commission hereby grants a permit, subject to the conditions below, 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, is located between the sea and the first public road nearest the shoreline and is in conformance with the public access and public recreation policies 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. Landscape Plan and Fuel Modification

- A. Prior to the issuance of the coastal development permit, the applicant shall submit landscaping and fuel modification plans prepared by a licensed landscape architect for review and approval by the Executive Director. The plans shall incorporate the following criteria:

- (1) All graded and disturbed areas on the subject site shall be planted and maintained for erosion control and visual enhancement purposes within sixty (60) days of completion of construction, or any portion of construction approved pursuant to Coastal Development Permit 4-98-245. 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 that tend to supplant native species shall not be used.
- (2) Vegetation within 50 feet of the existing single family residence may be removed to mineral earth or planted in a zone of irrigated lawn or similar ground cover. 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. In addition, as mature eucalyptus trees die over time, they shall be removed and shall not be replaced. All immature eucalyptus trees, defined as trees less than 6 inches in diameter, shall be removed from the subject parcel within one (1) year from the issuance of Coastal Development Permit 4-98-245. The applicant shall submit evidence to the satisfaction of the Executive Director that the fuel modification plan required herein has been approved by the Los Angeles County Forestry Department.
- (3) 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.
- (4) All development approved herein shall be undertaken in accordance with the final approved plans. Any proposed changes to the approved final

landscape plan shall be reported to the Executive Director. No changes to the landscaping plan shall occur without a Coastal-Commission approved amendment to the coastal development permit, unless the Executive Director determines that no amendment is required.

- (5) 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 shall be retained on site unless removed to an approved disposal facility.

B. Monitoring Plan

- (1) Five years from the date of the receipt of the Certificate of Occupancy for the residence the applicant shall submit, for the review and approval of the Executive Director, a landscape monitoring report, prepared by a licensed Landscape Architect or qualified Resource Specialist, that certifies the on-site landscaping is in conformance with the landscape plan approved pursuant to this Special Condition. The monitoring report shall include photographic documentation of plant species and plant coverage.
- (2) If the landscape monitoring report indicates the landscaping is not in conformance with or has failed to meet the performance standards specified in the landscaping plan approved pursuant to this permit, the applicant, or successors in interest, shall submit a revised or supplemental landscape plan for the review and approval of the Executive Director. The revised landscaping plan must be prepared by a licensed Landscape Architect or a qualified Resource Specialist and shall specify measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan.

2. Plans Conforming to Geologic Recommendation

All recommendations contained in the Geotechnical Engineering and Geologic Report, Proposed Residential Addition, Pool & Tennis Court, prepared by RJR Engineering Group, Inc., dated October 21, 1997 shall be incorporated into all final design and construction plans including recommendations concerning foundations, grading, and drainage plans. Prior to the issuance of the coastal development permit, the applicant shall submit, for review and approval of the Executive Director, evidence of the geotechnical consultants' review and approval of all final project plans. The geotechnical consultant shall confirm that the final project plans and designs incorporate all recommendations contained in the above referenced report. Evidence of such review

submitted to satisfy the Executive Director shall include the affixation of the consulting engineering geologists' stamp and signature to the final project plans and designs.

The final plans approved by the consultants 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 consultants shall require an amendment to the permit or a new coastal permit. The Executive Director shall determine whether required changes are "substantial."

The applicant shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plan shall be reported to the Executive Director. Proposed changes to the approved final plans shall not occur without a Coastal Commission-approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

3. Wild Fire Waiver

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 or liability arising out of the acquisition, design, construction, operation, maintenance, existence, or failure of the permitted project in an area where an extraordinary potential for damage or destruction from wild fire exists as an inherent risk to life and property.

4. Tennis Court Lighting Prohibition

Prior to the issuance of the coastal development permit, the applicant shall execute and record a deed restriction, in a form and content acceptable to the Executive Director that shall restrict the applicants from installing any lighting associated with the construction or use of the tennis court approved pursuant to permit 4-98-245, whether such lighting is fixed or portable, temporary or permanent, on or near the proposed tennis court.

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.

5. Swimming Pool Drainage

Prior to the issuance of the coastal development permit, the applicant shall submit, for the review and approval of the Executive Director, a swimming pool drainage plan prepared

by a licensed engineer that connects the swimming pool drain directly to the storm drain system. The swimming pool drainage plan shall certify that the proposed drainage system is adequate to drain the subject pool's volume of stored water at full capacity and shall specify that swimming pool drainage shall not be accomplished by pumping the drained effluent, or releasing the pool's contents by gravity flow/sheetflow runoff, onto adjacent open areas or slopes.

IV. Findings and Declarations.

The Commission hereby finds and declares as follows:

A. Project Description

The applicant proposes to remodel the interior of an existing 2-story, 4,947 sq. ft. single family residence, and construct a swimming pool, tennis court, patios, and retaining walls, and to renovate the septic disposal system. The applicant also proposes 660 cubic yards of grading (comprised equally of cut and fill) (See Exhibits 1-7).

The approximately 2-acre parcel is located in a developed area of single family residences on a coastal terrace at 6336 Gayton Place. The triangular parcel extends between Gayton Place along the western boundary to a blue line stream along the eastern boundary. The rear portion of the parcel slopes at an overall gradient of 5:1 (horizontal to vertical) to the stream, which drains ultimately into the Pacific Ocean (see Exhibits 2, 4 and 6). The rear, downsloping portion of the property is undeveloped.

B. Geologic Stability and Hazards

Section 30253 of the Coastal Act states in pertinent 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.

Section 30253 of the Coastal Act requires that new development assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic stability, or destruction of the site or surrounding area. The applicant proposes to remodel the interior of an existing single family residence and to construct a new swimming pool, tennis court, retaining walls, patios, and to renovate the existing septic disposal system. The applicant also proposes 660 cubic yards of grading (330 cubic yards of cut and 330 cubic yards of fill).

The applicant has submitted a report titled Geotechnical Engineering and Geologic Report, Proposed Residential Addition, Pool, & Tennis Court, 6336 Gayton Place, Malibu, prepared by RJR Engineering Group, Inc., dated October 21, 1997. The report makes numerous recommendations regarding site preparation, grading, erosion control, foundations, retaining walls, slabs, utility trenches and specific measures for construction of the swimming pool and tennis court. The report states that the proposed development is feasible from a geologic and geotechnical standpoint, and should be free of landslides, slumping and excess settlement provided that the recommendations contained in the report are implemented during the design and construction of the project. The report further concludes that the stability of the site and surrounding areas will not be adversely affected by the proposed development provided the geotechnical consultants' recommendations are implemented. Therefore, the Commission finds that the proposed development will be safe from geologic hazards if all recommendations of the geotechnical consultants are incorporated into the final project plans and designs. Accordingly, **Special Condition 2** requires the applicant to demonstrate to the Executive Director's satisfaction that all recommendations in the October 21, 1997 report are incorporated into the final plans and designs.

The applicant's geotechnical report and drainage plan do not specify how drainage of the proposed swimming pool is to be accomplished. The proposed pool will be constructed on a portion of the parcel that drains downslope over soils noted as highly erodible in the geotechnical report, into a riparian corridor. Site drainage is generally accomplished by sheetflow runoff, and the applicant's drainage plan shows the installation of retaining walls and energy dissipaters to control runoff from the proposed tennis court and patios. Drainage from the pool, however, would be expected to produce relatively high volumes of runoff water in a short period of time. Such drainage must, therefore, be directed into the storm drain system. **Special Condition 5** requires the applicant to prepare and submit for the Executive Director's approval a swimming pool drainage plan prepared by a licensed engineer. The plan must specify, and show the means by which, all swimming pool drainage will be conducted to storm drain system. Swimming pool drainage to or within the slopes descending toward the rear of the parcel is unacceptable. Implementation of the drainage plan required by **Special Condition 5** will ensure that swimming pool drainage is managed in a non-erosive manner consistent with preserving the stability of the site.

As stated previously, the applicant's geotechnical report notes that the sandy soils underlying the sloping rear portion of the site are particularly vulnerable to erosion. The report recommends, therefore, that additional erosion control measures be implemented if construction is undertaken during the rainy season.

As discussed more fully in the next section, the rear portion of the applicant's lot drains directly into an unnamed blue line stream that runs along the eastern portion of the lot. The stream drains directly into the Pacific Ocean (see Exhibits 2, 4 and 6). Uncontrolled erosion discharges sediment pollution into coastal waterways and has been shown to

adversely affect the biota of riparian systems. This consideration underscores the need to control erosion on the subject parcel; therefore, additional erosion control measures during rainy season construction are required by **Special Condition 1**. This condition also requires the use of locally native plant species, which have been shown to provide superior erosion control when compared to the use of non-native species in the Santa Monica Mountains, for landscaping and erosion control on the site. **Special Condition 1 (B)** requires the applicant to submit a monitoring report to demonstrate that the required landscaping and erosion control measures in the approved landscape plan have been successfully implemented.

As conditioned by **Special Conditions 1, 2, and 5**, therefore, the Commission finds that the proposed is consistent with the geologic stability requirements of Coastal Act Section 30253.

Wild Fire Waiver

The proposed project is located in the Santa Monica Mountains, an area subject to an extraordinary potential for damage or destruction from wild fire. The typical vegetation in 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 **Special Condition 3**, the wild fire waiver of liability, the applicant acknowledges the nature of the fire hazard which exists on the site and which may affect the safety of the proposed development. Moreover, through acceptance of **Special Condition 3** the applicant also agrees to indemnify the Commission, its officers, agents and employees against any and all expenses or liability arising out of the acquisition, design, construction, operation, maintenance, existence, or failure of the permitted project.

For all of the reasons set forth above, the Commission concludes that the proposed project, as conditioned by **Special Conditions 1, 2, 3, and 5**, is consistent with the requirements of Section 30253 of the Coastal Act.

C. Biological Resources

Section 30230 of the Coastal Act provides that:

Section 30230.

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231 of the Coastal Act provides that:

Section 30231.

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

As noted previously, the applicant's parcel drains toward the eastern edge of the lot into an unnamed blue line stream. The stream drains to the Pacific Ocean less than two miles south/southeast of the site (see Exhibits 2 and 4).

The riparian corridor associated with the streamcourse provides habitat for a variety of wildlife, including migratory birds. Night lighting, such as might be constructed to light the proposed tennis court, has been shown to interfere with feeding, nesting and roosting patterns of native species relying on nearby habitat areas. For this reason, **Special Condition 4** prohibits the lighting of the tennis court, thereby preventing the avoidable adverse effects that such lighting would otherwise have upon wildlife in the adjacent stream corridor.

In addition, as noted in the applicant's geotechnical report cited above, the downslope area of the parcel that drains into the streamcourse is underlain by highly erosive sandy soils. Sediment pollution due to erosion from uncontrolled runoff has been shown to degrade riparian ecosystems. Surface soil erosion has been established by the United States Department of Agriculture, Natural Resources Conservation Service, as a principal cause of downstream sedimentation adversely affecting the riparian and marine resources

of coastal watersheds. Sedimentation contributes inorganic constituents, heavy metals, and other contaminants to coastal waterways.

Extensive research undertaken during the past decade has established single family residences as the top ranking contributor of pollutants discharged into Santa Monica Bay, for example. Suspended sediments have been shown to absorb nutrients and metals and transport them from their source throughout a watershed and eventually into the Pacific Ocean.

As discussed in more detail in Section B, herein, the applicant has submitted a geotechnical analysis of the proposed project. The applicant's geotechnical consultants have provided a number of recommendations to ensure site stability, including erosion control measures. For the reasons described above, erosion control is necessary to ensure that sedimentation of the downslope blue line stream does not occur. Therefore, the Commission finds it necessary to require that the final project plans and designs be certified by the geotechnical consultants as having incorporated all recommendations set forth in the October 21, 1997 report prepared by RJR Engineering, Inc., pursuant to **Special Condition 2**.

The use of locally native plants in landscaping plans in the Santa Monica Mountains has been shown to prevent erosion and thereby to reduce or avoid sediment flows that would otherwise occur from the development of lots draining into coastal streams. The shrubs common to the chaparral vegetation that characterizes the Malibu area are deeply rooted and tend to hold soil in place once such plantings are established. Non-native species, on the other hand, and most particularly shallow-rooted annual grasses, have been shown to retard the establishment of native shrub seedlings and ultimately to increase the potential for erosion. Therefore, **Special Condition 1** requires the use of locally native plant species for landscaping and erosion control on the subject parcel. Implementation by the applicant of **Special Condition 1**, including the requirement that a monitoring plan be submitted to verify the successful implementation of the approved landscape plan, will ensure that optimal erosion control on site is achieved by the use of appropriate plantings and other requirements specified in the condition.

Because the existing residence predates the Coastal Act, and because a 1,775 square foot addition was determined last spring (Application No. 4-98-025-X (Antseliovich)) to be exempt from the requirement of obtaining a coastal development permit, the site has not previously been subject to a Commission-approved landscape plan. The proposed development includes a significant increase in impervious surfaces, and as such, the incremental increase in potential erosion attributable to the proposed project must be considered in conjunction with the potential effects on site drainage and runoff of the existing development. As such, adequate erosion control for the proposed new development cannot be assured apart from a landscape plan that encompasses the entire parcel. Therefore, the landscape plan that is required by **Special Condition 1** must include the entire parcel.

The Commission notes that the applicant's grading and drainage plan contains a notation that the blue line stream area on the eastern boundary of the parcel is designated as a flood hazard area containing a "dense grove of mature dead and dying eucalyptus trees." The site plan submitted by the applicant shows extensive plantings with non-native trees, particularly eucalyptus trees. Eucalyptus is an aggressive, invasive species that has spread extensively into the downslope riparian corridor. Deleterious effects of eucalyptus trees, in addition to crowding out native trees and undergrowth through direct competition, may be caused by the accumulation of eucalyptus leaf litter. The leaves contain chemicals that have been shown to retard the growth of other species, thereby exacerbating the adverse effects of eucalyptus in natural habitat areas.

Because the existing eucalyptus trees have a deleterious affect on the downslope riparian drainage, the exclusive use of non-invasive, native species, combined with the removal of immature eucalyptus trees is called for in the landscape plan required by **Special Condition 1**. This condition, when implemented, will ensure that, over time, the invasive pattern of the eucalyptus trees on the subject site are controlled and that the resultant impacts on the riparian drainage are reduced. Specifically, as mature eucalyptus trees die, they must be removed and shall not be replaced. In addition, the condition requires the identification and removal of immature (less than 6 inches diameter) eucalyptus trees in the landscape plan.

The applicant's geotechnical report states that site drainage is generally accomplished by sheetflow runoff. The proposed swimming pool would be located at the top of a slope draining into the riparian corridor of a designated blue line stream. In previous permit approvals the Commission has prohibited the drainage of swimming pools to slopes descending into riparian corridors (for example, Coastal Development Permit 4-98-194 (Sittig)). The Commission has found that such drainage may cause erosion of the affected slope, resulting in sedimentation of the creek, or adversely affect creek biota due to the flushing effect of high volumes of water, particularly chlorinated water, discharged in a relatively short period of time.

Therefore, as required by **Special Condition 5**, the applicant must submit a swimming pool drainage plan prepared by a licensed engineer. The plan must demonstrate that swimming pool drainage will be accomplished via the storm drain system. **Special Condition 5** completely prohibits draining the swimming pool on or into the adjacent slope or other open areas of the site. Implementation by the applicant of **Special Condition 5** will ensure that swimming pool drainage is accomplished in a manner that does not degrade the adjacent blue line stream. In addition, because the stream empties into the Pacific Ocean less than two miles downstream, implementation of that special condition will additionally protect coastal waters.

Therefore, for all of the reasons set forth above, the Commission finds that the proposed project, as conditioned by **Special Conditions 1, 2, 4, and 5**, is consistent with the requirements of Coastal Act Sections 30230 and 30231.

D. 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 applicant proposes to remove the existing 1,000 gallon septic tank and to construct a new 1,500 gallon septic system with a drain field as shown on the plans approved by the City of Malibu, Environmental Health Department, July 21, 1998. The conceptual approval by the City 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 wastewater discharge that could adversely impact coastal waters. Therefore, the Commission finds that the proposed project, as conditioned, is consistent with Section 30231 of the Coastal Act.

E. 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 development permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act. The preceding sections provide findings that the proposed project will be in conformity with the provisions of Chapter 3 if certain conditions are incorporated into the project and accepted by the applicant. As

conditioned, the proposed development will not create adverse impacts and is found to be consistent with the applicable policies contained in Chapter 3. Therefore, the Commission finds that approval of the proposed development, as conditioned, will not prejudice the City'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).

F. 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 effect which the activity would have on the environment.

The proposed project, as conditioned, will not have any significant adverse effects on the environment, within the meaning of the California Environmental Quality Act of 1970. Therefore, the proposed project, as conditioned, has been adequately mitigated and is consistent with CEQA and the policies of the Coastal Act.

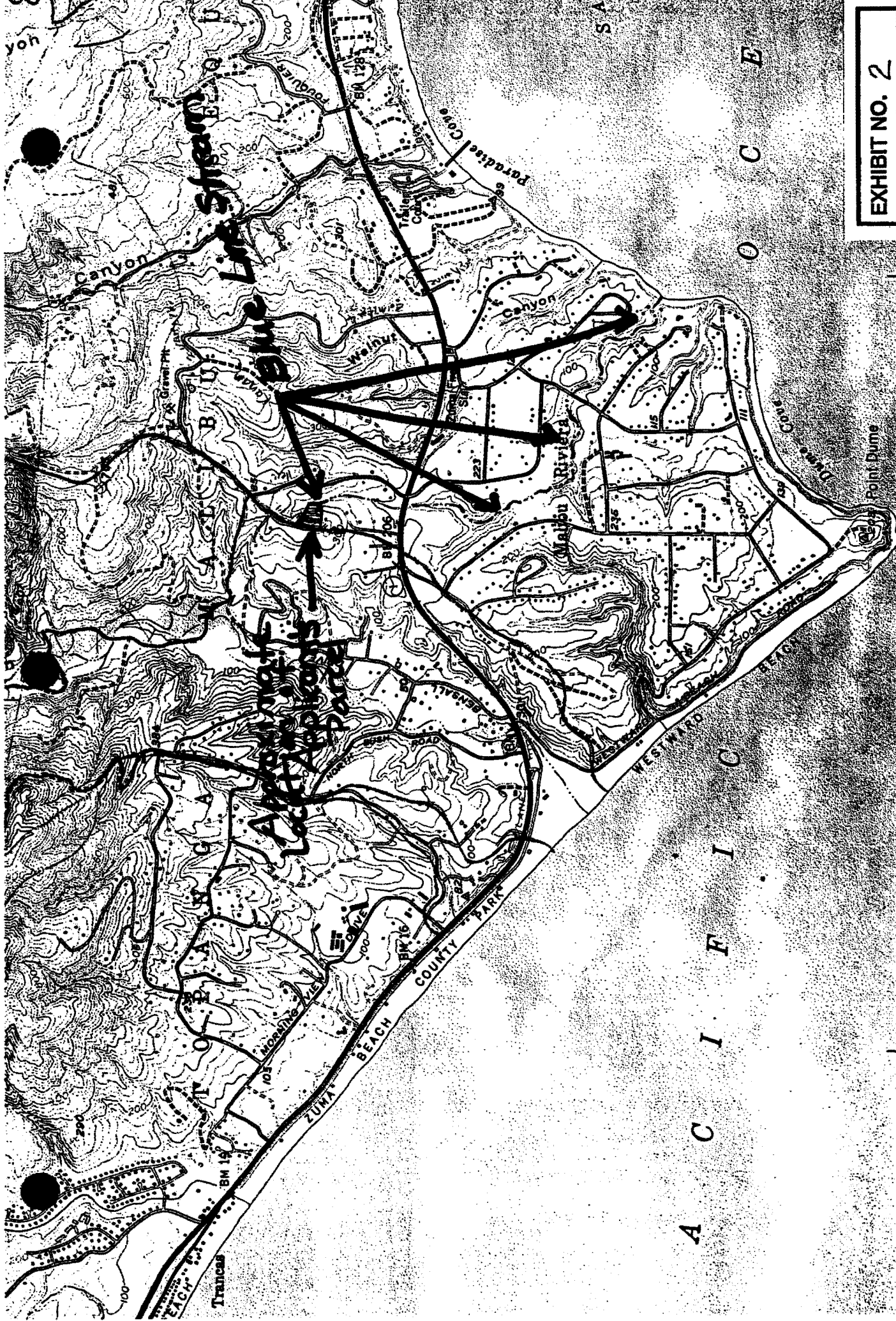
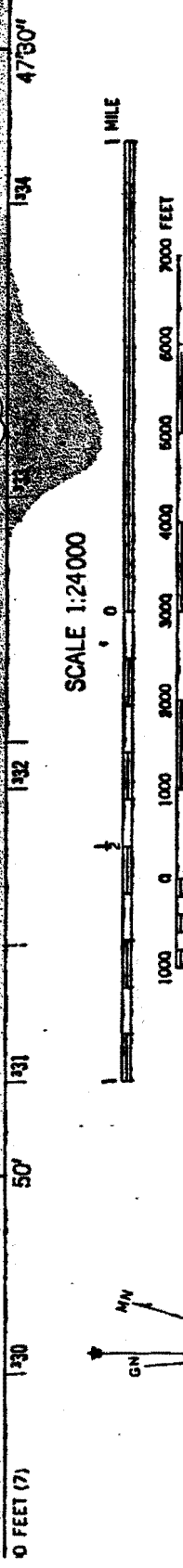
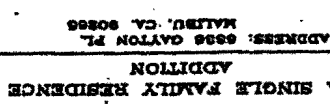
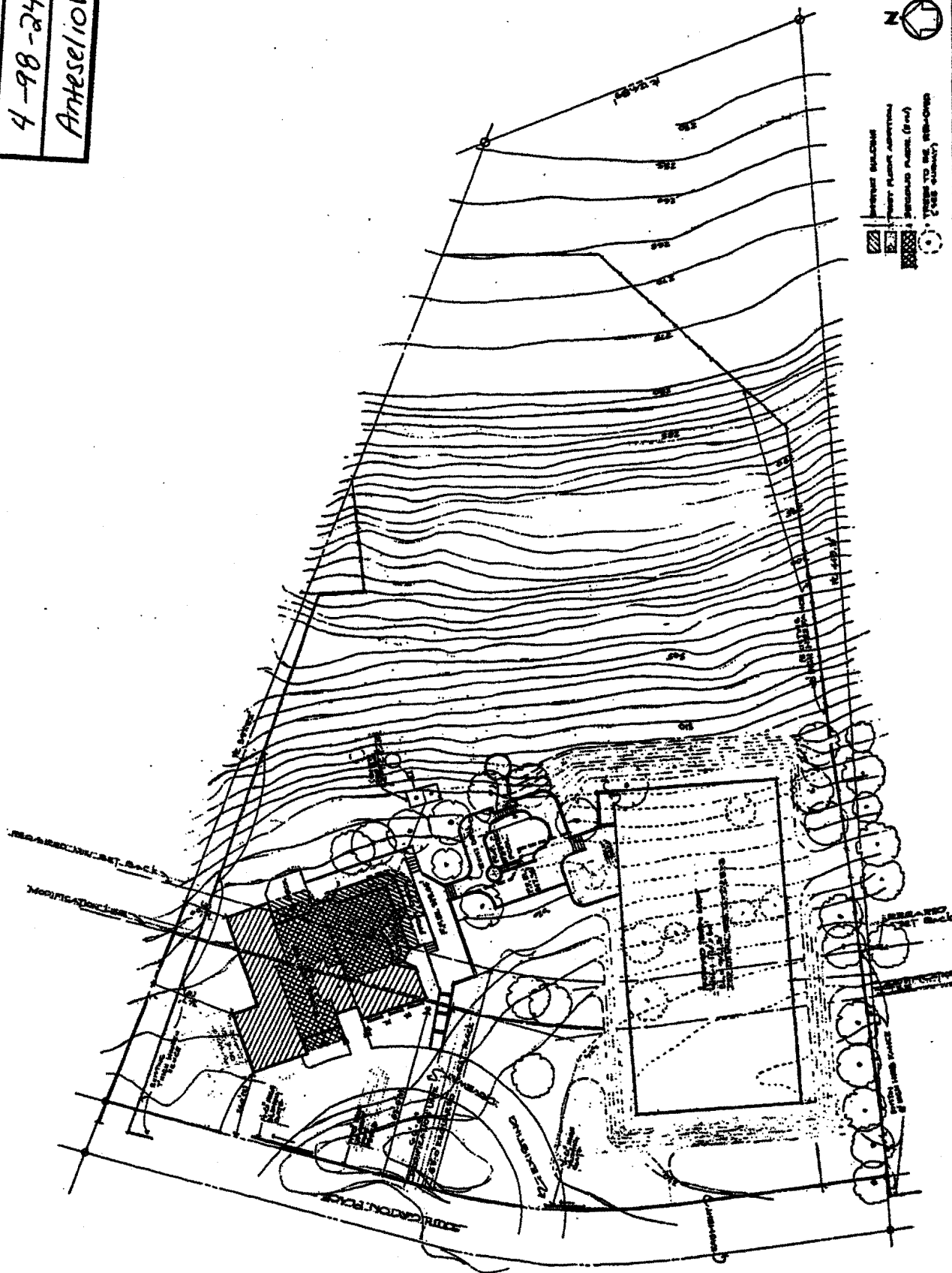


EXHIBIT NO. 2
APPLICATION NO.
4-98-245
Anteseliovich



Anteseliovich

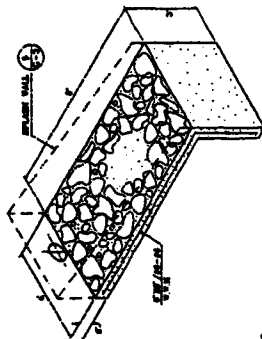
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SITE PLAN

Arteselovich

...which, on 14 June 1976, a postcard was received from the same person, stating that he had been arrested and was being held in the Federal House of Detention in New York City. The postcard was signed "John Doe" and was addressed to "John Doe, 1234 Main Street, New York City, New York 10001". The postcard was dated "June 14, 1976".

- ① CONS: TYPICAL RWP STRUCTURE PER DET. 3.1. 6-2
- ② CONS: SPLASH WALL PER DET. 3.3. 6-3
- ③ CONS: FRENCH DRAIN PER DET. 3.3. 6-3



TYPICAL, RIP-RAP

**BENCHMARKS: COUNTY OF LOS ANGELES DATUM
(NAYD 88)**

BENCHMARK NO. DY 10040 1990 ADJUSTED

LAST IN CYR OF CB NET @ NW COR PACIFIC COAST HWY
@ KANIAN CURVE RD 65FT W/O C/L KANIAN CURVE RD @
53FT N/O C/L PACIFIC COAST HWY MDQ (34M)

ELEVATION = 156.220 FEET

BENCHMARK NO.	DY 10041	1990 ADJUSTED
*LOT IN CTR OF CB MET & NE COR PACIFIC COAST HWY		

LOT SIZE = 69,483.57
LOT COVERAGE = 13.00 SF 10.09%

[illegible]

FLOOD HAZARD AREA PER TRACT NO. 45299
M.B. 1135-64-66
DENSE GROVE OF MATURE
AC AND DYING EUCALYPTUS
FREE

A SINGLE FAMILY RESIDENCE

**ADDITION
GAYTON PL.**

30. CA 902AS

GRADING & DRAINAGE PLAN

DRAINAGE PLAN

G-2

**GRADING &
DRAINAGE PLAN**

[illegible]

1. The first step is to identify the problem or question that needs to be answered. This involves understanding the context and the specific requirements of the task.

THE UNIVERSITY OF CHICAGO

Wbcr 6-17-1964

Abstract

EXHIBIT NO. 7

APPLICATION NO.

4-98-245

Antselovich

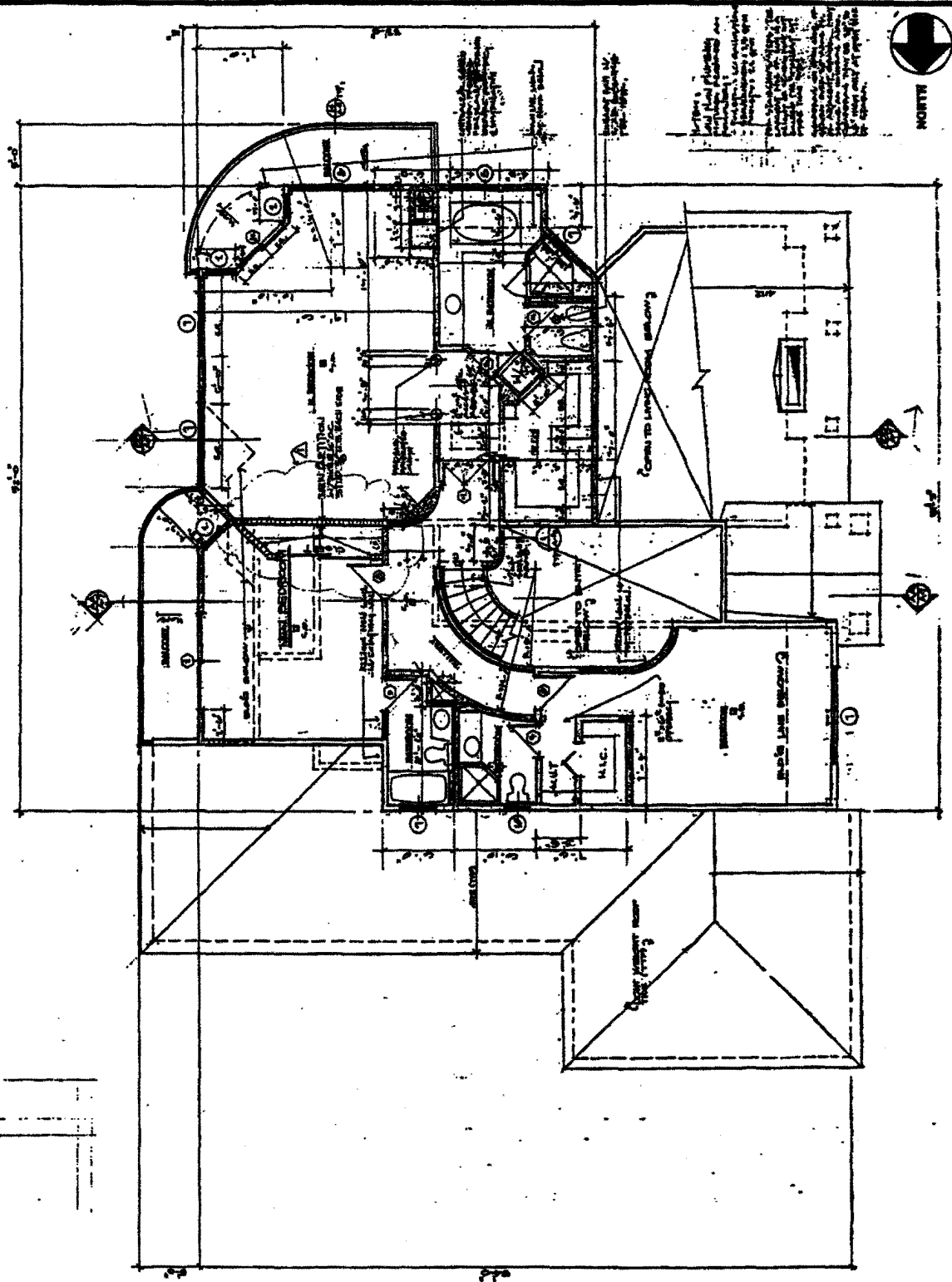
1700 S. Broadway, Suite 100
San Jose, CA 95128
Tel: (415) 550-0570

WANTON ASSOCIATES & ARCHITECTS
Architects & Engineers

A SINGLE FAMILY RESIDENCE
ADDITION

ADDRESS: 6838 GAYTON PL.
MILPITAS, CA 95035

DATE	10/1/98
BY	W.A.
SCALE	1/8" = 1'-0"
PROJECT	6838 GAYTON PL.
OWNER	ANTSEL, MICHAEL



LEGEND
THICK LINE: EXISTING WALL
THIN LINE: NEW WALL
DASHED LINE: EXISTING PARTIAL WALL

SECOND FLOOR PLAN