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CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA

SOUTH CALIFORNIA ST., SUITE 200

MALIBU, CA 93001

(805) 641-0142



Filed: 12/3/97

49th Day: NA

180th Day: NA

Staff: J Johnson-V

Staff Report: 2/19/98

Hearing Date: 3/10-13/98

8293A

STAFF REPORT: PERMIT EXTENSION REQUEST

APPLICATION NO.: 5-85-214-E-11

APPLICANT: Michel Ghosn

PROJECT LOCATION: 1955 Cold Canyon Road, Malibu, Los Angeles County

PROJECT DESCRIPTION: Subdivide 160 acres into 23 residential lots, grade a total of 187,199 cubic yards of material to create one access road and 23 building pads (road cut, 76,251 cubic yards; road fill, 88,541 cubic yards; pads cut, 13,344 cubic yards; pad fill, 9,063 cubic yards).

SUBSTANTIVE FILE DOCUMENTS: Coastal Development Permit, Notice of Intent to Issue Permit, 5-85-214 (Ghosn); Coastal Development Permit, Notice of Intent to Issue Permit, 5-85-214-A (Ghosn); Coastal Development Permit Time Extensions 5-85-214-E; E-1; E-2; E-3; E-4; E-5; E-6; E-7; E-8; E-9; E-10 (Ghosn); Coastal Development Permit Appeal No. 204-79 (Ghosn).

PROCEDURAL NOTE:

The Commission's regulations provide that permit extension requests shall be reported to the Commission if:

- 1) The Executive Director determines that due to changed circumstance the proposed development may not be consistent with the Coastal Act, or
- 2) Objection is made to the Executive Director's determination of consistency with the Coastal Act (14 C.C.R. Section 13169).

If three (3) Commissioners object to an extension request on the grounds that the proposed development may not be consistent with the Coastal Act, the application shall be set for a full hearing as though it were a new application. If three objections are not received, the permit will be extended for an additional one year period.

STAFF RECOMMENDATION:

The staff recommends that extension be granted for the following reasons:

No changed circumstances have occurred since the approval of the subject development that may affect the project's consistency with the Coastal Act.

FINDINGS AND DECLARATIONS:

A. Project Description

The applicant has requested a one year extension of the coastal development permit to subdivide three parcels consisting of 160 acres into 23 residential lots (Exhibit 3). Proposed grading consists of a total 187,199 cubic yards of material to create one access road and 23 building pads. Grading for the access road from Cold Canyon Road consists of a road cut of 76,251 cubic yards with a road fill of 88,541 cubic yards of material (Exhibit 4). Grading for the 23 building pads consist of a cut of 13,344 cubic yards and a fill of 9,063 cubic yards of material. The applicant proposes to balance a total of 98,000 cubic yards of material on site.

The subject site is located about four and one quarter miles inland on the inland side of Cold Canyon Road, north of two intersections with Mulholland Road (Exhibits 1 and 2). The property is part of the Old Abercrombie Ranch as noted on Exhibit 2. An dirt road provides access to the property from Cold Canyon Road, a portion of which is proposed to be improved to provide access to the proposed building pads. Although the site is not located within any designated Significant Watersheds, it does include two small areas of designated habitat. These areas include a Significant Oak Woodland and Savannah near Cold Creek Road, and a riparian Environmentally Sensitive Habitat Area. The later is located within a tributary of Cold Canyon Creek which drains the subject property. The Los Angeles County Land Use Plan designates three densities for the site: Rural Land III (1 du/ 2 acres); Rural Land II (1 du/ 5 acres); and Mountain Land (1 du/ 20 acres).

B. Background

On November 21, 1979, the State Coastal Commission approved a prior coastal development permit for a 51 lot residential subdivision on the subject site in Appeal No. 204-79. The Commission approval included conditions addressing: a requirement to participate in a Conservancy Program to extinguish the development potential on 48 lots; incorporate an on-site tertiary treatment plant, and reduce grading to a minimum of 1,400 cubic yards per residence, not including grading for streets; recording an offer to dedicate an Open Space/Viewshed Easement, restricting development on about 85 acres of the site. After the Commission's approval of a one year time extension, the permit expired in 1982.

On September 27, 1985, the Commission approved coastal permit number 5-85-214 to subdivide the same three parcels consisting of 160 acres into 23 lots utilizing on-site septic systems for sewage disposal. The Commission approval included conditions addressing: participation in an In Lieu Fee Program for Cold Creek Watershed Lot Retirement Program; revised grading plans; revised project plans redesigning number of lots from 51 to 23; an Offer To Dedicate an Open Space and View Protection Easement over hillside portions of the project site; and an on-site sewage disposal system. The Notice of Intent to Issue Permit No. 5-85-214 is attached as Exhibit 5. The Commission amended the permit on July 9, 1987 to delete the first condition requiring participation with the Cold Creek Watershed Lot Retirement Program (Permit Amendment No. 5-85-214-A). The Commission substituted a condition to retire 20 lots based on the policies contained in the certified Malibu/Santa Monica Mountains Land Use Plan. Although the applicant has met most of the conditions, special condition one, as amended, has not be satisfied. The condition requires that development rights be extinguished on 20 building

sites or parcels located within Zone II - Cold Creek Watershed portion of the Santa Monica Mountains Coastal Zone prior to the issuance of the permit. The Notice of Intent to Issue Permit No. 5-85-214-A is attached as Exhibit 6.

Since 1987, the Commission has approved ten (10) sequential permit time extensions; the last time extension for the Coastal Permit (No. 5-85-214-E-10) extended the permit to September 27, 1997. Although the first time extension number 5-85-214 E received an objection, the Commission approved the time extension in February 1988. The applicant submitted this subject eleventh (11th) time extension prior to the permit expiration on September 12, 1997, which automatically extended the expiration date of the permit until the final action of the Commission on the request. As of this date, the permit has not been issued as special condition number one has not been satisfied. It is the Commission's policy to grant time extensions on approved permits whether or not the permit's special conditions were met and the permit issued to the applicant.

C. Objection to Extension Request

On September 12, 1997, the applicant submitted the time extension request, which is prior to the permit's expiration date. Staff reviewed the request and determined that there were no changed circumstances that affected the consistency of the proposed project with the Coastal Act. Pursuant to Section 13169 of the Commission's Code of Regulations, notice of this determination was provided to all property owners within 100 feet of the property, from a list provided by the applicant, and all known interested parties. (Exhibit 7) As a result, one letter of objection was received on December 18, 1997 from Mr. and Mrs. Snider. (Exhibit 8) Staff has scheduled this extension request for a public hearing before the Commission.

The objection letter filed by Mr. and Mrs. Snider, adjoining property owners, asserts that the applicant's current plan: 1) "totally ruins our view"; 2) "seriously compromises the integrity of our beautiful area"; and 3) "if they have sensitivity to our community, that taking a beautiful area and building one house right beside the next is certainly not esthetically (sic) pleasing nor does dividing up the land into lots 125 feet wide and 2000 feet long make any sense ... ". The Snider's property and residence is located within a 'notch' of the southern boundary of the subject property. The subject property surrounds the Snider's property on three sides. (Exhibit 3)

Staff notes that the project referred to in the letter of objection is not the same project which is the subject of Coastal Permit No. 5-85-214 as amended (No. 5-85-214-A). Mr. and Mrs. Snider's comments pertain to a new project recently considered and approved in concept by the County of Los Angeles. The new project is the subject of a pending and unfiled application to amend, for a second time, Coastal Permit Number 5-85-214 (this is new amendment application number 5-85-214-A-2). This amendment application proposes to reduce and reconfigure the number of lots on the subject site to 13. Because the Commission has not reviewed nor acted on the submitted amendment application, the project before the Commission in this extension request has not been amended by the Commission to reflect what appears to be the project of concern to the Sniders.

D. Analysis

In reviewing Mr. and Mrs. Snider's assertions, the Commission finds that they do not indicate that there are changed circumstances which would affect the consistency of the approved project with the Coastal Act. The County of Los Angeles' Approval In Concept, dated 5-6-97, and approved conditionally by the Regional Planning Commission on December 13, 1995 (Exhibit 9) reflects a different project from that last approved by the Commission in Permit Number 5-85-214-A. In essence, the County has approved a different project not yet before the Commission. It is important to note that the new tract map as illustrated in Exhibit 9 is not approved nor before the Commission at this time. It is unknown if and when the applicant will complete the information needed for the unfiled application number 5-85-214-A-2 to be filed as a permit amendment. This amendment proposes to construct a different project than that previously approved by the Commission. At that time, the Commission would consider the consistency of the revised or new project with the policies of the Coastal Act. Any actions taken by the County on the revised project would then be considered by the Commission. The fact that the applicant has a new and different project approved by the County of Los Angeles does not call into question the Coastal Act consistency of the current project approved by the Commission in Coastal Permit Number 5-85-214-A.

With regard to issues of private views, compromising the integrity of the area, and sensitivity to the community, staff notes that these issues are raised in the context of a different project, not the currently approved project. Even if these issues were raised with respect to the subject project, these issues were considered extensively by the Commission in its approval of Coastal Permit Number 5-85-214 and 5-85-214-A. It is important to note that the Coastal Act provides for the protection of public views, rather than private views, which appears to be the concern of the Sniders.

The project site is located within the viewshed of Mulholland Highway, just north of two separate intersections of Mulholland Highway and Cold Canyon Road (Exhibit 2). The certified Los Angeles County Malibu/Santa Monica Mountains Land Use Plan designates Mulholland Highway as a Scenic Highway. The Land Use Plan provides guidance for new development along scenic highways to be sited and designed to protect views along the ocean, minimize alteration of landforms, be visually compatible with and subordinate to the character of its setting, and be sited so as to not significantly intrude into the skyline as seen from public viewing places (P130). Further guidance is provided in the Land Use Plan to maintain the character and value of the Mulholland Scenic Corridor as a scenic and recreational resource connecting public parklands within the Santa Monica Mountains (P132). The Commission found in Permit Application Number 5-85-214 that over half of the site will remain undeveloped. The Commission also found that the Open Space/Viewshed Easement, as conditioned, over the portion of the project site not proposed for development on the northern periphery of the site would mitigate impacts on coastal scenic and visual resources.

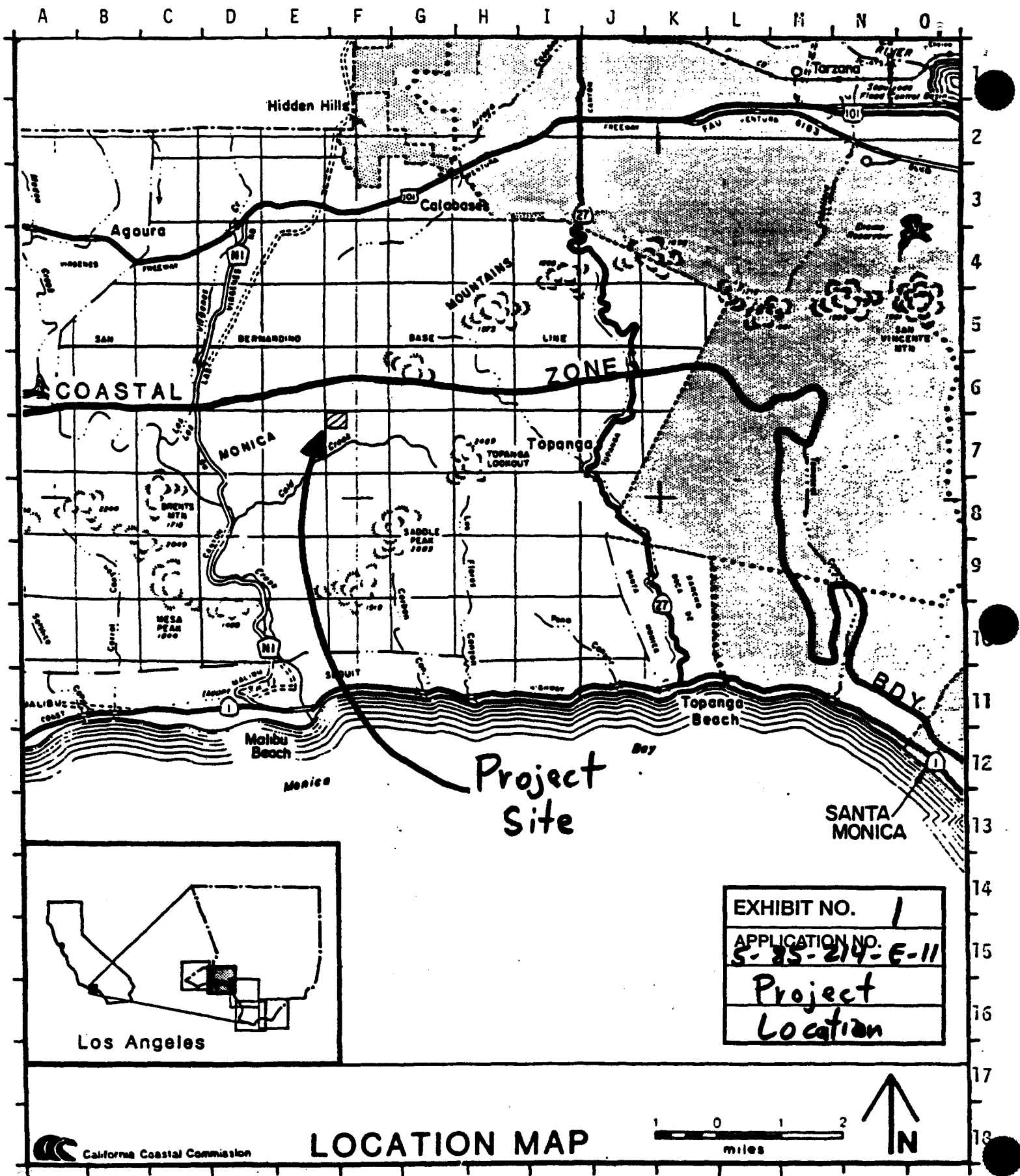
Further, the Commission addressed the issue of landform alteration with the guidance provided in the Land Use Plan (P90). The Commission found that to fully mitigate the project's impacts on coastal scenic and visual resources, it was necessary to limit the amount of landform alteration on-site to 1,000 cubic yards per residential lot proposed, as conditioned. With these conditions, the Commission found the proposed project consistent with Section 30251 of the Coastal Act

E. Conclusion

The Commission found, in its approval of Coastal Permit Number 5-85-214-A, that the proposed project was consistent with the Chapter 3 policies of the Coastal Act, and would not prejudice the ability of the County of Los Angeles to prepare a local coastal program which is consistent with the provisions of the Coastal Act. As discussed above, the objections raised by Mr. and Mrs. Snider's letter do not constitute changed circumstances which would affect the proposed project's consistency with the Coastal Act. Staff has identified no other possible changed circumstances. There have been no changes to the approved project or the project site which would cause the Commission to find the project no longer consistent with the Coastal Act. The proposed project will not prejudice the ability of the County of Los Angeles to prepare a LCP which is consistent with the Coastal Act.

Accordingly, the Commission finds that there are no changed circumstances present which have occurred since the approval of the subject permit that may affect the project's consistency with the Coastal Act. Therefore, the Commission grants a one year time extension of the coastal development permit extending the permit expiration date to September 27, 1998.

8293A



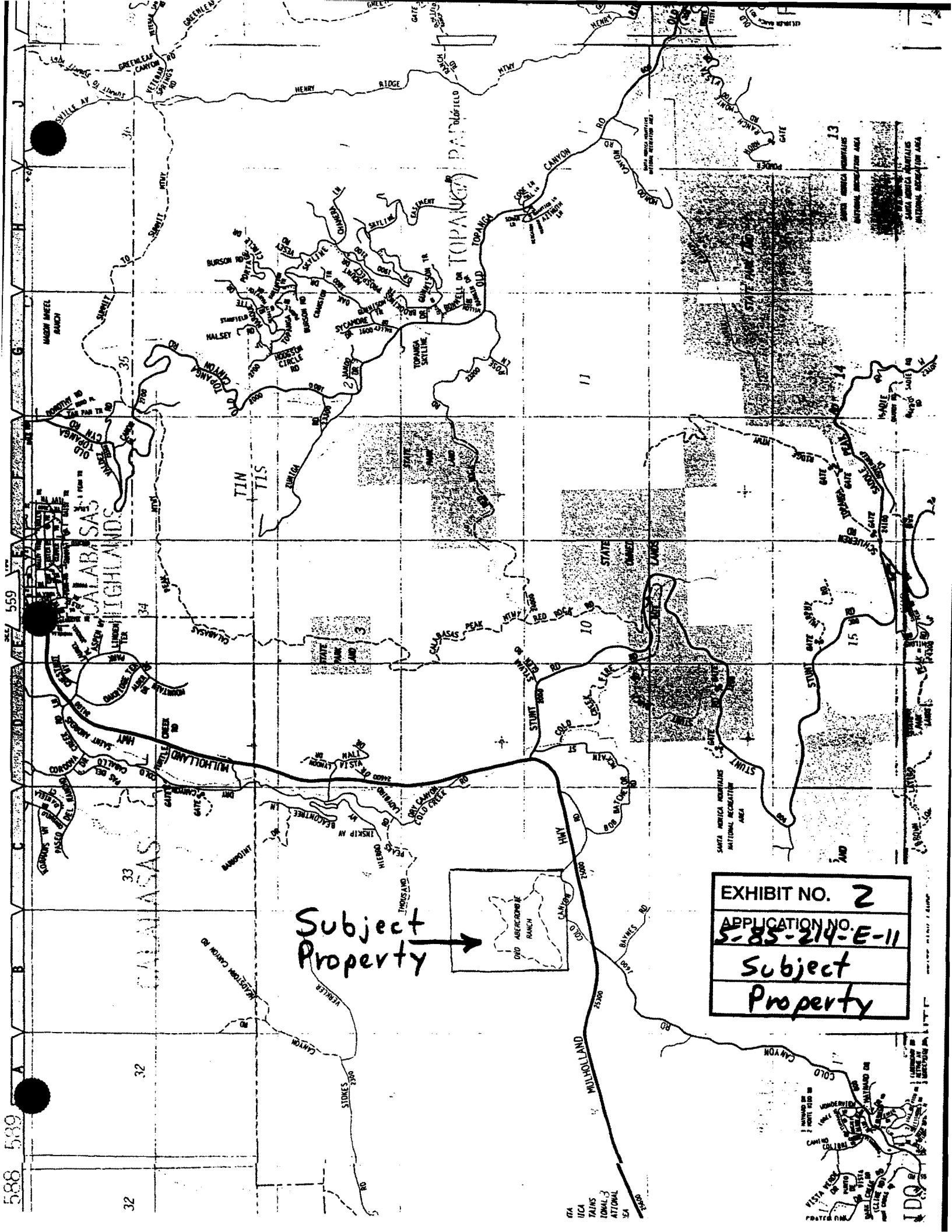
California Coastal Commission

LOCATION MAP



County of Los Angeles

Sheet 2 of 5



Subject
Property

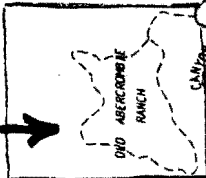
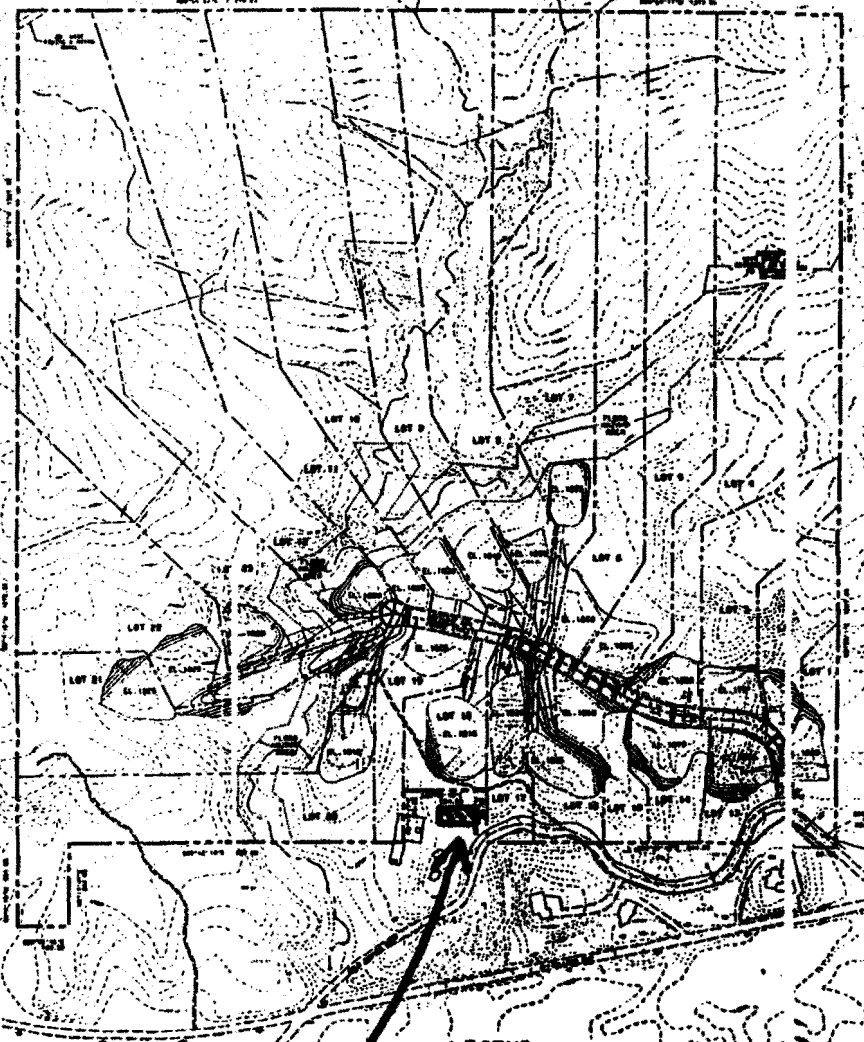


EXHIBIT NO. 2
APPLICATION NO. 5-85-214-E-11
Subject Property

SCALE: 1"=150'

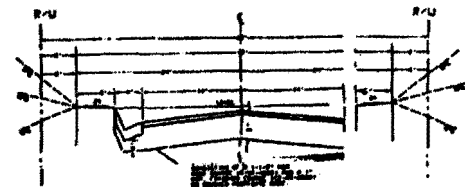
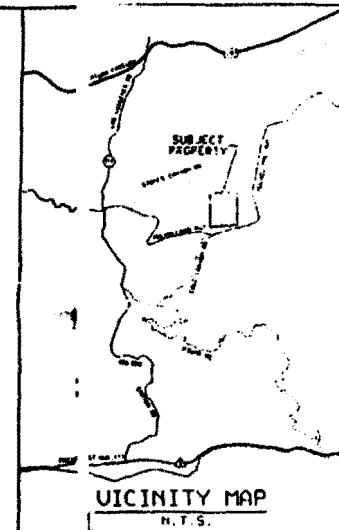


LEGEND

	EXISTING CONTOUR
	PROPOSED CONTOUR
	PROPERTY LINE
	LOT BOUNDARY LINE
	CUT SLOPE
	FILL SLOPE
	PROPOSED RIGHT OF WAY
	BUILDING PAD
	ROAD PAVEMENT
	EXISTING LOT AREA

Syder
Residence
(Collector)

LOT NO.	3 (1/2 AC)
1	1.00
2	1.00
3	1.00
4	1.00
5	1.00
6	1.00
7	1.00
8	1.00
9	1.00
10	1.00
11	1.00
12	1.00
13	1.00
14	1.00
15	1.00
16	1.00
TOTAL	16.00



TYPICAL HILLSIDE SECTION
(PRIVATE AND FUTURE ST. 1)

OWNER

MR. MICHEL T. GHOSH
145 ACACIA LANE
MELBURY PARK, CA 9132
686-499-6533

LEGAL DESCRIPT N

ASSESSOR PARCEL MAP NO
4455-13-2, 4455-18-14 &

JOB ADDRESS

1955 COLD CANYON ROAD
CALABASAS
EXISTING ZONE: A-1-1

VESTING
TENTATIVE TRFT
NO. 30737
(REVISED ON 12--92)

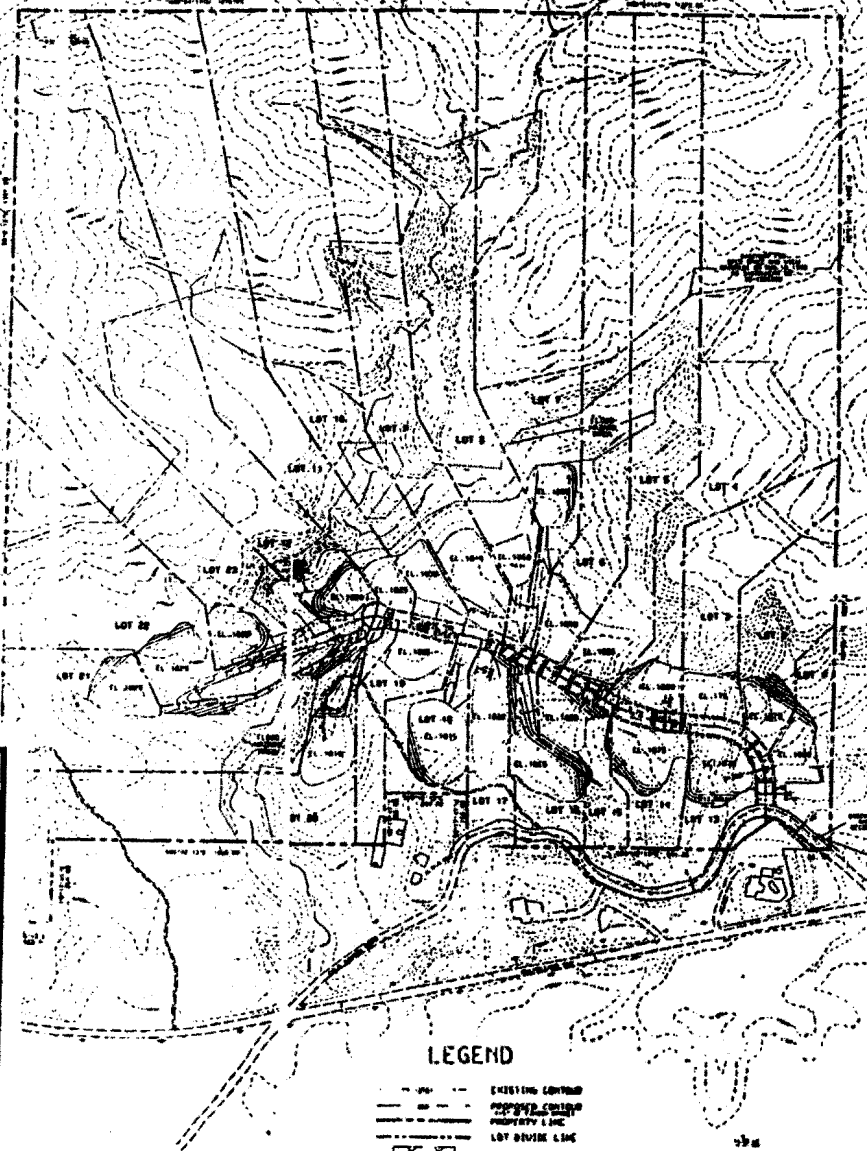
EXHIBIT NO. 3
APPLICATION NO. E-11
Tentative
Tract Map

VESTING TENTATIVE TRACT MAP NO. 30737	
PREPARED BY MICHEL T. GHOSH	CHECKED BY MICHEL T. GHOSH
DATE 12-92	SCALE 1"=150'
SHEET NO. 1 OF 1	TOTAL SHEETS 1

SCALE: 1"=150'

EXHIBIT NO. 4
APPLICATION NO. 85-219-E-11
T.T. Map &
Grading Plan

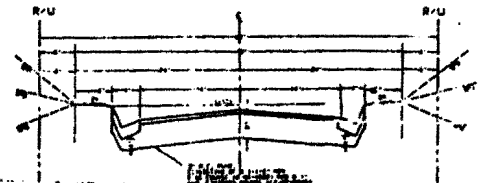
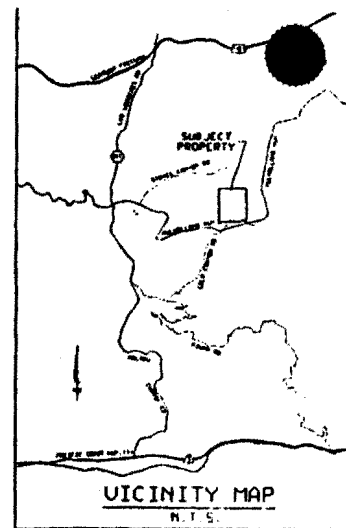
TOTAL GRADING
BALANCED ON SILL = 98,883 CY.
ROAD: CUT = 76,251 CY.
FILL = 88,541 CY.
PADS: CUT = 13,344 CY.
FILL = 9,063 CY.
(EXCLUDING 10' RIGHT-OF-WAY)



LEGEND

- EXISTING CONTOUR
- PROPOSED CONTOUR
- PROPERTY LINE
- LOT DIVIDE LINE
- CUT SLOPE
- FILL SLOPE
- PROPOSED RIGHT-OF-WAY
- BUILDING FOOT
- ROAD RIGHT-OF-WAY
- FLOOD HAZARD AREA

LOT NO.	SIZE (AC)
1	0.10
2	0.10
3	0.10
4	0.10
5	0.10
6	0.10
7	0.10
8	0.10
9	0.10
10	0.10
11	0.10
12	0.10
13	0.10
14	0.10
15	0.10
16	0.10
17	0.10
18	0.10
19	0.10
20	0.10
TOTAL	160.00



TYPICAL HILLSIDE SECTION
(PRIVATE AND FUTURE STREET)
(N.T.S.)

OWNER

MR. MICHEL T. GHOSH
145 ACACIA LANE
NEUPUR PARK, CA 91328
8051499-6533

LEGAL DESCRIPTION

ADDRESSOR PARCEL MAP NO.
4455-12-2, 4455-18-14 & 46

JOB ADDRESS

1955 COLD CANYON ROAD
CALABASAS
EXISTING ZONE: A-1-1

VESTING
TENTATIVE TRACT
NO. 30737
(REVISED ON 12-4-92)

OVERSEER
ENGINEERING & SURVEYING
7711 WILSON AVENUE, SUITE 100
LOS ANGELES, CA 90047
(213) 437-1111

VESTING TENTATIVE TRACT MAP NO. 30737

NO.	DATE	REVISION
1	12-4-92	REVISED
2		
3		
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CALIFORNIA COASTAL COMMISSION

December 27, 1985



ATTACHMENT B

NOTICE OF INTENT TO ISSUE PERMIT

On September 27, 1985, by a vote of 10 to 2, the California Coastal Commission granted to Michael Green Permit 5-85-214, subject to the attached conditions, for development consisting of subdivision of 3 parcels consisting of 160 acres into 51 residential lots. The 51 residences as proposed would be sited on one-acre lots and would utilize on-site septic systems as the means of sewage disposal.

more specifically described in the application file in the Commission offices.

The development is within the coastal zone in Los Angeles County at 1955 Cold Canyon Rd.

The actual development permit is being held in the Commission office until fulfillment of the Special Conditions 1 - 5 imposed by the Commission. Once these conditions have been fulfilled, the permit will be issued. For your understanding, all the imposed conditions are attached.

Issued on behalf of the California Coastal Commission on December 27, 1985.

PETER DOUGLAS
Executive Director

By Day B. [Signature]
Title Coastal Data Analyst

The undersigned permittee acknowledges receipt of this notice of the California Coastal Commission determination on Permit 5-85-214, and fully understands its contents, including all conditions imposed.

1/10/85

Date

[Signature]

Permittee

Please sign and return one copy of this form to the Commission office at the above address.

EXHIBIT NO. 5
APPLICATION NO. 5-85-214-E-11
Permit 5-85-214
Pg 1 of 4

Application No. 5-85-214

CONDITIONS:

Receipt and Acknowledgment. The permit is not valid and construction shall not commence until a copy of 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.

Expiration. If construction has not commenced, the permit will expire two years from the date on which the Commission issued the application. Construction 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 construction must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.

Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director of the Commission.

Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, without 24-hour advance notice.

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.

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.

ADDITIONAL CONDITIONS: See Attachments

documents needed to comply with Condition 4 will be sent to you from the San Francisco office AFTER the Commission meeting. When you receive documents if you have any questions, please contact Dennie Benrubi (415) 543-8555.

EXHIBIT NO. 5
APPLICATION NO. 5-85-214-E-11
Permit 5-85-214
Pg 2 of 4

EXHIBIT NO. 5
APPLICATION NO. 5-85-214-E-11
Permit 5-85-2
pg 3 of 4

III. Special Conditions:

1. In Lieu Fee Program.

Prior to issuance of permit, the applicant shall be required to submit evidence of participation in the alternative Fee Program for the Cold Creek Basin. Such evidence shall be subject to review and approval of the Executive Director and shall be based upon the Commission approved Lot Retirement Program for the Cold Creek Watershed as described in the Suggested Modifications to the Malibu/Santa Monica Mountains Land Use Plan as adopted by the Commission on June 13, 1985.

2. Revised Grading Plans.

Prior to transmittal of permit, the applicant shall be required to submit revised grading plans consistent with the grading policies contained in the Suggested Modifications to the Malibu/Santa Monica Mountains Land Use Plan as adopted by the Commission on June 13, 1985.

3. Revised Plans - Project Design.

Prior to transmittal of permit, the applicant shall be required to submit revised plans which indicate a project redesign to a maximum of 23 lots. Such revised plans shall be subject to the review and approval of the Executive Director.

4. Open Space/View Easement.

Prior to the transmittal of the permit, the applicant shall be required to map and record an irrevocable offer to dedicate to a public agency or private association acceptable to the Executive Director an easement for open space and view protection restricting further development over the steep hillside portions of the project site. The maps of the areas subject to the open space/view protection easement shall be subject to review and approval by the Executive Director.

The offer shall run with the land in favor of the People of the State of California. The offer of dedication shall be irrevocable for a period of 21 years, such period running from the date of recording.

5. Sewage Disposal.

Prior to transmittal of permit, the applicant shall be required to provide plans which allow for project sewage

disposal via a non-growth inducing connector line to Tapia Treatment Facility service lines. Such a connector line if used as the sewage disposal system for the project shall be sized and designed only for the proposed development. Such plans shall be subject to review and approval by the Executive Director. - In the alternative, the applicant may utilize on-site a sewage disposal system if evidence is submitted for review and approval by the Executive Director of the Commission which shows no off-site impacts from on-site sewage disposal.

IV. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares as follows:

A. Project Description.

The project consists of the subdivision of three parcels consisting of 160 acres into 51 residential lots. The project would also allow for the construction of 51 custom single family residences on each of the proposed residential lots. The subdivision is proposed as a gated community with private streets. The 51 units proposed in the subdivision will be clustered on the southern portion of the 160-acre site. The balance of the site is not proposed to be developed. The applicant has indicated the project will involve approximately 153,588 cubic yards of cut and fill for development of the subdivision. The applicant indicates in addition that the means of on-site sewage disposal will be individual septic systems. The project will be located just north of the intersection of Cold Canyon Road and Mulholland Highway at 1955 Cold Canyon Road, Malibu.

B. Background.

The State Commission previously acted to approve a prior permit application for a 51-lot residential subdivision on this site in appeal 204-79. In acting to approve the project the Commission required that the applicant participate in a Conservancy Program to extinguish the development potential on 48 lots. The Commission also imposed a condition that the project incorporate an on-site tertiary treatment plant. Additionally, the Commission required that project grading be reduced to a minimum of 1,400 cubic yards per residence (not including grading for streets). In addition, the Commission required that the applicant offer an Open Space/Viewshed easement, restricting development on the undeveloped portions of the site (approximately 85 acres). The State Commission took an action to approve the project on November 21, 1979. A one-year extension of the permit was approved by the State Commission in February of 1980; however, the permit subsequently lapsed.

CALIFORNIA COASTAL COMMISSION

SOUTH COAST AREA
245 WEST BROADWAY, SUITE 380
LONG BEACH, CA 90802
(213) 590-5071



Date August 13, 1987
Application No. 5-85-214A GT?wr
Page 1 of 3

NOTICE OF INTENT TO ISSUE PERMIT

AMENDMENT

On July 9, 1987, the California Coastal Commission granted the application of Michael Ghosn, subject to the attached standard and special conditions, for the development described below:

Description: Amend permit to subdivide 160 acres into 23 lots in order to delete special condition No. 1 requiring participation on the alternative fee program to retire lots in the Cold Creek Basin and substitute a revised special condition to retire lots based on the policies contained in the certified Malibu/Santa Monica Mountains Land Use Plan.

Site: 1955 Cold Canyon Road, Malibu

The permit will be held in the Long Beach District Office of the Commission, pending fulfillment of Special Conditions 1. When these conditions have been satisfied, the permit will be issued.

PETER DOUGLAS
Executive Director

by: Gary [Signature]

EXHIBIT NO.	6
APPLICATION NO.	5-85-214-E-11
Permit	5-85-214A
Pg	1 of 3

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgement. 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.

SPECIAL CONDITIONS:

See attached

3487A

EXHIBIT NO. 6
APPLICATION NO. S-85-214-E-11
Permit S-85-214A
pg 2 of 3

III SPECIAL CONDITIONS

This permit is subject to the following special condition:

1. Prior to transmittal of Coastal Permit, the applicant shall submit for the review and approval of the Executive Director, evidence that residential development rights have been extinguished on 20 building sites located within the Cold Creek Watershed (Zone II) portion of the Santa Monica Mountains LCP segment. The method used to extinguish the development rights shall be either:
 - (a) One of the five lot retirement or lot purchase programs contained in the Malibu/Santa Monica Mountains Land Use Plan (Policy 272 2-6);
 - (b) Participation in the Alternative Fee Program for the Cold Creek Basin consistent with past Commission actions;
 - (c) or participation along with a public agency or private non-profit corporation to retire habitat or watershed land in amounts that the Executive Director determines will retire the equivalent number of potential building sites in the Cold Creek Watershed. Retirement of a site that is unable to meet the County's health and safety standards shall not satisfy this condition.

The building sites on which development rights are extinguished must either be a legal lot located in a small-lot subdivision or a potential building site located in a Significant Watershed. Retirement of any lot demonstrated to be unbuildable under the Land Use Plan shall not satisfy this condition.

Unsubdivided land located within a Significant Watershed may be used to generate development rights according to a ratio which is consistent with residential densities contained in the certified Land Use Plan.

EXHIBIT NO. 6
APPLICATION NO. 5-85-214-E-1
Permit 5-85-214A
Pg 3 of 3

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA STREET, SUITE 200
VENTURA, CA 93001
641-0142



December 5, 1997

NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

Notice is hereby given that: Michel T. Ghosn
has applied for a one year extension of Permit No 5-85-214-E11
granted by the California Coastal Commission on:

for **TIME EXTENSION ON A PREVIOUSLY APPROVED CDP for
subdivision 160 acres into 23 residential lots.**

at **1955 Cold Canyon Rd., Malibu (Los Angeles County)**

Pursuant to Section 13169 of the Commission Regulations the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive. . . and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,
PETER M. DOUGLAS
Executive Director


By: JACK AINSWORTH
Chief of Permits

EXHIBIT NO. 7
APPLICATION NO. 5-85-214-E-11
First Notice on Time Ext.

California Coastal Commission
Ventura, California

December 15, 1997

To Whom It May Concern,

This is a letter stating our objection to the subdivision by Mr. Ghosn and to give you our reasons for concern. My wife and I purchased our property at 1933 Cold Canyon Road, Calabasas, California in 1992. We are surrounded on three sides by Mr. Ghosn's property. Shortly after our purchase, I was contacted by a prospective buyer of Mr. Ghosn's property. He showed me the prospective subdivision plans which included approximately 11 lots. The prospective buyer asked if I would be interested in renting him office space on my property to aid in selling the lots, further he asked if I would be interested in purchasing the lot which surrounded my property. This was the only information I had on Mr. Ghosn's subdivision until I saw the new proposal that a surveyor showed me.

I appreciate very much the opportunity to let the commission know that we feel that Mr. Ghosn's current plan (see map) totally ruins our view. This was part of the reason we purchased our house. It, also, seriously compromises the integrity of our beautiful area. To be more specific, one can see if they have sensitivity to our community, that taking a beautiful area and building one house right beside the next is certainly not esthetically pleasing nor does dividing up the land into lots 125 feet wide and 2000 feet long make any sense except to a developer who does not want to spend the necessary finances to preserve our beautiful area. This plan looks like a little city in these beautiful mountains. The original plan discussed by the developer, created a golf course type setting with each lot of approximately 10 acres with long driveways coming off the main road leading to building pads somewhat centrally located in each of the 10 acres. My wife and I discussed this plan and decided if we were to lose our beautiful surroundings to a developer this original plan would not be too bad.

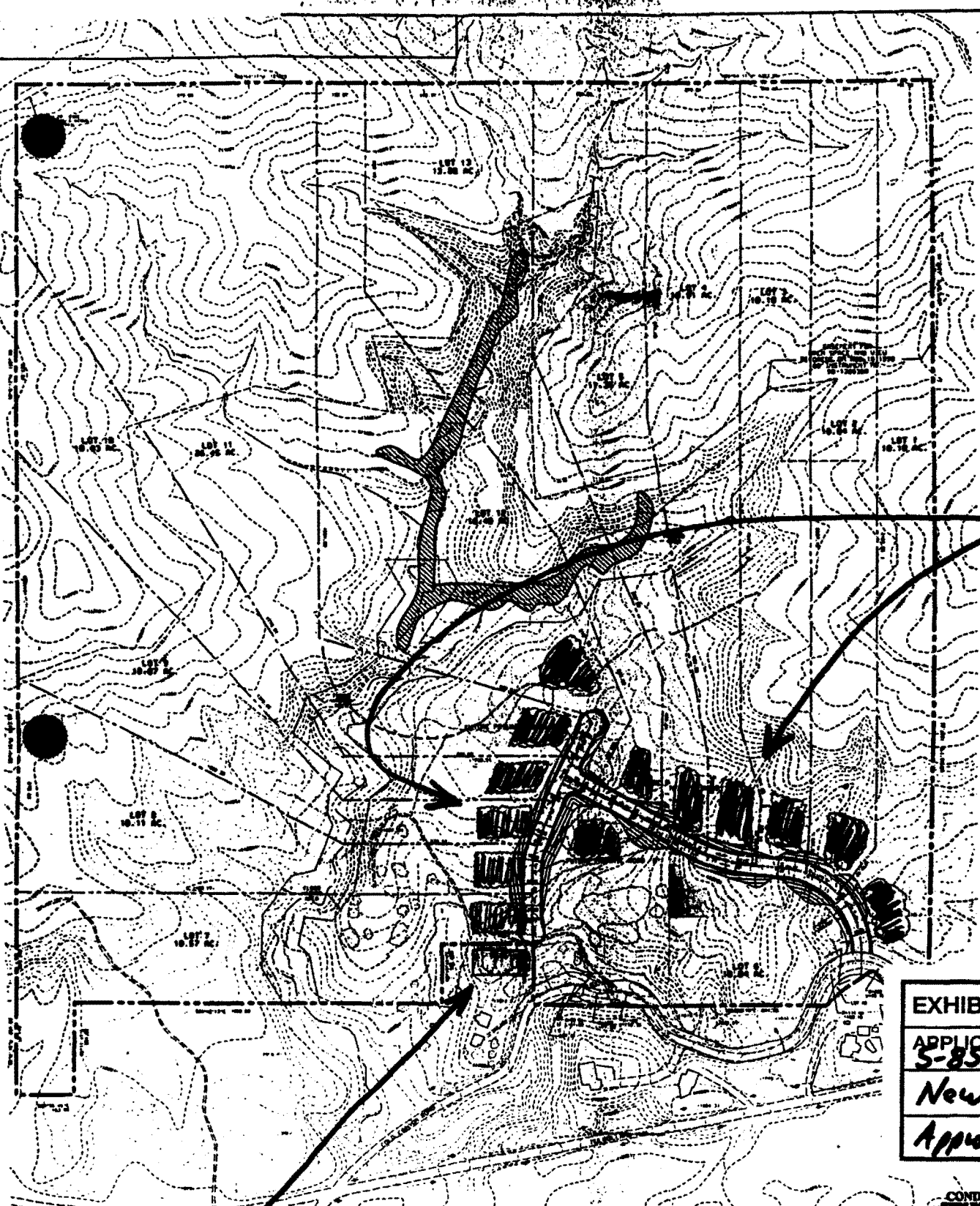
(Currently Mr. Ghosn's property is in escrow with a new developer who is building houses in a subdivision off of Mulholland Highway) I have included a map showing the prospective lot divisions. I have drawn the prospective building pads and colored in my property. I hope you can see my concern.

Sincerely,

Michael Snider / Cheryl Snider
Mr. and Mrs. Snider

Permit # 5-85 214 E11

EXHIBIT NO. 8
APPLICATION NO. 5-85-214-E11
Objection
Letter



1	2	3	4	5	6	7	8	9	10	11	12
1	2	3	4	5	6	7	8	9	10	11	12

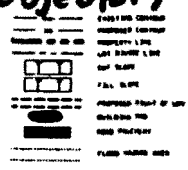
New
LA
County
Building
Pads

SCALE: 1"=100'

EXHIBIT NO. 9
APPLICATION NO. S-85-214-E-11
New Tract Map
Approval LA Co.

CONDITIONALLY
[Signature]

Snider
Residence
(objector)

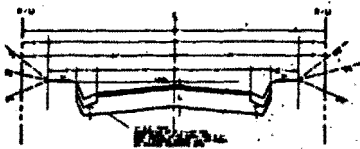


*See also Snider's House (by valley)
perspective & flyg photo*

OWNER
MR. MICHAEL T. GROSS
145 ACACIA LANE
HUNTER PARK, CA 91328
(818) 495-6533

LEGAL DESCRIPTION
ASSESSOR PARCEL MAP NO. 4455-13-12, 4455-18-14 & 46

JOB ADDRESS
1955 COLD CANYON ROAD
CALIFORNIA
EXISTING ZONE: R-1-1



TYPICAL HILLSIDE SECTION
(PRIVATE AND PUBLIC STREET)

VESTING
TENTATIVE TRACT,
NO. 30737
SINAL MAP TO RECORD AS 151634
REVISED ON 3-16-91

NO.	DATE	DESCRIPTION	BY	CHKD.	REMARKS
1	10-1-85	PRELIMINARY TRACT MAP	...	...	...
2	10-1-85	...	...	...	...
3	10-1-85	...	...	...	...
4	10-1-85	...	...	...	...
5	10-1-85	...	...	...	...
6	10-1-85	...	...	...	...
7	10-1-85	...	...	...	...
8	10-1-85	...	...	...	...
9	10-1-85	...	...	...	...
10	10-1-85	...	...	...	...
11	10-1-85	...	...	...	...
12	10-1-85	...	...	...	...

VESTING TENTATIVE TRACT, MAP NO. 30737

DIVERSIFIED
ENGINEERING & SURVEYING INC.

NO. 151634-1, 151634-2, 151634-3, 151634-4, 151634-5, 151634-6, 151634-7, 151634-8, 151634-9, 151634-10, 151634-11, 151634-12, 151634-13, 151634-14, 151634-15, 151634-16, 151634-17, 151634-18, 151634-19, 151634-20, 151634-21, 151634-22, 151634-23, 151634-24, 151634-25, 151634-26, 151634-27, 151634-28, 151634-29, 151634-30, 151634-31, 151634-32, 151634-33, 151634-34, 151634-35, 151634-36, 151634-37, 151634-38, 151634-39, 151634-40, 151634-41, 151634-42, 151634-43, 151634-44, 151634-45, 151634-46, 151634-47, 151634-48, 151634-49, 151634-50, 151634-51, 151634-52, 151634-53, 151634-54, 151634-55, 151634-56, 151634-57, 151634-58, 151634-59, 151634-60, 151634-61, 151634-62, 151634-63, 151634-64, 151634-65, 151634-66, 151634-67, 151634-68, 151634-69, 151634-70, 151634-71, 151634-72, 151634-73, 151634-74, 151634-75, 151634-76, 151634-77, 151634-78, 151634-79, 151634-80, 151634-81, 151634-82, 151634-83, 151634-84, 151634-85, 151634-86, 151634-87, 151634-88, 151634-89, 151634-90, 151634-91, 151634-92, 151634-93, 151634-94, 151634-95, 151634-96, 151634-97, 151634-98, 151634-99, 151634-100