STATE OF CALIFORNIA-THE RESOURCES AGENCY

PETE WILSON, Governor

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STAFF REPORT: CONSENT CALENDAR

APPLICATION NO.: 4-98-242

APPLICANT: Steven and Susan Saw Lau

PROJECT LOCATION: 20545 Medley Lane, Topanga (Los Angeles County)

PROJECT DESCRIPTION: Construct a 2,293 sq. ft., 35 ft. high single family residence with an attached 485 sq. ft. garage and septic system. No grading is proposed.

Lot area:	22,940 (.52 acres)
Building coverage:	2,778 sq. ft.
Pavement coverage:	400 sq. ft.
Landscape coverage:	3,000 sq. ft.
Parking spaces:	2 covered
Ht abv fin grade:	35 ft.

LOCAL APPROVALS RECEIVED: Los Angeles County: Department of Regional Planning, Approval in Concept, 8/3/98; Fire Department, Conceptual Approval, 8/4/98; Department of Health Services, 8/18/98.

SUBSTANTIVE FILE DOCUMENTS: Malibu/Santa Monica Mountains certified Land Use Plan; Update Engineering Geologic Report, Mountain Geology, 12/26/90; Update Engineering Geologic Report, Mountain Geology, 7/1/98; Coastal Development Permits: 4-97-242 (Frank); 5-91-023 (Nesse): 4-95-199 (Meltzer)

SUMMARY OF STAFF RECOMMENDATION

Staff recommends <u>approval</u> of the project with special conditions relating to: *future improvements* deed restriction; lot combination; conformance with geologic recommendations; landscape, erosion control and drainage plans; fire waiver of liability. The proposed single family residence is located in the small lot subdivision of Fernwood and therefore, as new development, presents a potential cumulative impact to the coastal zone. Additionally, the site is subject to natural hazards associated with soil erosion and fire.



STAFF RECOMMENDATION

The staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions

The Commission hereby <u>grants</u>, 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 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. <u>Notice of Receipt and Acknowledgment</u> The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
- 2. <u>Expiration</u> If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
- 3. <u>Compliance</u> All development must occur in strict compliance with the proposal as set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
- 4. <u>Interpretation</u> Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
- 5. <u>Inspections</u> The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
- 6. <u>Assignment</u> The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
- 7. <u>Terms and Conditions Run with the Land</u> These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. Special Conditions

1. Future Improvements

Prior to the issuance of a coastal development permit, the applicant shall execute and record a document, in a form and content acceptable to the Executive Director, stating that the subject permit is only for the development described in the Coastal Development Permit No. 4-98-242; and that any additions or future improvements to the permitted structure(s), or property that might otherwise be exempt under Public Resource Code Section 30610(a), will require an amendment to this permit or an additional permit from the Coastal Commission or the affected local government authorized to issue such coastal development permits. Removal of vegetation consistent with L. A. County Fire Department standards relative to fire protection is permitted. The document shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Coastal Commission-approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

2. Lot Combination

Prior to the issuance of the Coastal Development Permit, the applicant shall submit, for the review and approval of the Executive Director, evidence that a lot combination or lot merger for lots 16, 19 and 20 of Block 6 as shown on Tract No. 9531, Los Angeles County (Exhibit 2) has been executed pursuant to applicable State and Local statutes.

3. Plans Conforming to Geologic Recommendations

Prior to the issuance of a coastal development permit the applicant shall submit, for review and approval by the Executive Director, evidence of the geology and geotechnical consultants' review and approval of all project plans. All recommendations contained in the Update Engineering Geologic Report, prepared by Mountain Geology, on 7/1/98, shall be incorporated into all final design and construction plans including recommendations concerning grading, retaining walls, foundations, excavations, sewage disposal, and drainage. All plans must be reviewed and approved by the geologic consultants.

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

4. Landscape, Erosion Control and Drainage Plans

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

- (a) Landscape and Erosion Control Plans, prepared by a licensed landscape architect, which assure all disturbed areas on the subject site shall be planted and maintained for erosion control and visual enhancement purposes within (60) days of final occupancy of the residence. To minimize the need for irrigation and to screen or soften the visual impact of development all landscaping shall consist primarily of native/drought resistant plants as listed by the California Native Plant Society, Santa Monica Mountains Chapter, in their document entitled <u>Recommended List of Plants for Landscaping in the Santa Monica Mountains</u>, dated October 4, 1994. Invasive, non-indigenous plant species which tend to supplant native species shall not be used;
- (b) All disturbed areas, shall be stabilized with planting at the completion of construction. Planting should utilize accepted planting procedures, consistent with fire safety requirements. Such planting shall be adequate to provide 90 percent coverage within two (2) years, and this requirement shall apply to all disturbed soils;
- (c) All plantings shall be maintained in good growing condition throughout the life of the project and, whenever necessary, shall be replaced with new plant materials to ensure continued compliance with applicable landscape requirements;
- (d) Monitoring Plan

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.

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.

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- (e) A Drainage Plan, designed by a licensed engineer, which assures that run-off from the roof, patios, and all other impervious surfaces on the subject parcel are collected and discharged in a manner which avoids ponding on the pad area. Site drainage shall not be accomplished by sheetflow runoff over the slopes. The drainage plan shall include installation of slope dewatering devices if determined necessary by the Consulting Engineer;
- (f) The Permittee shall undertake development in accordance with the final approved plans. Any proposed changes to the approved final landscape, erosion control or drainage plans shall be reported to the Executive Director. No changes to said plans shall occur without a Coastal Commission-approved amendment to the coastal development permit, unless the Executive Director determines that no amendment is required.

5. Wildfire Waiver of Liability

Prior to the issuance of a coastal development permit, the applicant shall submit a signed document which shall indemnify and hold harmless the California Coastal Commission, its officers, agents and employees against any and all claims, demands, damages, costs, expenses of liability arising out of the acquisition, design, construction, operation, maintenance, existence, or failure of the permitted project in an area where an extraordinary potential for damage or destruction from wildfire exists as an inherent risk to life and property

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description and Background

The applicant proposes to construct a 2,293 sq. ft., 35 ft. high single family residence with an attached 485 sq. ft. garage and septic system. The project is located in the Fernwood small lot subdivision, west of Topanga Canyon Boulevard, east of Tuna Canyon Road, and on the downhill side of the eastern portion of Medley Lane. The site is comprised of three legally created lots.

Custom hillside residences are present on the nearby properties to the north; the adjacent properties to the east and west are vacant. The proposed residence is designed to conform with the existing slope of the site and will not be visible from the north. The site is visible from Topanga State Park at a distance of approximately one and a half miles, and east of Topanga Canyon. The site will not be visible from any public trails. The proposed project will not have any significant adverse visual impact given the location within an existing developed residential area, the design of the structure in conformance to the slope, the slope behind and above the site, and the distance from Topanga State Park.

In March of 1991, the Commission reviewed a coastal development permit application for the subject site, 5-91-023 (Nesse), for a 2,002 sq. ft., one-story, 28 feet high, single family residence with an attached two car garage and septic system. The permit was approved by the Commission subject to the following special conditions: 1) future improvements deed restriction, and 2) conformance to the geologic reports. Neither of the above conditions were met, and the permit was allowed to expire. The applicant is now proposing a slightly larger residence on the subject parcel.

B. Cumulative Impacts of New Development

The proposed project involves the construction of a new single family residence which is defined under the Coastal Act as new development. New development raises issues with respect to cumulative impacts on coastal resources. Sections 30250 and 30252 of the Coastal Act address the cumulative impacts of new development.

Section 30250(a) of the Coastal Act states:

New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of the surrounding parcels.

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

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

Throughout the Malibu/Santa Monica Mountains coastal zone there are a number of areas which were subdivided in the 1920's and 30's into very small "urban" scale lots. These subdivisions, known as "small-lot subdivisions" are comprised of parcels of less than one acre but more typically range in size from 4,000 to 5,000 square feet. The total buildout of these dense subdivisions would result in a number of adverse cumulative impacts to coastal resources. Cumulative development constraints common to small-lot subdivisions were documented by the Coastal Commission and the Santa Monica Mountains Comprehensive Planning Commission in the January 1979 study entitled: "Cumulative Impacts of Small Lot Subdivision Development In the Santa Monica Mountains Coastal Zone".

The study acknowledged that the existing small-lot subdivisions can only accommodate a limited amount of additional new development due to major constraints to buildout of these areas that include: Geologic, road access, water quality, disruption of rural community character, creation of unreasonable fire hazards and others. Following an intensive one-year

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planning effort by Commission staff, including five months of public review and input, new development standards relating to residential development on small lots in hillsides, including the Slope-Intensity/Gross Structural Area Formula (GSA) were incorporated into the Malibu District Interpretive Guidelines in June 1979. A nearly identical Slope Intensity Formula was incorporated into the 1986 certified Malibu/Santa Monica Mountains Land Use Plan under policy 271(b)(2).

The Commission has found that minimizing the cumulative impacts of new development is especially critical in the Malibu/Santa Monica Mountains area because of the large number of lots which already exist, many in remote, rugged mountain and canyon areas. From a comprehensive planning perspective, the potential development of thousands of existing undeveloped and poorly sited parcels in these mountains creates cumulative impacts on coastal resources and public access over time. Because of this, the demands on road capacity, public services, recreational facilities, and beaches could be expected to grow tremendously.

Policy 271(b)(2) of the Malibu/Santa Monica Mountains Land Use Plan (LUP) requires that new development in small lot subdivisions comply with the Slope-Intensity Formula for calculating the allowable Gross Structural Area (GSA) of a residential unit. Past Commission action certifying the LUP indicates that the Commission considers the use of the Slope Intensity Formula appropriate for determining the maximum level of development which may be permitted in small lot subdivision areas consistent with the policies of the Coastal Act. The basic concept of the formula assumes the suitability of development of small hillside lots should be determined by the physical characteristics of the building site, recognizing that development on steep slopes has a high potential for adverse impacts on coastal resources.

ISA = (A/S) × ((50-S3/35) + 500

A = the allowable price structural area of the permitted development is again feet. The GSA includes all substantially enclosed residential and storage areas, but does not include parages or carports designed for storage of action.

The time of the building site in square feet, the building site is defined by the applicant and may consist of all or a designated portion of the one is more time to comprising the project location. All permitted structures must be located within the designated building site.

. The average alope of the building site in percent as palculated by the formula.

× L/A × 100

I v obritour interval in Reel, at not greater than 25-foot intervale, resulting in at least 5 contour lines

L = total accumulated length of all contours of interval "I" in feet A = the area being considered in source feet The proposed project is located in the small lot subdivision of Fernwood and involves the construction of a 2,293 sq. ft. single family residence. The subject site consists of three abutting lots (lots 16, 19, and 20) totaling 22,940 sq. ft. with an average slope of approximately 36%. Although the development is located on only one of these three lots (lot 16) the applicant is using all three lots for determining the GSA.

The applicant has submitted a GSA calculation in conformance to Policy 271(b)(2) of the Malibu/Santa Monica Mountains Land Use Plan (LUP). This calculation utilizes a two-foot interval topographic map, contour length of 4,024 feet, an area of 19,080 sq. ft, and a slope of 36%. Based on these parameters, the applicant arrived at a **maximum GSA of 2,335 sq. ft.** Therefore, the proposed 2,293 square feet of habitable space is consistent with the maximum allowable GSA.

Some additions and improvements to residences on small steep lots within these small lot subdivisions have been found to adversely impact the area. Many of the lots in these areas are so steep or narrow that they cannot support a large residence without increasing or exacerbating the geologic hazards on and/or off site. Additional buildout of small lot subdivisions affects water usage and has the potential to impact water quality of coastal streams in the area. Other impacts to these areas from the buildout of small lot subdivisions include increases in traffic along mountain road corridors and greater fire hazards.

For all these reasons, and as these lots are within a small lot subdivision, further structures, additions or improvements to the subject property could cause adverse cumulative impacts on the limited resources of the subdivision. The Commission, therefore, finds it necessary for the applicant to record a future improvements deed restriction on these lots, as noted in *special condition number one (1)*, which would require that any future structures, additions or improvements to the property, beyond those now proposed, would require review by the Commission to ensure compliance with the policies of the Coastal Act regarding cumulative impacts and geologic hazards. At that time, the Commission can ensure the new project complies with the guidance of the GSA formula and is consistent with the Coastal Act.

As mentioned above, the applicant utilized the combined area of three adjacent lots (lots 16, 19 and 20) in calculating a gross structural area for the proposed residence. The proposed residence is located entirely on lot 16. To ensure the undeveloped adjacent lots are not sold or transferred and possible developed or used as GSA credit for some other development in the future, the Commission finds, that it is necessary to require the applicant to combine or merge lots 16, 19 and 20, as specified in *special condition number two (2)*.

The Commission therefore finds that the proposed project, only as conditioned, consistent with Section 30250(a) of the Coastal Act.

C. Geologic Stability and Hazards

Section 30253 of the Coastal Act states in part that new development shall:

(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.

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(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

The Malibu/Santa Monica Mountains certified Land Use Plan also provides policy guidance, in regards to geologic hazards, as follows:

- P147 Continue to evaluate all new development for impact on, and from, geologic hazard.
- P148 Continue to limit development and road grading on unstable slopes to assure that development does not contribute to slope failure.
- P149 Continue to require a geologic report, prepared by a registered geologist, to be submitted at the applicant's expense to the County Engineer for review prior to approval of any proposed development within potentially geologically unstable areas including landslide or rock-fall areas and the potentially active Malibu Coast-Santa Monica Fault Zone. The report shall include mitigation measures proposed to be used in the development.
- P150 Continue Hillside Management procedures as contained in Ordinance No. 82-0003 for proposed development on sites with an average slope greater than 25 percent (4:1). Grading and/or development-related vegetation clearance shall be prohibited where the slope exceeds 2:1, except that driveways and/or utilities may be located on such slopes where there is no less environmentally damaging feasible alternative means of providing access to homesites located on slopes of less than 50%, where no alternative homesites exist on the property, and where maximum feasible mitigation measures are taken.

The proposed development is located in the southern flank of 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

Past grading of the site consisted of cutting along the northwest property line during the construction of Medley lane. Physical relief across the subject site from the ridge down slope to Medley Lane is on the order of 100 feet. The slope gradient in the area of the proposed development is approximately 2:1.

The applicant has submitted an Update Engineering Geologic Report, prepared by Mountain Geology, and dated 7/1/98 for the subject site. The consulting geologist has

found that the orientation of the geologic structure in the area of the proposed residence is favorable with respect to the gross stability of the site and proposed project, as the mappel bedding planes in this portion of the subject property dip into the slope.

Further, Mountain Geology has found that the site is free from any rain-related damage such as landslides or mudflows. There is, however, a large landslide mapped to the southeast and east of the subject site, which appears to have failed down slope towards the east and northeast. The landslide does not affect the project site, however, Mountain Geology notes that soil and fill on slopes within the subject property are subject to downhill creep and erosion.

Based on the geotechnical consultant's site observations, excavation, laboratory testing, evaluation of previous research, analysis and mapping of geologic data limited subsurface exploration of the site and, both the geologic and geotechnical engineers have provided recommendations to address the specific geotechnical conditions related to grading, retaining walls, foundations, excavations, sewage disposal, and drainage. In conclusion, the geological investigation states that:

"Based upon our investigation, the proposed development will be free from geologic hazards such as landslides, slippage, active faults, and settlement. The proposed development and installation of the private sewage disposal system will not have any adverse effect upon the stability of the site or adjacent properties provided the recommendations of the Engineering Geologist and Geotechnical engineer are complied with during construction."

Based on the findings and recommendations of the consulting geologist and geotechnical engineer, the Commission finds that the development is consistent with Section 30253 of the Coastal Act so long as all recommendations regarding the proposed development are incorporated into the project plans. Therefore, the Commission finds it necessary to require the applicant to submit project plans that have been certified in writing by the consulting geologist and geotechnical engineer as conforming to their recommendations, as noted in *Special Condition three (3)* for the final project plans for the proposed project.

2. Erosion

The geotechnical engineer has found that slope drainage on site is by sheet flow runoff directed toward the southwest via the existing contours, and that erosion control measures are necessary. The consultant also noted that the site is subject to downhill soil creep and erosion. Thus, the Commission finds that uncontrolled storm water runoff associated with the construction of the proposed project could create significant erosion that could adversely effect site stability. Landscaping of graded slopes and disturbed soils minimize soil erosion and enhance site stability. In addition, an engineered drainage system, which conveys runoff off-site in a non-erosive manner also, reduces the potential for erosion and enhances site stability.

Therefore, the Commission finds it necessary to require the applicant to submit detailed landscape, drainage and erosion control plans for the proposed development. *Special Condition four (4)* provides for landscape, drainage and erosion control plans prepared by a licensed landscape architect. Furthermore, given that the consulting engineer specifically recommended drainage measures to minimize erosion of potentially erosive soils on site, the Commission finds that the landscape, drainage and erosion control plans must be reviewed and approved by the consulting engineering geologist as required by *Special Condition four (4)*.

3. <u>Fire</u>

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

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

Due to the fact that the proposed project is located in an area subject to an extraordinary potential for damage or destruction from wild fire, the Commission can only approve the project if the applicant assumes the liability from these associated risks. Through the waiver of liability, the applicant acknowledges and appreciates the nature of the fire hazard which exists on the site and which may affect the safety of the proposed development, as incorporated by *Special Condition five (5)*.

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

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 proposed septic system includes a 1,000 gallon septic tank with seepage pits. The installation of a private sewage disposal system was reviewed by the consulting geologist, Mountain geology, and found not to create or cause adverse conditions to the site or adjacent properties due to the favorable geologic structure, favorable nature of the earth materials with respect to percolation rates, and the favorable effect of a deep capping depth.

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

The Commission has found in past permit actions that compliance with the health and safety codes will minimize any potential for waste water discharge that could adversely impact coastal waters. Therefore, the Commission finds that the proposed septic system is consistent with Section 30231 of the Coastal Act.

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 County's ability to prepare a Local Coastal Program for the Santa Monica Mountains, 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.

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

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