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CALIFORNIA COASTAL COMMISSION

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



Filed: 4/7/98
49th Day: 5/26/98
180th Day: 10/4/98
Staff: GM-V *for*
Staff Report: 6/10/98
Hearing Date: July 7-10

STAFF REPORT: REGULAR CALENDAR

APPLICATION NO.: 4-98-072

APPLICANT: Lawrence Lasarow

AGENT: Marissa Coughlan

PROJECT LOCATION: 3211 Rambla Pacifico Street, Malibu

PROJECT DESCRIPTION: Addition of a swimming pool to an existing single family residence. The project will require 539 cubic yards of grading (67 cu. yds. cut and 472 cu. yds fill).

Lot area:	7.46 acres
Building coverage:	1,704 sq. ft.
Pavement coverage:	2,490 sq. ft.
Landscape coverage:	5,000 sq. ft.
Parking spaces:	2
Ht abv fin grade:	n/a

LOCAL APPROVALS RECEIVED: Approval in Concept City of Malibu Planning, Approval in Concept City of Malibu Geology and Geotechnical.

SUBSTANTIVE FILE DOCUMENTS: Preliminary Geotechnical Investigation by Miller Geosciences, Inc. (Hayes, GE 386) dated 12/27/95; Updated Geotechnical Investigation by Miller Geosciences, Inc. (Hayes, GE 386) dated 5/22/97; Preliminary Engineering Geologic Report by Mountain Geology, Inc. (Holt, CEG 1200) dated 10/24/95; Supplemental Engineering Geologic Report by Mountain Geology, Inc. (Holt, CEG 1200) dated 11/13/97, and Coastal Development Permit Application 4-93-139.

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends approval of the project with two (2) special conditions relating to plans conforming to geological recommendations and landscaping and erosion control plans. The applicant is proposing the construction of a 12' x 40' swimming pool on a small pad created with 539 cubic yards of grading (67 cu. yds. cut, and 472 cu. yds. fill). This application first went before the Commission as a consent calendar item on May 15, 1998. The Commission removed the permit application from the consent calendar due to concerns about the area of outflow for the drainage system relative to the geologic stability of the site. Staff met with the applicant, project geologist and project engineer on-site to discuss some possible alternatives for drainage outflow. Since the meeting, the applicant has submitted a new set of drainage plans showing the drainage being routed via an 8" pipe to a rip-rap outfall immediately adjacent to a secondary drainage to Carbon Canyon Creek. This revised drainage design will outlet runoff directly into the drainage and not on the steeply sloping hillside thus reducing the potential for erosion of the slope.

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. Plans Conforming to Geologic Recommendations

Prior to the issuance of 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 Preliminary and Supplemental Geotechnical Investigations by Miller Geosciences (Hays, GE 386) dated 12/27/95 and 5/22/97 shall be incorporated into all final design and construction including slope stability, pools, foundations and drainage. All plans must be reviewed and approved by the consultants.

The final plans approved by the consultant shall be in substantial conformance with the plans approved by the Commission relative to construction, grading and drainage. Any substantial changes in the proposed development approved by the Commission which may be required by the consultant shall require an amendment to the permit or a new coastal permit.

2. Landscaping and Erosion Control Plan

Prior to issuance of the coastal development permit, the applicant shall submit landscaping and erosion control plans for review and approval by the Executive Director. The landscaping and erosion control plans shall be reviewed and

approved by the consulting geologic and geotechnical consultants to ensure that the plans are in conformance with the consultants' geotechnical recommendations. The plans shall incorporate the following criteria:

- (a) All graded & disturbed areas on the subject site shall be planted and maintained for erosion control and visual enhancement purposes within (60) days of completion of grading. 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 shall be stabilized with planting at the completion of final grading. Planting should be of native plant species indigenous to the Santa Monica Mountains using accepted planting procedures, consistent with fire safety requirements. Such planting shall be adequate to provide 90 percent coverage within two (2) years, and this requirement shall apply to all disturbed soils;
- (c) 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) No construction or grading shall take place during the rainy season (November 1 - March 31).
- (e) The permittee shall undertake development in accordance with the final approved plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Coastal Commission approved amendment to the Coastal Development Permit, unless the Executive Director determines that no amendment is required.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description/Background

The applicant proposes the construction of a 12' x 40' swimming pool as an improvement to an existing single family residence. The 7.26 acre parcel is located off of Rambla Pacifico Street and has slope gradients ranging from 2:1 to 3:1. Maximum relief on the parcel is approximately 400 feet. Carbon Canyon Creek runs through the extreme western portion of the parcel with the existing single family residence lying on the extreme east side. A secondary drainage to Carbon Canyon Creek runs along the northern property boundary. The proposed swimming pool will be located immediately to the west of the single family residence (Exhibits 1-4).

The proposed project is located in a neighborhood known as La Costa Beach in the City of Malibu. This area is known for both fire and geologic hazards. The applicant's garage was destroyed in the 1993 Topanga Firestorm and recent landslides have closed nearby streets. The subject parcel, however, has been observed to be free of any landslides. Carbon Canyon Creek runs through the western portion of this neighborhood and is designated as an Environmentally Sensitive Habitat Area (ESHA) in the 1986 Certified Malibu/Santa Monica Mountains Land Use Plan. The combination of steep gradients and the erosion potential of fill slopes on site and in the surrounding area cause a concern for the effects of development on the riparian habitat.

B. 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 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.

1. Geology

The applicant has submitted a Preliminary Engineering Geologic and Seismic Report, dated 10/24/95, prepared by Mountain Geology, Inc., and a Preliminary Geotechnical Engineering Investigation, dated 12/27/95, prepared by Miller Geosciences, Inc., for the subject site.

The primary geotechnical concerns for the proposed project involve slope stability with respect to slope gradient and drainage issues.

According to Miller Geosciences, Inc.,:

"Any grading to be done shall be done in accordance with our grading guidelines (attached). Cut or fill slopes should not exceed the recommended slope gradient of 2:1 (where favorable geologic conditions are pervasive) and should be constructed in accordance with the Los Angeles County Grading ordinance unless otherwise specified herein."

In regard to surficial stability, a surficial stability analysis was performed for the existing slope gradient of 2:1, which indicated the surficial slopes up to soil thickness' of 9 feet have a factor of safety in excess of 1.5. In the opinion of Miller Geosciences, Inc.:

"Calculations indicate that the site construction as proposed will be grossly stable."

And

"Based on the findings of our investigation, the site is considered to be suitable from a geotechnical engineering standpoint for the reconstruction of a burnout garage; remodel and additions to the existing residence; and the construction of a guest studio and swimming pool, provided the recommendations included herein are followed and integrated into the building plans."

In conclusion, the geological investigation states that:

The swimming pool shall be engineered as free-standing and supported upon bedrock with the use of deepened foundations. The swimming pool shall be provided a subdrainage system per City Requirements.

And

Pad and roof drainage should be collected and directed towards the natural drainage course in non-erosive drainage devices. Drainage should not be allowed to pond on the pad or against any foundation or retaining wall.

Based on the site observations, excavation, laboratory testing, evaluation of previous research, analysis and mapping of geologic data limited to subsurface

exploration of the site, both the geologic and geotechnical engineers have provided recommendations to address the specific geotechnical conditions related to the design of the building foundation, building pad drainage, and construction of the swimming pool.

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 one (1) for the final project plans for the proposed project.

2. Erosion

In order to construct the proposed swimming pool, the applicant proposes to create a 2:1 fill slope with the import of approximately 500 cu. yds. of material. The potential for erosion of this newly created fill slope will be high unless a strategy for landscaping and erosion control is adopted and implemented. This is because graded areas, denuded of all vegetation, will cause an increase in runoff velocities and thus lead to massive erosion. For this reason, it is especially important that the work not be undertaken during the rainy season (November 1 - March 31). It is also important that graded areas are revegetated with plants that are native to the area in order to minimize the erosion potential. Therefore, the Commission finds it necessary to require the applicant to submit detailed landscape and erosion control plans for the proposed development. Special condition number two (2) provides for such a landscape and erosion control plan prepared by a licensed landscape architect. Furthermore, given that the consulting engineer specifically recommended landscaping to minimize erosion of potentially erosive soils on site, the Commission finds that the landscape plans must be reviewed and approved by the consulting engineering geologist as required by special condition number two (2).

In projects involving the construction of swimming pools, it is important to include adequate drainage and subdrainage systems. If water is allowed to saturate the ground, it can lead to slope instability. It is also important to ensure that all collected water is conveyed off-site in a non-erosive manner. Increased slope erosion can also lead to slope instability as well as siltation of the nearby Carbon Canyon Creek ESHA. The applicant has submitted adequate plans for surface drainage, showing that all roof and pad drainage will be collected and transferred to four (4) catch basins downslope of the proposed swimming pool. In addition, the applicant has submitted a set of plans showing the surface and subdrainage outflow being directed from the catch basins via an 8 inch pipe to a velocity reducing structure adjacent to the secondary drainage on the northern property boundary. In order to

minimize erosion in the area of outflow, the applicant proposes to construct a velocity reducing structure consisting of an 80' long, 10' wide rip-rap structure encasing a 50' long perforated cap tee. The drainage pipe from the pool pad to the area of outflow will be laid overground and anchored (Exhibit 5). The proposed drainage design will outlet runoff directly into the secondary drainage, thus minimizing the potential for erosion of the steeply sloping hillside below the proposed pool pad.

Therefore, the Commission finds that only as conditioned above is the proposed project consistent with Section 30253 of the Coastal Act.

C. Visual Resources

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.

The proposed project is located off of Rambla Pacifico Street. Although Rambla Pacifico is not a designated scenic highway and the area is already sparsely developed with single family residences, the development will produce adverse visual impacts as seen from both Pacific Coast Highway to the south and nearby Carbon Canyon Road to the west unless these impacts are mitigated. The grading involved with the creation of a 6' high fill slope will leave the slope void of all vegetation. Any adverse visual impact as seen from Pacific Coast Highway will be minimal since the site is located approximately 2,000 feet up Carbon Canyon from Pacific Coast Highway. However, Carbon Canyon Road is located only 900 feet to the west and downslope from the project site. Any slope denuded of vegetation on the subject parcel will produce an adverse visual impact as seen from Carbon Canyon Road unless the slope is landscaped with plants native to the area. To insure visual compatibility with the surrounding area, the Commission finds it necessary to require the applicant to landscape the site with plants native to the area in order to screen and soften the visual impacts and in a manner as to minimize erosion as is required in special condition two (2). The Commission finds that, only as conditioned does the project conform with Section 30251 of the Coastal Act and the applicable provisions of the Malibu LUP.

D. Environmentally Sensitive Habitat Areas/Land Resources**Section 30240 of the Coastal Act States:**

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

Section 30230 of the Coastal Act States:

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 States:

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.

The development site is located approximately 600 feet east of the Carbon Canyon Creek ESHA. The terrain is characterized by high slope gradients (2:1) and fill slopes on the project site and on neighboring parcels. This combination causes an increased potential for erosion into the downslope riparian ESHA. Increased erosion can and will lead to a decrease in riparian habitat value unless impacts are mitigated. Active ways in which to mitigate the impacts of erosion are to ensure that all graded areas are landscaped in such a way as to prevent erosion and to ensure that drainage systems are adequately designed to reduce stormflow runoff velocities and discharge directly into drainage courses designated as ESHAs. In order to protect the habitat value of the Carbon Canyon Creek ESHA from erosion, the Commission finds it necessary for the applicant to submit landscaping plans as required by special condition two (2) to ensure that the fill slope is stabilized and that erosion is minimized.

Additionally, drainage and erosion control devices are important for the protection of streams against siltation. Adequate designs must be incorporated into development plans, especially for new development adjacent to creeks designated as ESHAs. The applicant has incorporated drainage and erosion control devices into the development plans. Specifically, a barrier of straw hay bails will be placed at the toe of the newly created fill slope until the landscaping has been established. Drainage controls have been designed to divert runoff from the house and proposed swimming pool area and direct it to four (4) catch basins downslope of the proposed development. Additionally, the outflow will be directed away from the ESHA and to a secondary drainage which runs along the northern property boundary. This area of outflow will be setback approximately 40 feet from the drainage course and equipped with a velocity reducing structure consisting of an 80' long, 10' wide rip-rap structure encasing a 50' long perforated cap tee. This system will be adequate to minimize erosion and siltation of the Carbon Canyon Creek ESHA.

The Commission finds that only as conditioned does the project conform with Sections 30240, 30230, and 30231 of the Coastal Act and all applicable provisions of the Certified Malibu/Santa Monica Mountains Land Use Plan.

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).

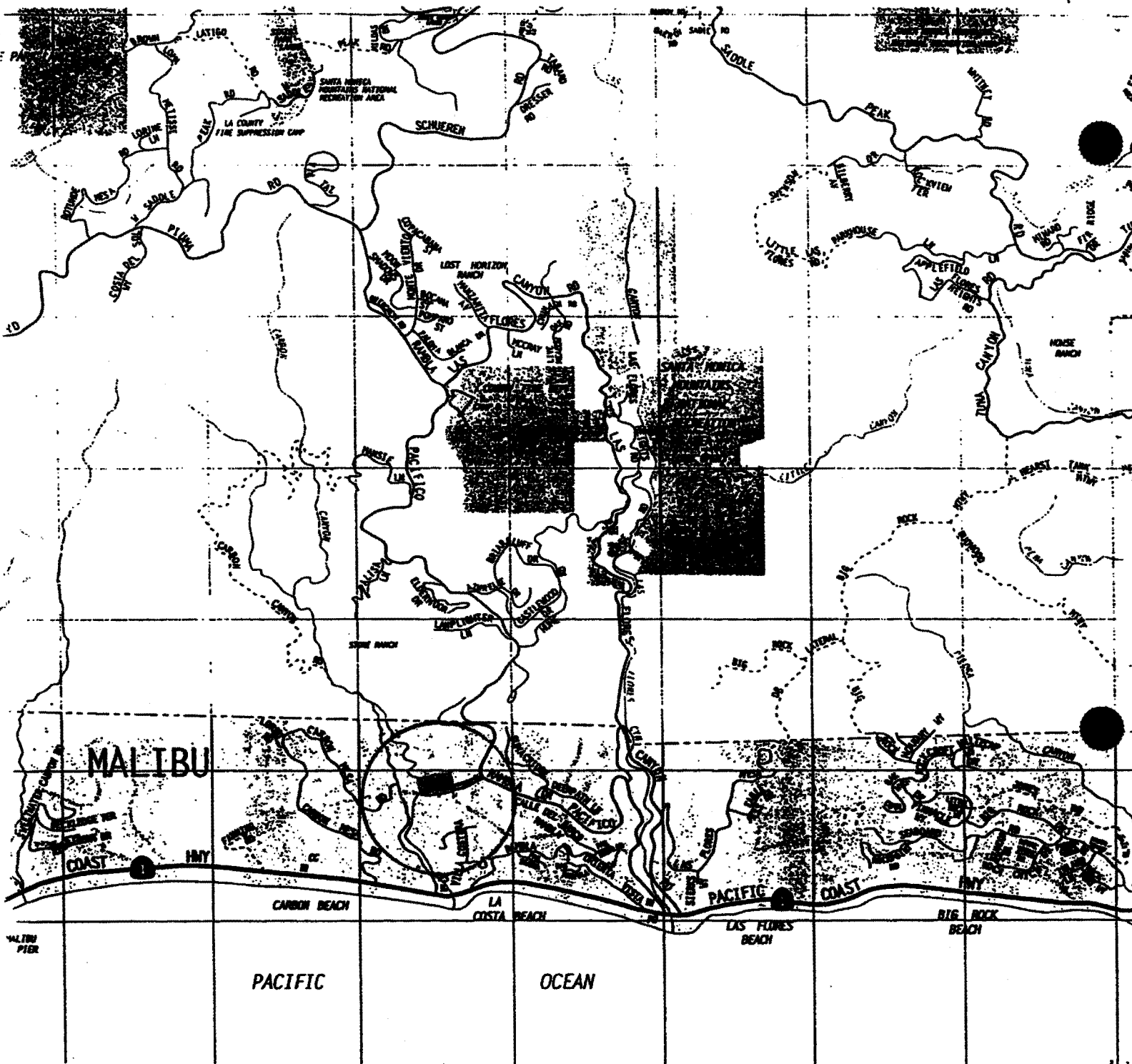
Section 30604(a) of the Coastal Act provides that the Commission shall issue a Coastal Permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act. The preceding sections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

There 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.

GM-V



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MAR 10 1998

COUNTY CENTRAL

EXHIBIT NO.	1
APPLICATION NO.	
4-98-072	

4451 | 13
SCALE 1" = 200'
1992

Nov 6 Co. Lat 4, S.E. 99-14-17

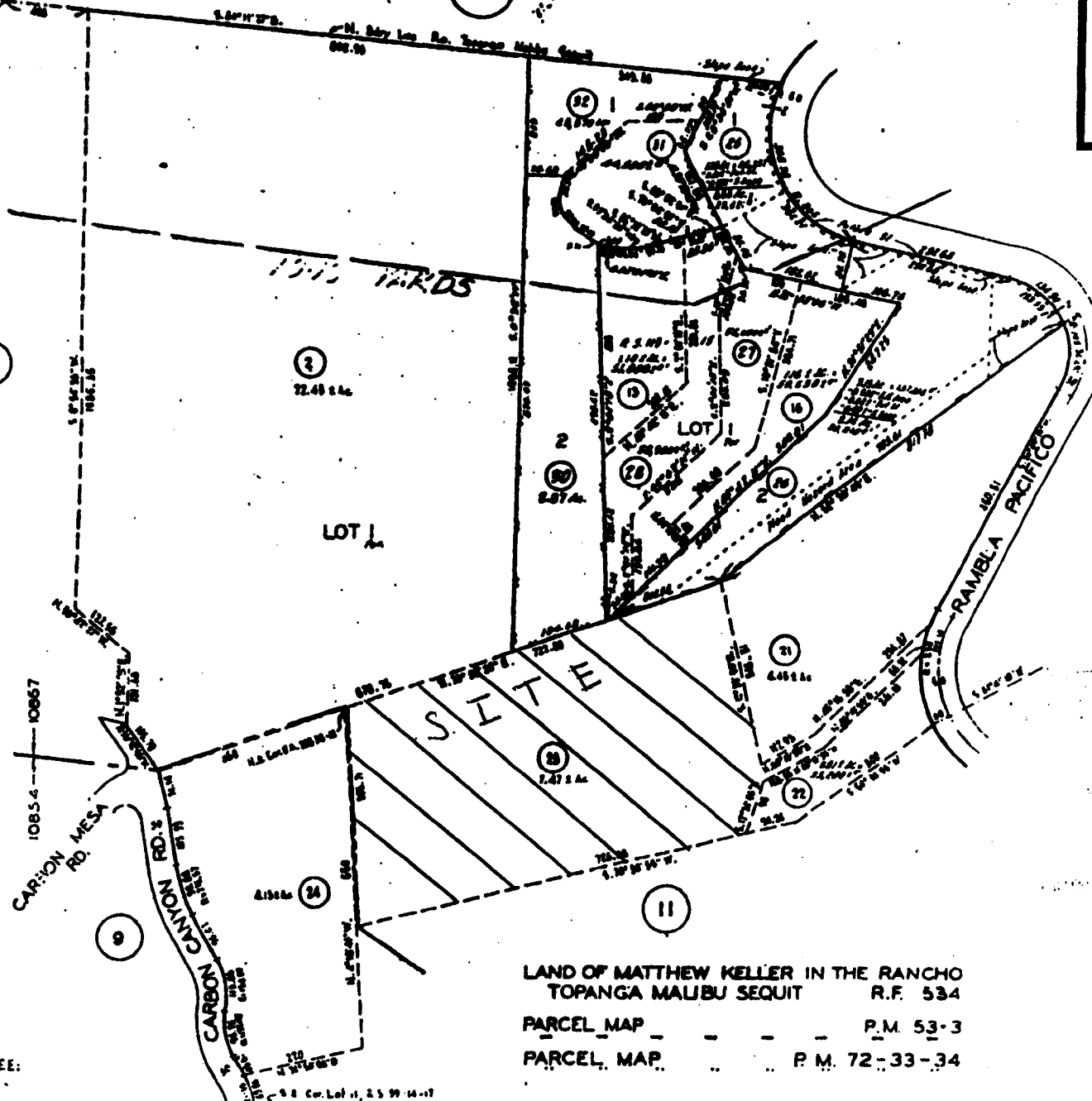
✓ **SAE T.42.8**

**BK.
4453**

EXHIBIT NO. 2

APPLICATION NO.

4-98-072



CODE
10854
10667

FOR PREV ASSM'T. SEE:
441 12A:3

LAND OF MATTHEW KELLER IN THE RANCHO
TOPANGA MALIBU SEQUIT R.F. 534

PARCEL MAP _____ P.M. 53-3

PARCEL MAP P. M. 72-33-34



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COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

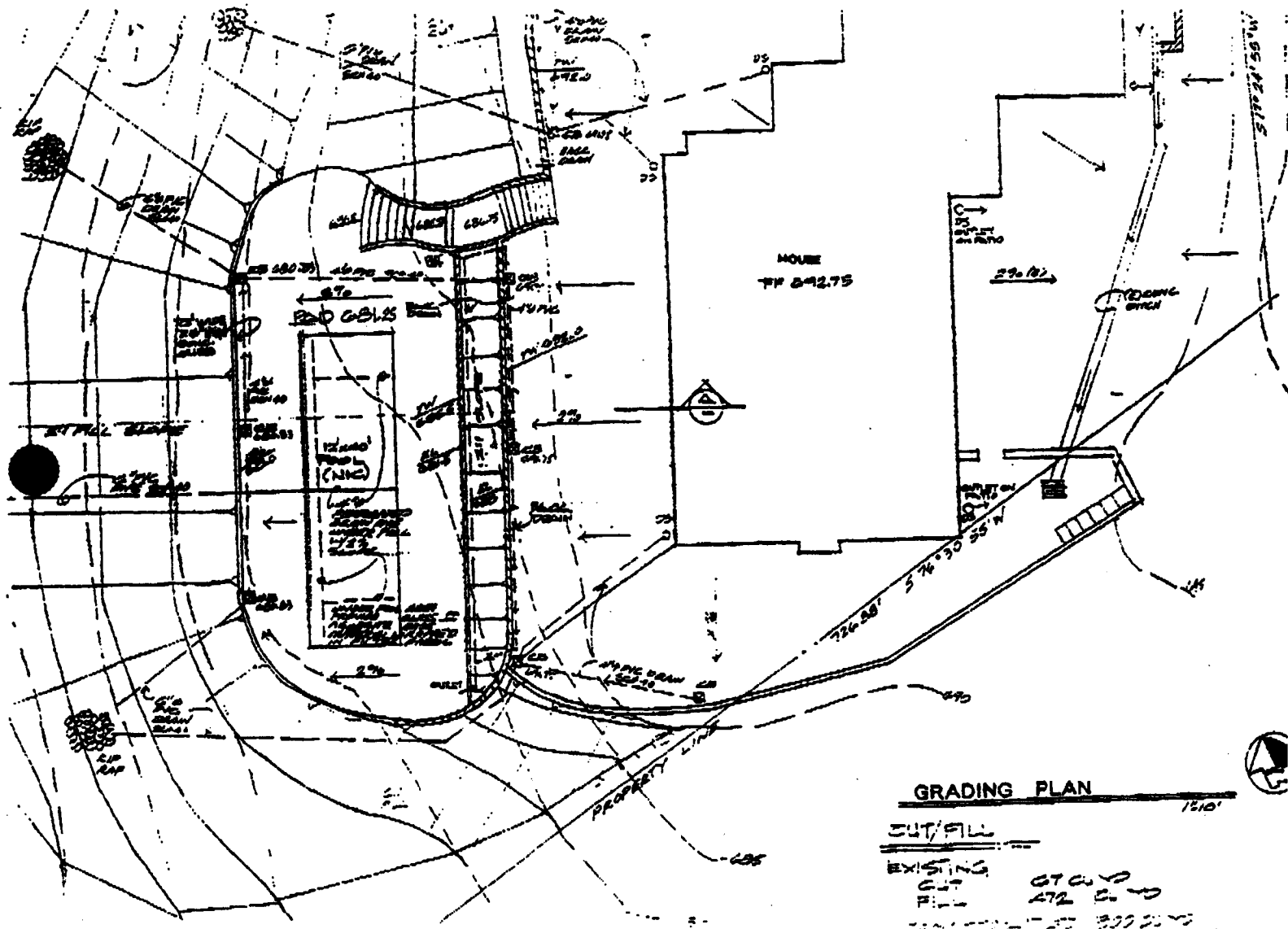


EXHIBIT NO. 4

APPLICATION NO.

4-98-072

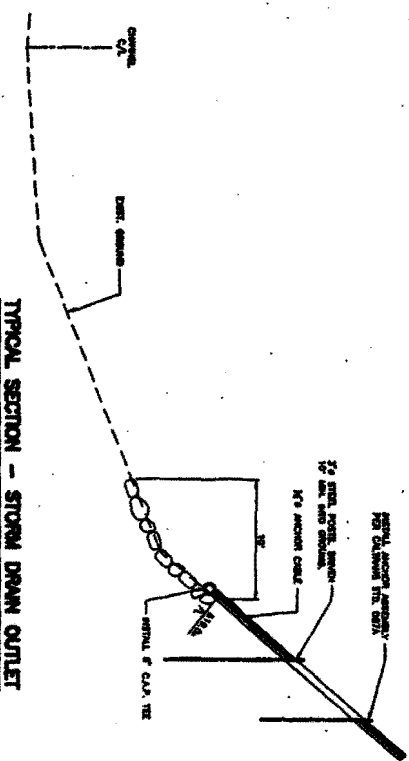
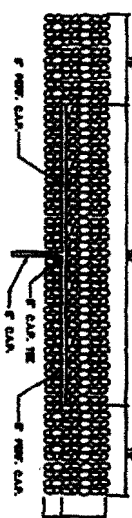
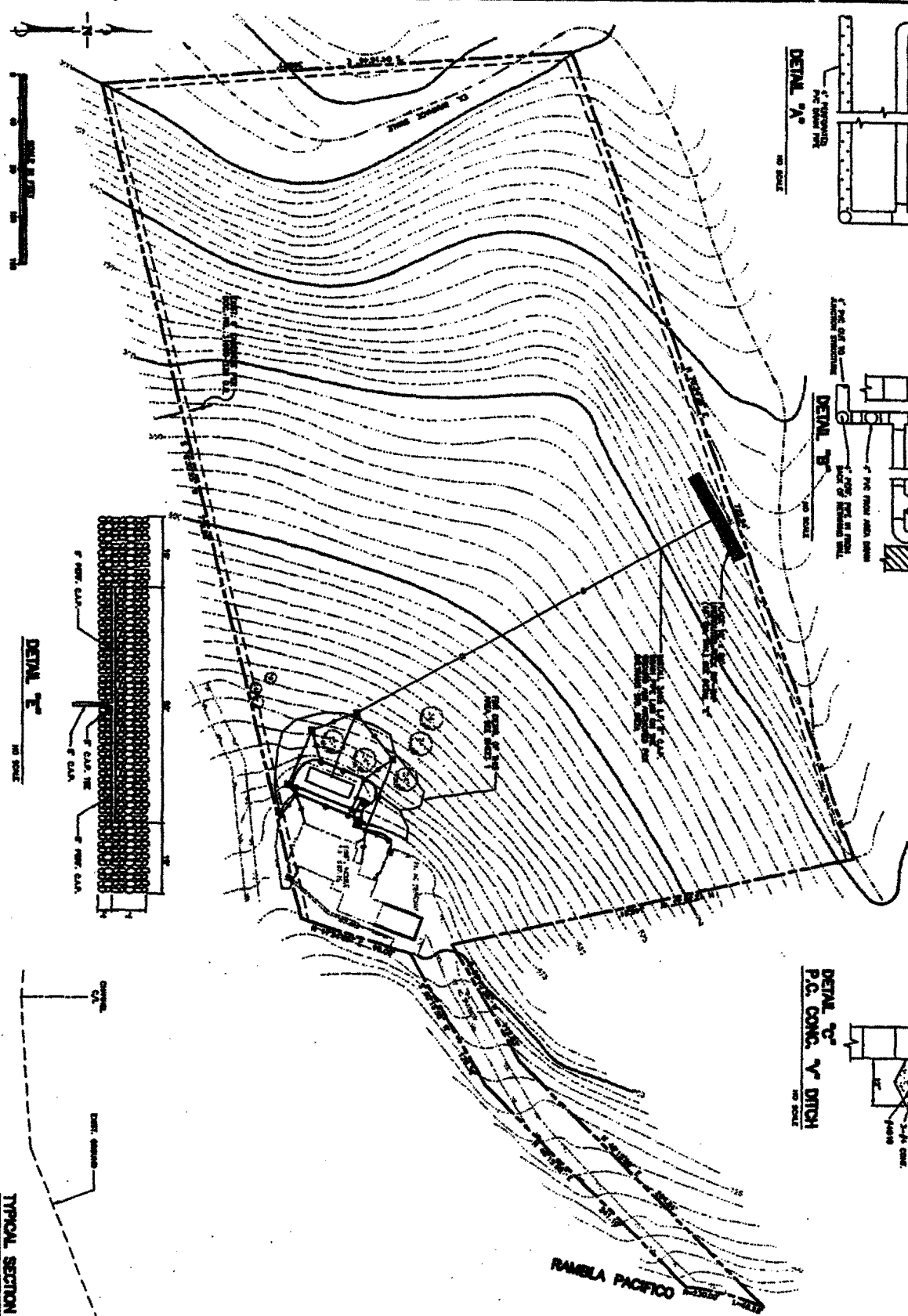
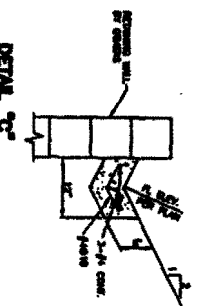
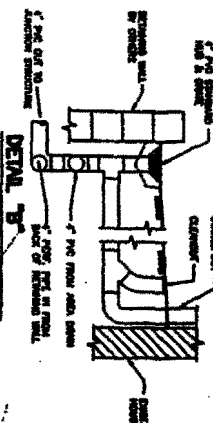
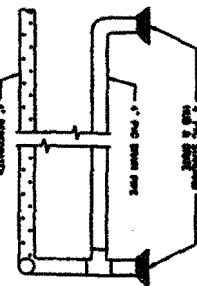


EXHIBIT NO. 5
APPLICATION NO.
4-98-072

THIS PLAN ACCURATE FOR STORM DRAIN PURPOSES ONLY

NO. 3111 RAMBLA PACIFICO
CITY OF SANTA CRUZ, CALIFORNIA

DATE: 10/1/01

SCALE: 1" = 10'