

## CALIFORNIA COASTAL COMMISSION

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



RECORD PACKET COPY

ITEM: F3f

Filed: 12/4/98  
49th Day: 1/22/99  
180th Day: 6/02/99  
Staff: MH-V  
Staff Report: 12/15/98  
Hearing Date: 1/12-15/99  
Commission Action:

## STAFF REPORT: CONSENT CALENDAR

APPLICATION NO. 4-98-236

APPLICANTS: Tom Molloy AGENT: Richard Champion

PROJECT LOCATION: 29549 Harvester Road, Malibu, Los Angeles County.

PROJECT DESCRIPTION: Construct 3,175 sq. ft., two story single family residence with attached 3-car, 700 sq. ft. garage, septic system, driveway, fencing, and 730 cu. yds. of grading (180 cu. yds. of cut; 550 cu. yds. of fill).

Lot area: 1.0 acres  
Building Coverage: 2,360 sq. ft.  
Pavement Coverage: 2,270 sq. ft.  
Landscape Coverage: .25 acres  
Parking Spaces: 4 new proposed  
Ht. abv fin grade: 25'6"

LOCAL APPROVALS RECEIVED: City of Malibu: Planning Department Approval in Concept, July 8, 1998, with Environmental Health Department, Septic Approval, May 13, 1998.

SUBSTANTIVE FILE DOCUMENTS: Malibu/Santa Monica Mountains Land Use Plan; Limited Geologic and Soils Engineering Investigation, by GeoConcepts, Inc., dated December 8, 1997.

**STAFF RECOMMENDATION:** Staff recommends approval of the proposed project with special conditions regarding: **Landscaping and Erosion Control, Conformance with Geologic Recommendations, Wild Fire Waiver of Liability, and Future Development Deed Restriction.** Of special concern is the drainage of the rear (easterly) portion of the sloping parcel into the watershed of Zuma Creek, which is flanked by a designated Disturbed Sensitive Resource Area (DSR), and drains into Zuma Creek Lagoon, a designated Environmentally Sensitive Resource Area (ESHA) and ultimately into the Pacific Ocean approximately one mile downgradient of the subject site.

**STAFF RECOMMENDATION:**

**I. Approval with Conditions.**

The staff recommends that the Commission adopt the following resolution:

The Commission hereby grants a permit, subject to the conditions below, for the proposed development on the grounds that the development, as conditioned, will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse effects on the environment within the meaning of the California Environmental Quality Act.

**II. Standard Conditions.**

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

### III. Special Conditions.

#### 1. Landscape Plan and Fuel Modification

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

- (1) All disturbed areas on the subject site shall be planted and maintained for erosion control and visual enhancement purposes within sixty (60) days of receipt of the Certificate of Occupancy from the City of Malibu. To minimize the need for irrigation and to screen or soften the visual impact of development, all landscaping shall consist primarily of native/drought resistant plants as listed by the California Native Plant Society, Santa Monica Mountains Chapter, in their document entitled Recommended List of Plants for Landscaping in the Santa Monica Mountains, dated October 4, 1994. Invasive, non-indigenous plant species that tend to supplant native species shall not be used. Such planting shall be adequate to provide ninety (90) percent coverage within two (2) years and shall be repeated, if necessary, to provide such coverage.
- (2) Vegetation within 50 feet of the proposed house may be removed to mineral earth or planted in a zone of irrigated lawn or similar ground cover. Selective thinning, for purposes of fire hazard reduction shall be allowed in accordance with an approved long-term fuel modification plan submitted pursuant to this special condition. The applicant shall submit evidence to the satisfaction of the Executive Director that the fuel modification plan required herein has been approved by the Los Angeles County Forestry Department.
- (3) All plantings shall be maintained in good growing condition throughout the life of the project, and, whenever necessary, shall be replaced with new plant materials to ensure continued compliance with applicable landscape requirements.
- (4) All development approved herein shall be undertaken in accordance with the final approved plans. Any proposed changes to the approved final landscape or fuel modification 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) Should grading take place during the rainy season (November 1 – March 31), sediment basins (including debris basins, desilting basins, or silt traps) shall be required on the project site prior to or concurrent with the initial grading operations and maintained through the development process to minimize sediment from runoff waters during construction. All sediment should be retained on-site unless removed to an approved dumping location.

B. Monitoring Plan

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

2. Plans Conforming to Geologic Recommendations

- (a) All recommendations contained in the Limited Geologic and Soils Engineering Investigation, dated December 8, 1997, prepared by GeoConcepts, Inc., shall be incorporated into all final design and construction including recommendations concerning building setbacks, foundations, drainage and maintenance, grading and earthwork, slabs on grade, and piles, general construction specifications and precautions, floor slabs, pavement, and sewage disposal. All plans must be reviewed and approved by the geotechnical consultants. Prior to the issuance of the coastal development permit, the applicant shall submit, for review and approval of the Executive Director, evidence of the consultants' review and approval of all project plans. Such evidence shall include affixation of the consulting geologists' stamp and signature to the final project plans and designs.
- (b) The final plans approved by the geotechnical 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 geotechnical consultant shall require an amendment to the permit or a new coastal permit. The Executive Director shall determine whether required changes are "substantial."

3. Wild Fire Waiver of Liability

Prior to the issuance of the coastal development permit, the applicants 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 wild fire exists as an inherent risk to life and property.

4. Future Improvements

Prior to issuance of a coastal development permit, the applicants as landowners shall execute and record a deed restriction, in a form and content acceptable to the Executive Director, which shall provide that Coastal Development Permit 4-98-236 is only for the proposed development and that any future additions or improvements to the permitted structures, or property, including but not limited to clearing of vegetation and grading, other than as provided for in the approved landscape plan prepared pursuant to Special Condition 1, that might otherwise be exempt under Public Resource Code Section 30610 (a), will require a permit from the Coastal Commission or the affected local government authorized to issue such coastal development permits. The deed restriction shall specify that clearance of vegetation consistent with the fuel modification plan approved by the Los Angeles County Fire Department pursuant to Special Condition 1(A)(2) above 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 changes without a Coastal Commission-approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

IV. Findings and Declarations.

The Commission hereby finds and declares as follows:

A. Project Description

The applicant proposes to construct a 3,175 sq. ft., two story, single family residence with attached 3-car, 700 sq. ft. garage, septic system, driveway, fencing, and 730 cu. yds. of grading (180 cu. yds. of cut; 550 cu. yds. of fill). (See Exhibits 1-16).

The subject site, located at 29549 Harvester Road, immediately southeast of the intersection of Busch Drive, and approximately one mile north of Pacific Coast Highway, is an approximately 1-acre parcel located in an area developed with existing single family residences, in Malibu. The undeveloped lot is primarily vegetated with undisturbed coastal sage scrub and oaks.

The subject parcel is situated on the eastern flank of a northwest trending ridge. The rear portion of the parcel slopes downward at an increasingly steep gradient, reaching a ratio of 2:1 (horizontal to vertical) in the easternmost fourth of the parcel, into a canyon that is tributary to Zuma Creek approximately one quarter of a mile downgradient. The creek is designated as a blueline stream on the U. S. Geological Survey quadrangle maps. The riparian area surrounding Zuma Creek downgradient of the proposed project location is designated as a Disturbed Sensitive Resource Area (DSR) on the Malibu/Santa Monica Mountains Land Use Plan (LUP) maps. Zuma Creek drains into coastal wetlands designated as Environmentally Sensitive Habitat Areas (ESHAs) on the LUP maps, and finally into the Pacific Ocean approximately one mile downgradient of the subject parcel. (See Exhibits 1-4).

#### **B. Geologic Stability and Hazards**

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

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

Section 30253 of the Coastal Act requires that new development assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic stability, or destruction of the site or surrounding area. The applicant proposes to construct a new 3,175 sq. ft., two story, single family residence with attached 3-car, 700 sq. ft. garage, septic system, driveway, fencing, and 730 cu. yds. of grading (180 cu. yds. of cut; 550 cu. yds. of fill) on an approximately 1 acre parcel.

The applicant has submitted a report titled Limited Geologic and Soils Engineering Investigation, by GeoConcepts, Inc., dated December 8, 1997. The report makes numerous recommendations regarding building setbacks, foundations, drainage and maintenance, grading and earthwork, slabs on grade, and piles, general construction specifications and precautions, floor slabs, pavement, and sewage disposal. The report states that the site is suitable for the intended use provided that the recommendations of

the geotechnical consultant are incorporated into the design and subsequent construction of the project.

Based on the conclusions of the GeoConcepts, Inc., report, the Commission finds that the proposed development will be safe from geologic hazards if all recommendations of the geotechnical consultants are incorporated into the final project plans and designs. Accordingly, Special Condition 2 requires the applicant to demonstrate to the Executive Director's satisfaction that all recommendations in the December 8, 1997 report are incorporated into the final plans and designs.

While the GeoConcepts, Inc., report makes recommendations concerning swimming pool drainage, the applicant's proposed project does not include the construction of a swimming pool. Because the proposed development is being constructed primarily on a fill slope descending steeply into a coastal canyon, any future proposal to construct a swimming pool or other accessory structures should be evaluated to ensure that site stability is maintained and that further landform alteration of the slope is avoided. Construction of an additional pad on the slope for the purpose of constructing a swimming pool downslope of the proposed residence would result in unacceptable additional grading and alteration of the natural topography of the slope.

The Commission notes that a number of options exist to place a swimming pool on the subject lot without additional landform alteration or grading. The proposed site plan shows that space for a swimming pool is available on the lot in the area adjacent to the house pad, particularly in the corner of the parcel nearest Busch Drive. Alternatively, if the applicant prefers and plans to place a future swimming pool to the rear of the residence, the applicant could revise the project plans at this stage of the project to pull the house forward toward the street and thereby provide additional space to the rear of the house pad for construction of a swimming pool. A sufficient area of the lot would be available to accommodate this alternative if it is undertaken before the house is constructed. If the applicant elects to construct the proposed project as presently designed, there appears to be adequate space for a conservatively designed, narrow lap pool or perhaps a spa to the rear of the proposed residence. All three of the stated alternatives provide options for construction of a swimming pool or other aquatic recreation structure without increasing the amount of grading, and potential erosion or other adverse affects caused by additional construction on the sloping portion of the subject site. Therefore, the Commission finds it necessary to impose Special Condition 4, Future Development, thereby requiring the applicant to seek a coastal development permit for any future proposed development of the site that might otherwise be exempt from such permit requirements. In imposing this condition, the Commission specifically notes that additional development that would require the eastward expansion of the presently proposed pad, or construction of an additional pad to the rear of the proposed residence, would be unlikely to receive Commission approval.

The applicant proposes to import 370 cubic yards of material to construct fill slopes to support the pad for the house. The presence of fill slopes, combined with the sloping terrain of the subject parcel, indicates the need to manage drainage and control erosion to protect long-term site stability. In addition, and as discussed more fully in the next section, the rear portion of the applicant's lot drains easterly into a canyon that is tributary to Zuma Creek, a designated blueline stream. Zuma Creek drains into Zuma Creek Lagoon, a designated Environmentally Sensitive Habitat Area (ESHA) and directly into the Pacific Ocean (see Exhibits 1-3). Uncontrolled erosion discharges sediment pollution into coastal waterways and has been shown to adversely affect the biota of riparian systems.

These considerations, in addition to the concerns addressed in the GeoConcepts, Inc., report cited above, underscore the need to control erosion on the subject parcel. Special Condition 1 requires the use of locally native plant species, which have been shown to provide superior erosion control when compared to the use of non-native species in the Santa Monica Mountains, for landscaping and erosion control on the site. Special Condition 1 (B) further requires the applicant to submit a monitoring report to demonstrate that the required landscaping and erosion control measures in the approved landscape plan have been successfully implemented. Special Condition 1 also requires the implementation of additional erosion control measures if construction is undertaken during the rainy season. If fully implemented, Special Condition 1 will provide significant erosion control on the subject site, both during construction and during the life of the proposed development.

The applicant has submitted a grading and erosion control plan. If the grading and erosion control plan is fully implemented in conjunction with the landscape and erosion control measures required by Special Condition 1, and other erosion control measures specifically set forth in the recommendations of the GeoConcepts, Inc., report cited above, resultant site stability and control of erosion will be adequate to avoid adverse effects to the downslope sensitive habitat areas.

For all of these reasons, therefore, the Commission finds that as conditioned by Special Conditions 1, 2 and 4, the proposed is consistent with the geologic stability requirements of Coastal Act Section 30253.

#### **Wild Fire Waiver**

The proposed project is located in the Santa Monica Mountains, an area subject to an extraordinary potential for damage or destruction from wild fire. The typical vegetation in the Santa Monica Mountains consists mostly of coastal sage scrub and chaparral. Many plant species common to these communities produce and store terpenes, which are highly flammable substances (Mooney in Barbour, Terrestrial Vegetation of California, 1988). Chaparral and sage scrub communities have evolved in concert with, and continue to produce the potential for, frequent wild fires. The typical warm, dry summer



conditions of the Mediterranean climate combine with the natural characteristics of the native vegetation to pose a risk of wild fire damage to development that cannot be completely avoided or mitigated.

Due to the fact that the proposed project is located in an area subject to an extraordinary potential for damage or destruction from wild fire, the Commission can only approve the project if the applicant assumes the liability from these associated risks. Through Special Condition 3, the wild fire waiver of liability, the applicant acknowledges the nature of the fire hazard which exists on the site and which may affect the safety of the proposed development. Moreover, through acceptance of Special Condition 3 the applicant also agrees to indemnify the Commission, its officers, agents and employees against any and all expenses or liability arising out of the acquisition, design, construction, operation, maintenance, existence, or failure of the permitted project.

For all of the reasons set forth above, the Commission concludes that the proposed project, as conditioned by Special Conditions 1 through 4, is consistent with the requirements of Section 30253 of the Coastal Act.

### **C. Biological Resources**

Section 30230 of the Coastal Act provides that:

#### **Section 30230.**

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

Section 30231 of the Coastal Act provides that:

#### **Section 30231.**

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

Section 30240 of the Coastal Act provides that:

Section 30240

(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.

(Amended by Ch. 285, Stats. 1991.)

As noted previously, the applicant's parcel drains toward the eastern edge of the lot into a canyon tributary to Zuma Creek, and ultimately to Zuma Creek Lagoon (a designated ESHA on the Malibu/Santa Monica Mountains LUP Maps) and the Pacific Ocean approximately one mile downgradient of the proposed project site. In addition, Zuma Creek is flanked by habitat designated as a Disturbed Sensitive Resource Area (DSR) on the LUP maps. (See Exhibits 1-3 and Exhibits 5, 7-9).

As noted in the previous section, the applicant proposes to construct a single family residence and associated grading on a parcel that slopes at a gradient steeping in approximately the rear one fourth of the parcel to a 2:1 ratio.

Uncontrolled erosion leads to sediment pollution of downgradient water bodies. Surface soil erosion has been established by the United States Department of Agriculture, Natural Resources Conservation Service, as a principal cause of downstream sedimentation known to adversely affect riparian and marine habitats. Suspended sediments have been shown to absorb nutrients and metals, in addition to other contaminants, and transport them from their source throughout a watershed and eventually into the Pacific Ocean. The construction of single family residences in sensitive watershed areas has been established as a primary cause of erosion and resultant sediment pollution in coastal streams. Extensive research undertaken during the past decade has shown that single family residences are the top ranking contributor of sediment pollutants discharged into Santa Monica Bay, for example.

Among the measures available to avoid erosion during and after construction are the implementation of rainy season controls such as the use of sediment basins (including debris basins, desilting basins, or silt traps) and the timely planting of appropriate, locally native landscape materials. These measures are among the requirements set forth in Special Condition 1.

Special Condition 1 requires the applicant to use locally native plants in the final landscaping plans. The use of locally native species for landscaping in the Santa Monica Mountains has been shown to prevent erosion and thereby to reduce or avoid sediment flows that would otherwise occur from the development of lots draining into coastal streams. The shrubs common to the chaparral vegetation that characterizes the Malibu area are deeply rooted and tend to hold soil in place once such plantings are established. Non-native species, on the other hand, and most particularly shallow-rooted annual grasses, have been shown to retard the establishment of native shrub seedlings and ultimately to increase the potential for erosion.

For these reasons, therefore, Special Condition 1 requires the use of locally native plant species for landscaping and erosion control on the subject parcel, and additionally requires the applicant to prepare and submit an eventual monitoring plan to document successful landscape plan performance. These measures will ensure that optimal erosion control on site is achieved by the use of appropriate plantings and other requirements specified in the condition.

In addition, the applicant's geotechnical report notes that specific site preparation, drainage and erosion control measures, including the extensive use of deeply rooted shrubs and trees with minimal irrigation requirements, are necessary to control erosion on the parcel slopes and to avoid damage to the constructed fill pad supporting the residence. To ensure that these measures are implemented, Special Condition 2 requires the applicant to submit evidence to the Executive Director's satisfaction that all final project plans and designs incorporate all of the geotechnical consultant's recommendations. Therefore, the implementation of Special Condition 2 will further ensure that the proposed project does not trigger erosion on the subject site nor contribute sediment pollution to sensitive coastal waters and habitats.

Additionally, because the subject parcel drains to a sensitive coastal stream, downgradient wetlands, and to the Pacific Ocean, future development of the site has the potential to adversely affect these coastal resources. The construction of additional pad areas for future development beyond that presently proposed on the eastern portion of the lot would potentially result in erosion and destabilization of the relatively steep slopes on that portion of the subject parcel. Such impacts would adversely affect the sensitive downslope, and downgradient riparian, wetland, and marine habitats described herein. Thus, the Commission finds that future development of a swimming pool or other accessory structures on the eastern portion of the site, beyond that presently proposed, is not appropriate.

As noted previously, the subject site contains adequate space to locate a pool near the Busch Street side of the lot, or the applicant could revise the proposed plans to pull the house further toward the street and thereby free more space in the rear portion of the parcel for a swimming pool or other structures. In addition, the present design of the proposed project appears to provide room to construct a narrow, conservatively designed

lap pool or to place a spa to the rear of the proposed residence. The Commission notes, however, that if the proposed project is constructed as designed, additional opportunities for further development at the rear of the proposed residence would be severely constrained. To ensure future review of additional site development that might otherwise be exempt from the requirement of obtaining a coastal development permit, therefore, the Commission finds it necessary to impose Special Condition 4 (Future Development).

For all the reasons set forth above, therefore, the Commission finds the proposed project as conditioned by Special Conditions 1, 2, and 4 consistent with the requirements of Sections 30230, 30231 and 30240 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 applicant proposes to construct a new, 1,500 gallon septic tank and disposal system as shown on the plans approved by the City of Malibu, Environmental Health Department, May 13, 1998. (See Exhibit 6). The conceptual approval by the City indicates that the sewage disposal system for the project in this application complies with all minimum requirements of the Uniform Plumbing Code.

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

#### **E. Local Coastal Program**

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

Prior to certification of the local coastal program, a coastal development permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3

(commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a local program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200).

Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal development permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act. The preceding sections provide findings that the proposed project will be in conformity with the provisions of Chapter 3 if certain conditions are incorporated into the project and accepted by the applicant. As conditioned, the proposed development will not create adverse impacts and is found to be consistent with the applicable policies contained in Chapter 3. Therefore, the Commission finds that approval of the proposed development, as conditioned, will not prejudice the City's ability to prepare a Local Coastal Program for Malibu which is also consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

**F. California Environmental Quality Act**

Section 13096(a) of the Commission's administrative regulations requires Commission approval of a Coastal Development Permit application to be supported by a finding showing the application, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity would have on the environment.

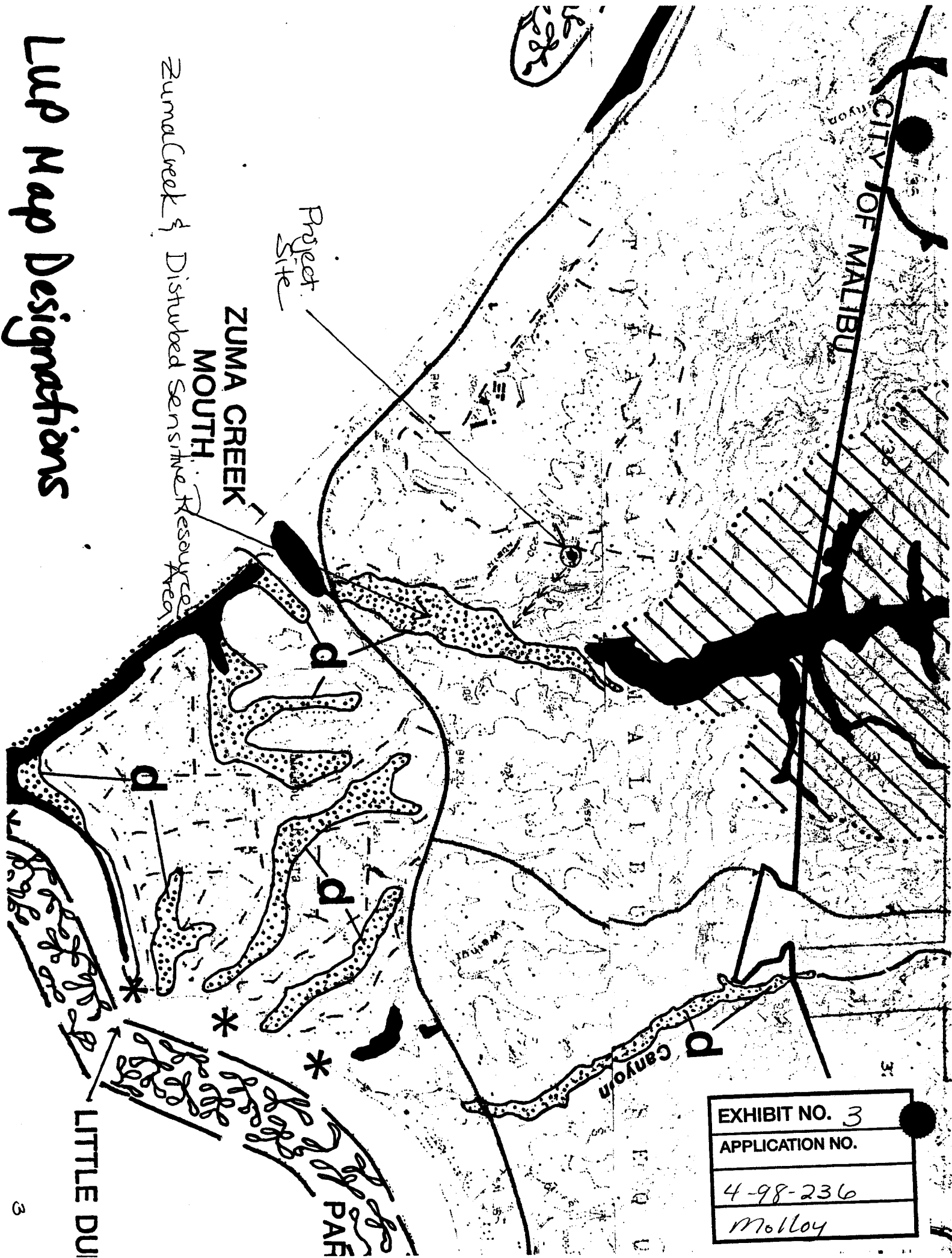
The proposed project, as conditioned, will not have any significant adverse effects on the environment, within the meaning of the California Environmental Quality Act of 1970. Therefore, the proposed project, as conditioned, has been adequately mitigated and is consistent with CEQA and the policies of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





EXHIBIT NO. 2  
APPLICATION NO.  
4-98-236  
Molloy

CITY OF MALIBU



Project Site

ZUMA CREEK MOUTH

Zuma Creek & Disturbed Sensitive Resource Area

CANYON

LITTLE DUNES

EXHIBIT NO. 3
APPLICATION NO.
4-98-236
Molloy

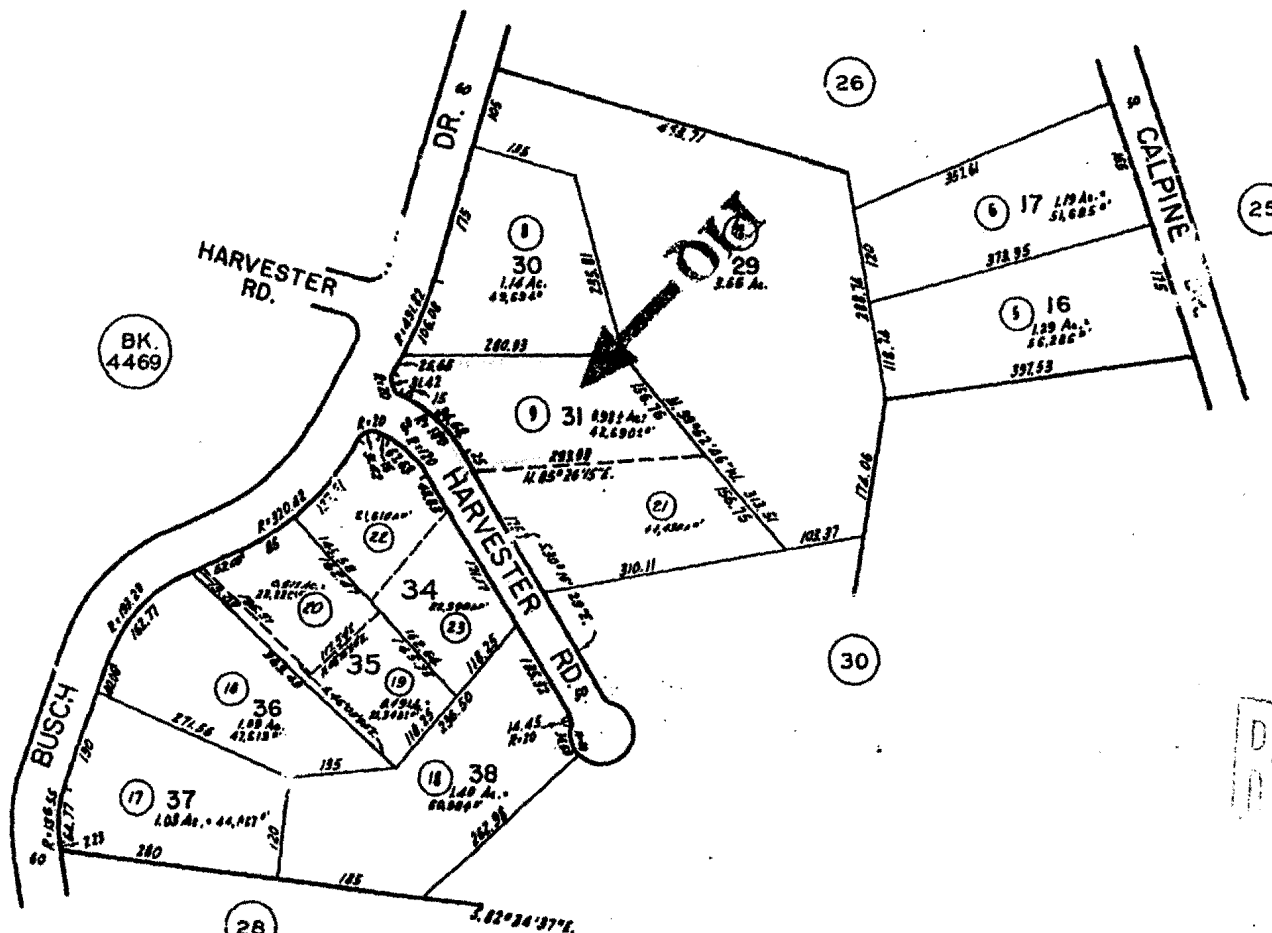
LUP Map Designations



4467 27  
SCALE 1" = 150'

1992

THIS IS NEITHER A PLAT NOR A SURVEY. IT IS FURNISHED AS A CONVENIENCE TO LOCATE THE LAND INDICATED HEREON WITH REFERENCE TO STREETS AND OTHER LAND. NO LIABILITY IS ASSUMED BY REASON OF RELIANCE HEREIN.



TRACT NO. 15857  
M.B. 408-26-27

CODE  
10853

FOR PREV. ASSM'T. SEE:  
4467

EXHIBIT NO. 4
APPLICATION NO.
4-98-236
Mo/604

810607

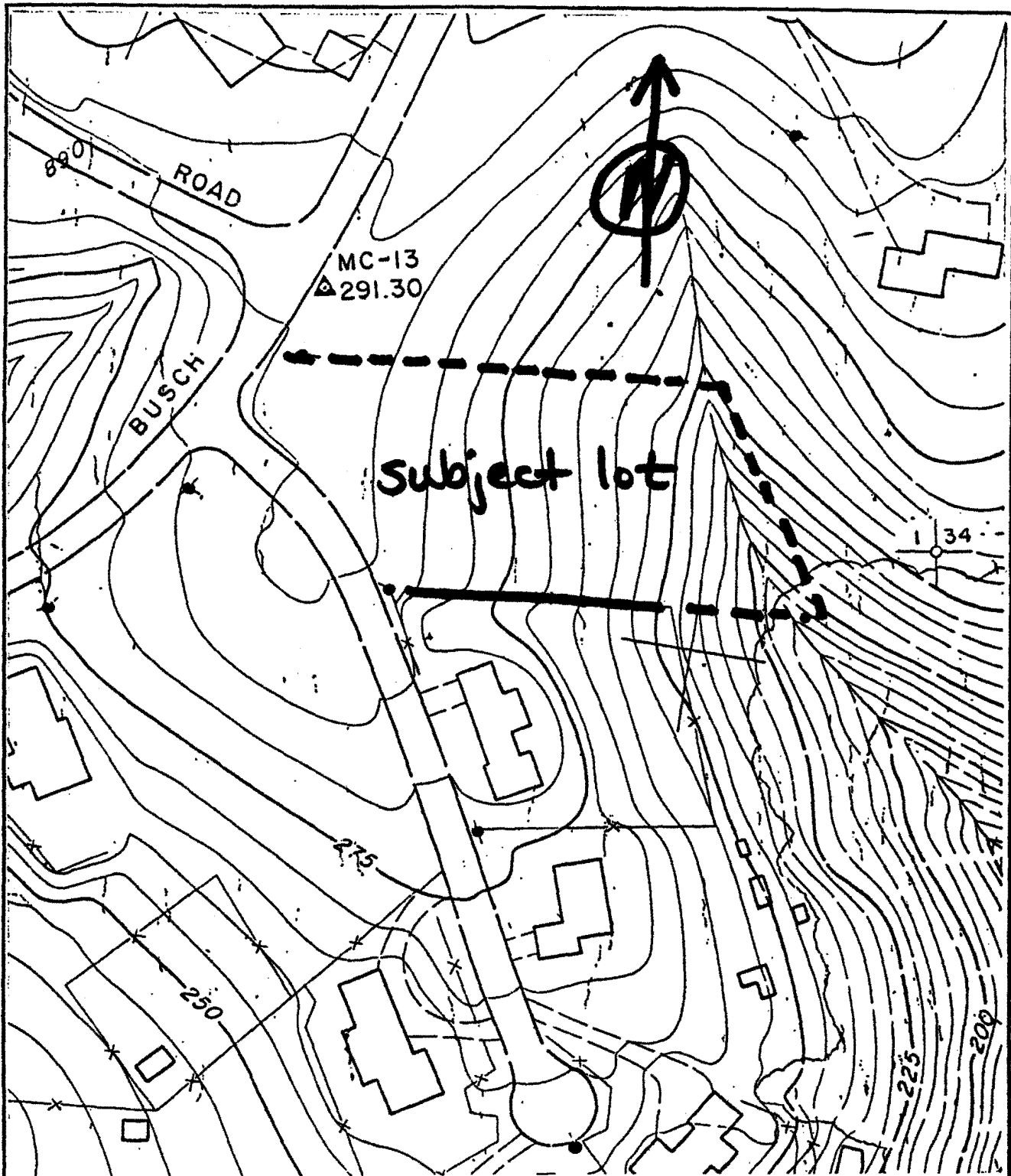
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AUG 25 1998

CALIFORNIA  
COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT

Order: TOF: LA Bk-Pg 4467 - 27 Sht 1 of 1

# LOCATION



Reference: A Portion of the James Montgomery Maps No 110-109-7

Project No.: 1443

Scale 1" = 100'

Project Portion of Lot 31, Tract 15857

Address: Malibu, California

EXHIBIT NO. 5

APPLICATION NO.

4-98-236

Molloy

*GeoConcepts, Inc.*

S.F.D.: 3 Bedroom (N)  
SEPTIC TANK: 1500 Gallon (N)  
PRESENT: 1 - 5' X 23' BI w/5' Cap (N)  
FUTURE: 100%  
PERC RATE: 19,075 gpd/seepage pit

**NOTES:**

1. This approval is for a 3 bedroom single family dwelling. A new private sewage disposal system shall be installed, as shown.
2. This approval only relates to the minimum requirements of the City of Malibu Uniform Plumbing Code and does not include an evaluation of any geological, or other potential problems, which may require an alternative method of wastewater disposal.
3. This approval is valid for one year or until City of Malibu Uniform Plumbing Code and/or Administrative Policy changes render it noncomplying.

CITY OF MALIBU  
ENVIRONMENTAL HEALTH

**IN-CONCEPT APPROVAL**

SIGNATURE  
**MAY 13 1998** *L. Young*

**FINAL APPROVAL IS REQUIRED  
PRIOR TO THE ISSUANCE OF  
ANY CONSTRUCTION PERMITS.**

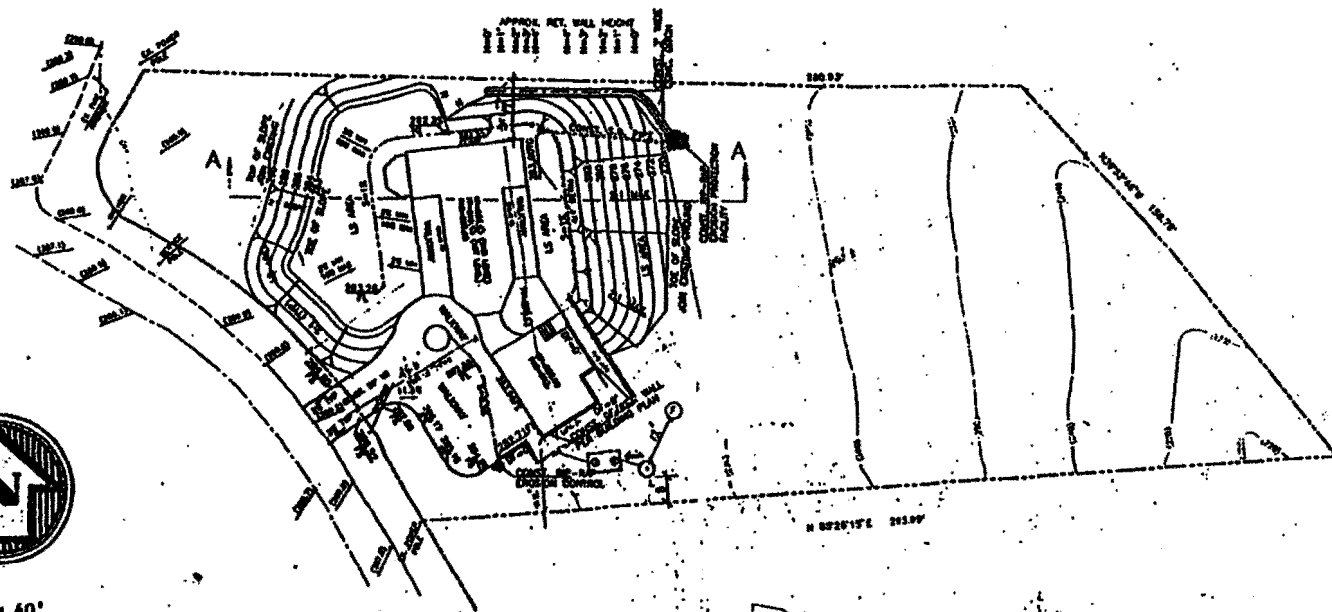
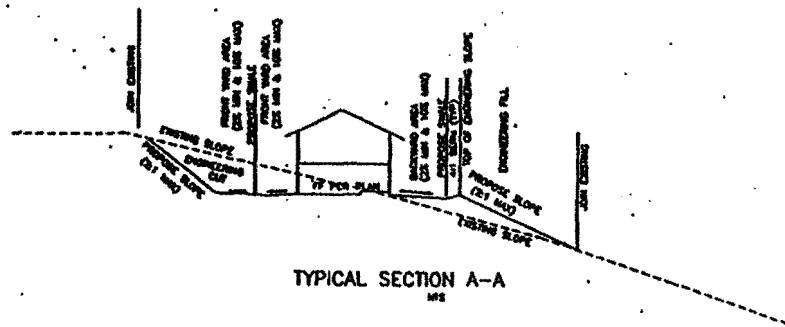
 $1^{\circ} \approx 40'$ 

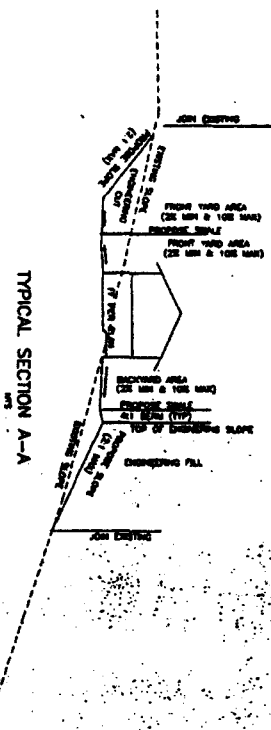
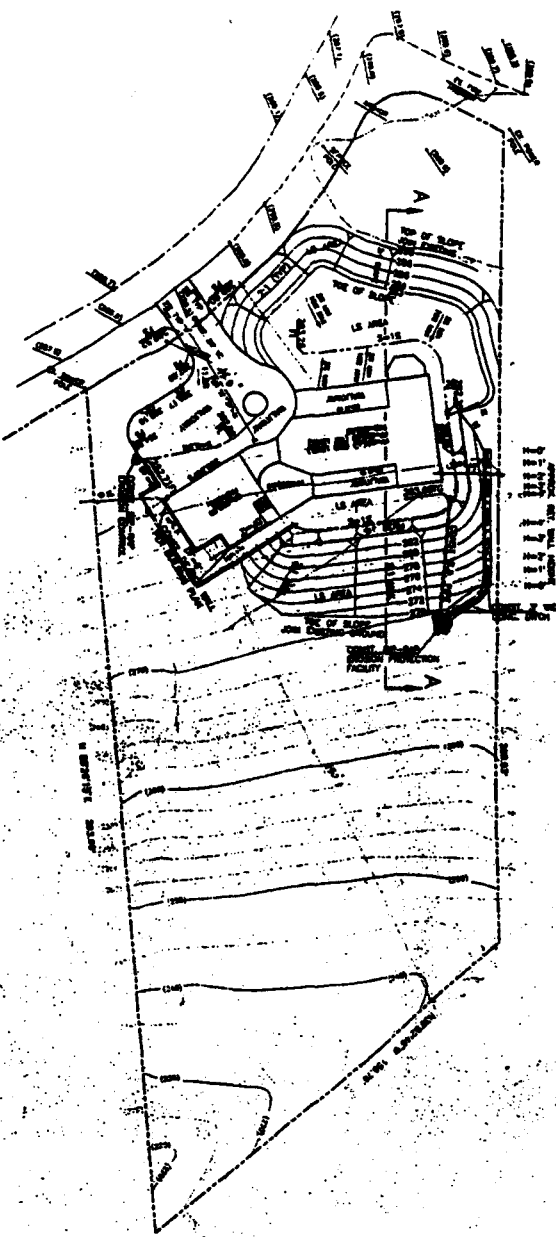
EXHIBIT NO.	6
APPLICATION NO.	
	4-98-236
	Molloy

**RECEIVED**  
OCT 15 1998

CALIFORNIA  
COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT

NOTED: TOPOGRAPHIC MAP PREPARED BY:  
 GEORGE J. MOLLOY  
 1001 N. 10TH ST.  
 SAN ANTONIO, TEXAS 78207  
 DATE: 1-1-78

OWNER: MR. TOM MOLLOY P.O. BOX 2710 FIGHT MEADOWS, CA 95014 TEL: (415) 310-0350 FAX: (415) 310-7018	ARCHITECT: HOWARD JAY CHAMBERLAIN ARCHITECTURE & BUILDING 311 S. TAYLOR STREET SANTA ANA, CA 92701 TEL: (714) 811-7707 FAX: (714) 811-7700	SOL. ENGINEER: SANDERSON, INC. 14144 JENSEN STREET VAN NUYS, CA 91410 TEL: (818) 991-8800 FAX: (818) 991-8000	CIVIL ENGINEER: FOCUS ENGINEERING, INC. ONE EIGHTH AVENUE, SUITE 210 SAN ANTONIO, TEXAS 78205 TEL: (512) 282-2000 FAX: (512) 282-2000	REVISIONS	APPROVED	DATE
CITY OF MARIETTA GRADING PLAN FOR PORTION OF LOT-31 OF TRACT 15867 HARVESTER ROAD MARIETTA, CALIFORNIA				APPROVED	DATE	



SUMMARY TABLE OF IMPROVEMENTS

ITEM	QUANTITY	UNIT	PRICE	TOTAL
1. GRADING	1,170 S.F.	S.F.	1.75	20,475.00
2. EROSION CONTROL	1,170 S.F.	S.F.	1.75	20,475.00
3. FILL	1,170 S.F.	S.F.	1.75	20,475.00
4. TOTAL				61,425.00



EXHIBIT NO.	
APPLICATION NO.	7
4-98-236	
Molloy	

CITY OF MARIETTA  
 APPROVED IN CONJUNCTION WITH THE  
 ENGINEER  
 DATE: 1-1-78

**EXHIBIT NO. 8**

**APPLICATION NO.**

4-98-236

Molloy

SEE SHEET 4 FOR ENTIRE

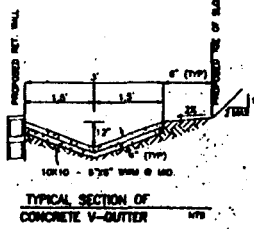
SEE SHEET 5 FOR ENTIRE PROPERTY

**CONST. NOTES:**

- ① CONST. DRIVEWAY P/LR SOL. ENGINEER'S DIRECTION
- ② CONST. CONCRETE WALKWAY PER SOL. ENGINEER'S DIRECTION
- ③ CONST. 12" X 12" MDS SPED-D-DRAIN GRATE INLET PER DETAIL
- ④ CONST. 6" PVC (SCH. 40) STORM DRAIN PIPE
- ⑤ CONST. RRP-RAP EROSION CONTROL
- ⑥ CONST. RETAINING WALL BY SEPARATE PERMIT
- ⑦ CONST. SANDBAG EROSION CONTROL
- ⑧ CONST. 12" PVC (SCH. 40) STORM DRAIN PIPE
- ⑨ CONST. 2' WIDE CONCRETE OUTLET ALONG THE PROPOSED RETAINING WALL FOR SLOPE PROTECTION PURPOSES.
- ⑩ CONST. LANDSCAPE PERMANENT EROSION CONTROL MEASURES ON ENGINEERING SLOPE AREA PER CITY OF CHINO HILLS STANDARD LANDSCAPE ARCHITECT PLAN AND P/R SOL. ENGINEER'S RECOMMENDATION
- ⑪ CONST. ISLAND RAIL PER ARCHITECT'S DIRECTION

**NOTE TO CONTRACTOR:**  
ALL CONCRETE PLACED ON GRADE SHALL BE CURED TO MATCH NATURAL CONDITIONS ADJACENT TO THE STRUCTURES. SURFACE PAINT IS NOT ACCEPTABLE. ALL COLORS ARE TO BE INCORPORATED INTO THE MIX AND BLENDED UNIFORMLY.

- NOTE:**
1. ALL DIMENSIONS ARE MEASURED IN FEET.
  2. ALL EXPOSED CORNERS ON PCC CURBS AND OUTLET TO BE ROUNDED WITH A 1/2" RADIUS.
  3. SEAMERED PLANK JOINTS SHALL BE CONSTRUCTED NO MORE THAN 10 FEET APART.
  4. ALL CONCRETE "V"-GUTTERS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE LATEST EDITION OF THE STANDARD PLANS FOR PUBLIC WORKS CONSTRUCTION, GRADES INDICATED ON PLANS.



**SUMMARY TABLE OF IMPROVEMENT AREA:**

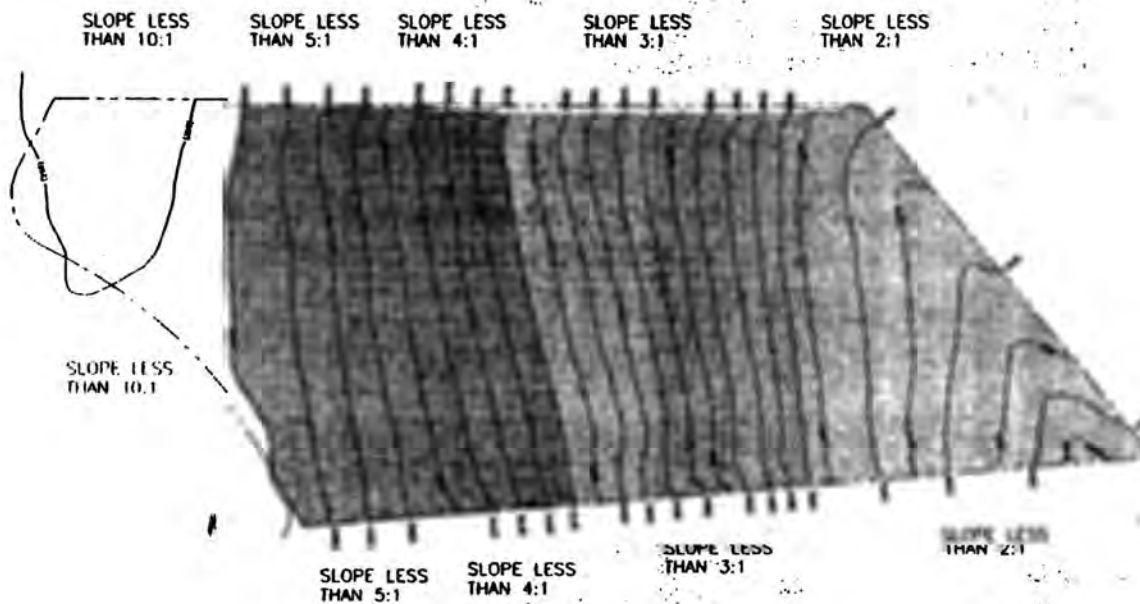
STRUCTURES:	1000 S.F.
WALKWAY:	712 S.F.
DRIVEWAY:	1786 S.F.
SUBTOTAL:	450 S.F.
2:1 SLOPE:	4120 S.F.
TOTAL:	2600 S.F.



**NOTE:**  
EXISTING TOPOGRAPHIC MAP PREPARED BY  
DUNN SURVEYING  
22718 FCH  
MALIBU, CA 90265  
(310) 450-0022  
AUGUST, 1997

	<b>CIVIL ENGINEER:</b> FOCUS ENGINEERING, INC. ONE THOMPSON 25 WILSHIRE, SUITE 217 BREA, CA 92618 TEL: (714) 450-0100 FAX: (714) 450-0502 P.L.E. GRADING 1280	<b>ARCHITECT:</b> RICHARD JAY CHAMBER ARCHITECTURE & BUILDING 521 B TAMARACK AVENUE BREA, CA 92621 TEL: (714) 671-7707 FAX: (714) 671-7708	<b>SOL. ENGINEER:</b> Gibson, Inc. 16424 FARM STREET VAN NUYS, CA 91411 TEL: (818) 244-6895 FAX: (818) 244-6896	<b>OWNER:</b> MR. DON MOLLOY P.O. BOX 2210 POMONA, CA 91766 TEL: (909) 410-8528 FAX: (909) 216-7918	<b>LEGAL DESCRIPTION:</b> A PORTION OF LOT 31 PER TRACT NO. 15857, W.B. 409, PAGES 28-29, RECORD OF LOS ANGELES COUNTY, IN THE CITY OF MALIBU, STATE OF CALIFORNIA	<b>CITY OF MALIBU</b> <b>GRADING TITLE SHEET</b> <b>FOR</b> <b>PORTION OF LOT 31 OF TRACT 15857</b> 29548 HARVESTER ROAD MALIBU, CALIFORNIA APPROVED: [Signature] DATE: 10/1/98	<b>SHEET</b> 6 <b>OF</b> 6
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EXHIBIT NO. 9
APPLICATION NO.
4-98-236
Molloy



- SLOPE AREA 1  
LESS THAN 5:1
- SLOPE AREA 2  
LESS THAN 4:1
- SLOPE AREA 3  
LESS THAN 3:1
- SLOPE AREA 4  
LESS THAN 2:1

CITY OF MALIBU  
PLANNING DEPARTMENT  
APPROVAL BY CONCEPT  
DATE: 10/1/98  
PLANNING REVIEW BY:  
AND IS SUBJECT TO ANY  
CONDITIONS LESSER BELOW  
THIS APPROVAL, TRANSMITTED TO THE CITY OF MALIBU



LEGAL DESCRIPTION:  
A PORTION OF LOT 31 PER TRACT NO. 15857, S.B. 408,  
PARTS 26-27, RECORDS OF LOS ANGELES COUNTY, IN  
THE CITY OF MALIBU, STATE OF CALIFORNIA.

REVISIONS	
NO.	DESCRIPTION

CITY OF MALIBU	
SLOPE ANALYSIS MAP FOR PORTION OF LOT 31 OF TRACT 15857 HARVESTER ROAD MALIBU, CALIFORNIA	
APPROVED	DATE: 10/1/98

SHEET  
2  
OF  
3

OWNER:  
MR. TOM MOLLOY  
P.O. BOX 2210  
PORT HUENEME, CA 93044  
TEL (310) 410-8528  
FAX (310) 218-7918

ARCHITECT:  
RICHARD JAY CHAMBER ARCHITECTURE & BUILDING  
531 B TAMMACK AVENUE  
DREA, CA 92821  
TEL (714) 671-7707  
FAX (714) 671-7709

SOIL ENGINEER:  
GeoConcepts, Inc.  
14424 FRANK STREET  
VAN NUYS, CA 91401  
TEL: (818) 994-8852  
FAX: (818) 994-8599

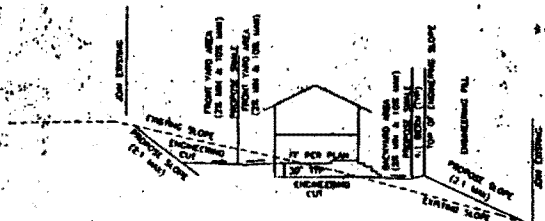
CIVIL ENGINEER:  
FOCUS ENGINEERING, INC.  
CIVIL ENGINEERS - LAND SURVEYORS  
25 MARSHALL WAY 317  
DREA, CA 92821  
TEL (714) 880-0880  
FAX (714) 880-0882

EXHIBIT NO. 10

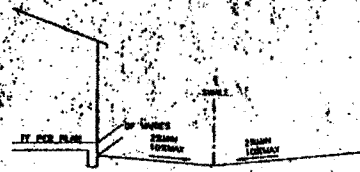
APPLICATION NO.

4-98-236

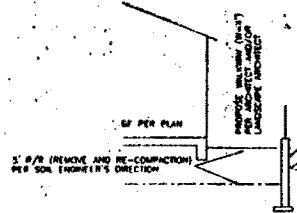
Molloy



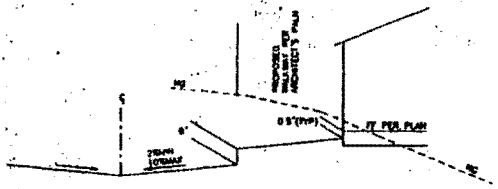
TYPICAL SECTION A-A  
N.T.S.



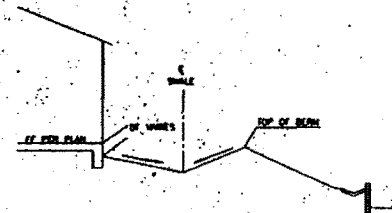
TYPICAL SECTION D-D  
N.T.S.



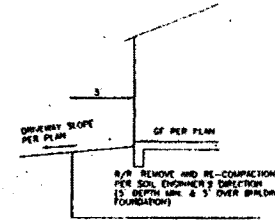
TYPICAL SECTION G-G  
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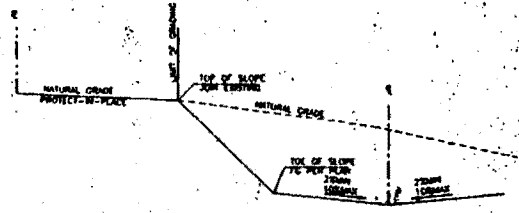
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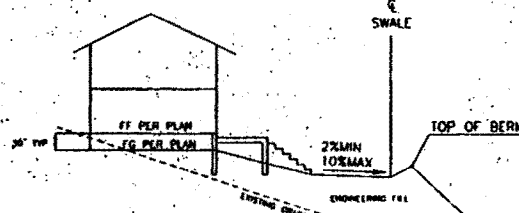
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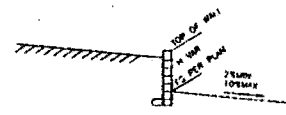
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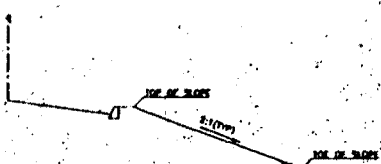
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N.T.S.



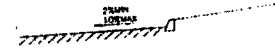
TYPICAL SECTION F-F  
N.T.S.



TYPICAL SECTION I-I  
N.T.S.



TYPICAL SECTION K-K  
N.T.S.



TYPICAL SECTION J-J  
N.T.S.

NOTE:  
EXISTING TOPOGRAPHIC MAP PREPARED BY:  
SURVEY SURVEYORS  
22548 PCH  
MALIBU, CA 90268  
(310) 450-0000  
AUGUST, 1997



**CIVIL ENGINEER:**  
FOCUS ENGINEERING, INC.  
CIVIL ENGINEERS  
20 MAJORITY SUITE 317  
BIRMINGHAM, CA 92416  
TEL: (714) 450-0000  
FAX: (714) 450-0002

**ARCHITECT:**  
RICHARD JAY CHAMPION ARCHITECTURE & BUILDING  
321 S. TAMARACK AVENUE  
BREA, CA 92621  
TEL: (714) 871-7707  
FAX: (714) 871-7700

**SOIL ENGINEER:**  
GeoConcepts, Inc.  
14124 FRANK STREET  
VAN NUYS, CA 91401  
TEL: (818) 994-8895  
FAX: (818) 994-8899

**OWNER:**  
MR. TOM MOLLOY  
P.O. BOX 2210  
PORT HUEGENE, CA 93044  
TEL: (310) 410-6528  
FAX: (310) 258-7818

**LEGAL DESCRIPTION:**  
A PORTION OF LOT 31 PER TRACT NO. 15857, S.B. 408,  
PAGES 38-37, RECORDS OF LOS ANGELES COUNTY, IN  
THE CITY OF MALIBU, STATE OF CALIFORNIA

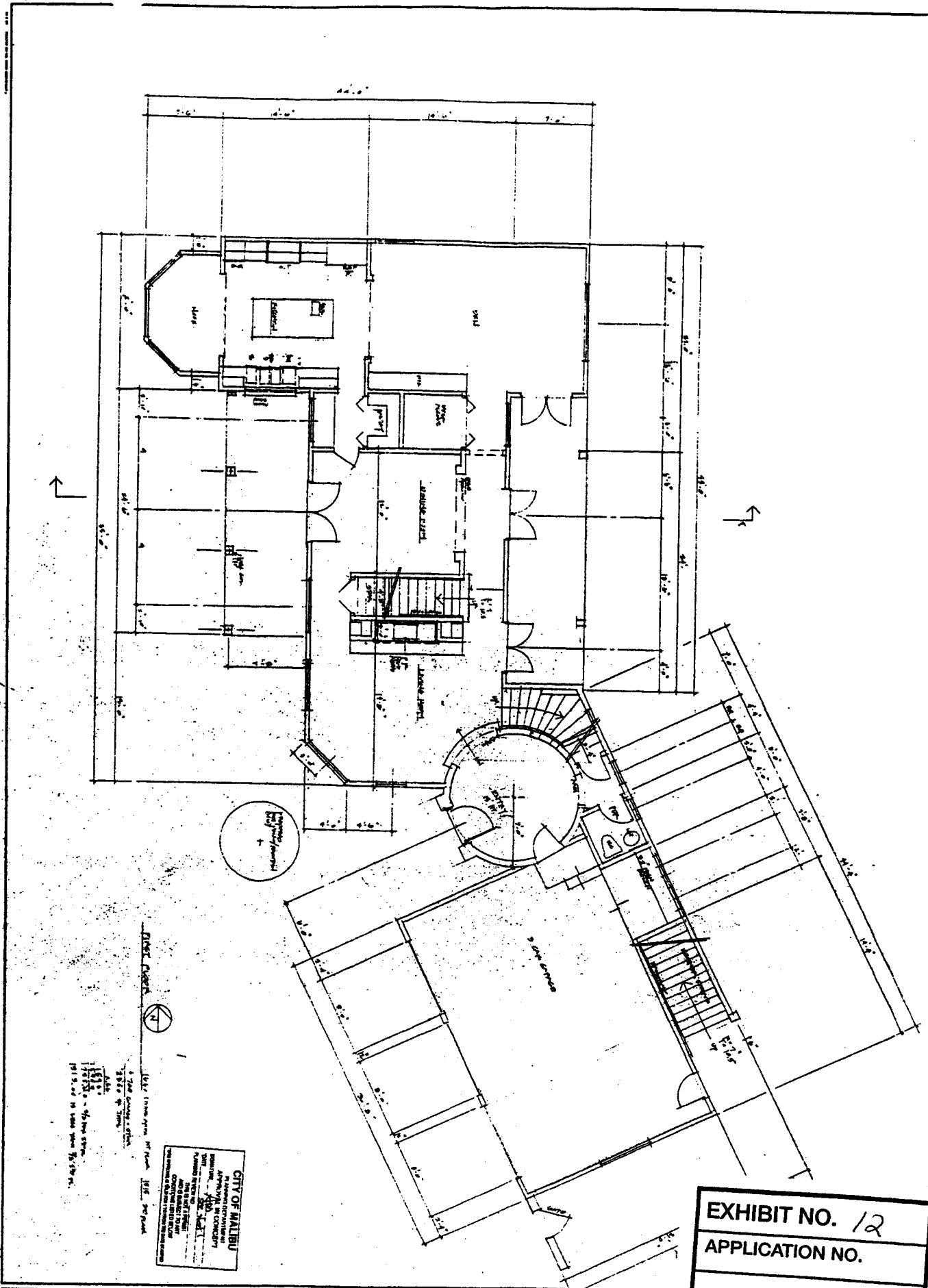
REVISIONS	
NO.	DATE

**CITY OF MALIBU**  
**GRADING TITLE SHEET**  
**FOR**  
**PORTION OF LOT 31 OF TRACT 15857**  
29549 HARVESTER ROAD  
MALIBU, CALIFORNIA  
APPROVED \_\_\_\_\_  
CITY ENGINEER DATE \_\_\_\_\_

SHEET  
3  
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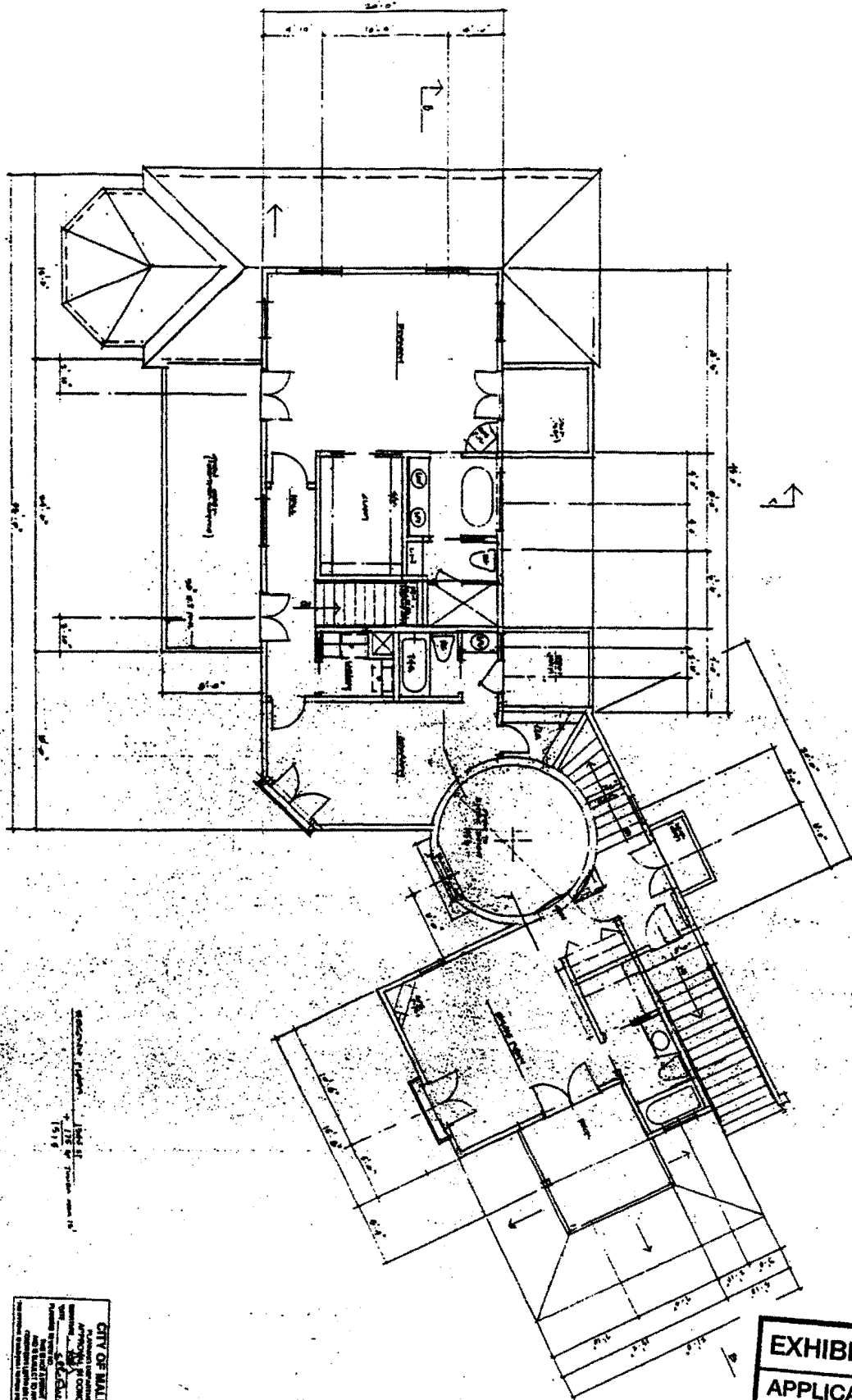




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CITY OF MALIBU  
 DEPARTMENT OF PUBLIC WORKS  
 10000 WILSON AVENUE  
 MALIBU, CALIF. 90263  
 (310) 341-2100  
 FAX (310) 341-2101  
 WWW.CITYOFMALIBU.CA.GOV

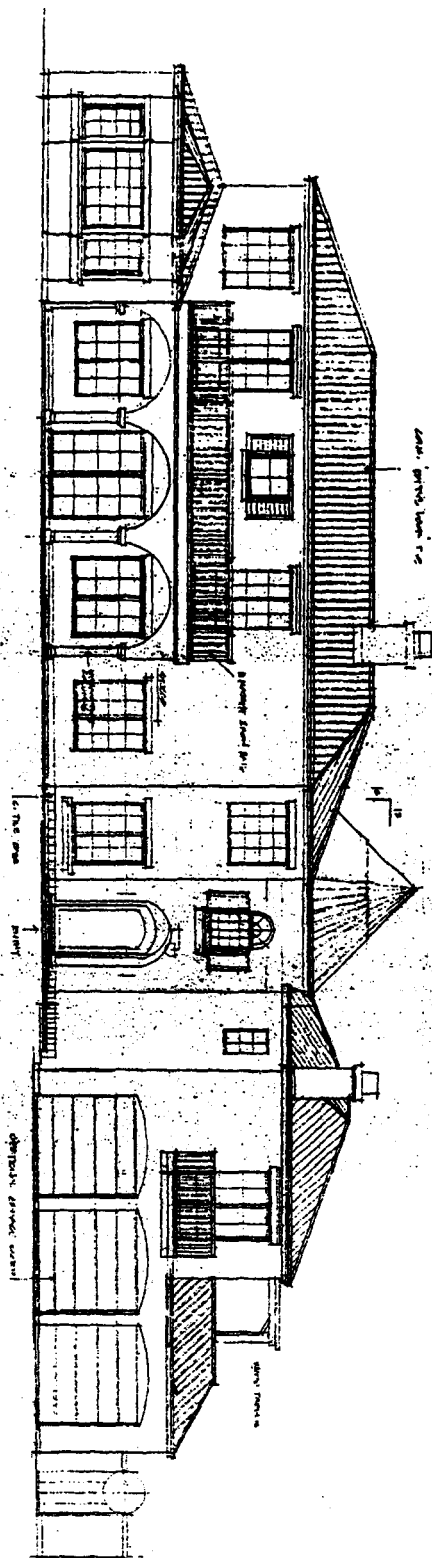
EXHIBIT NO. 12  
 APPLICATION NO.  
 4-98-236  
 Molloy



SECTIONAL ELEVATION  
 1/2" = 1'-0"  
 1/4" = 1'-0"

CITY OF MALIBU  
 PLANNING DEPARTMENT  
 11000 WILSON AVENUE  
 MALIBU, CA 90263  
 PHONE (310) 311-1234  
 FAX (310) 311-1235  
 WWW.MALIBU.CA.GOV

EXHIBIT NO. 13  
 APPLICATION NO.  
 4-98-236  
 Molloy

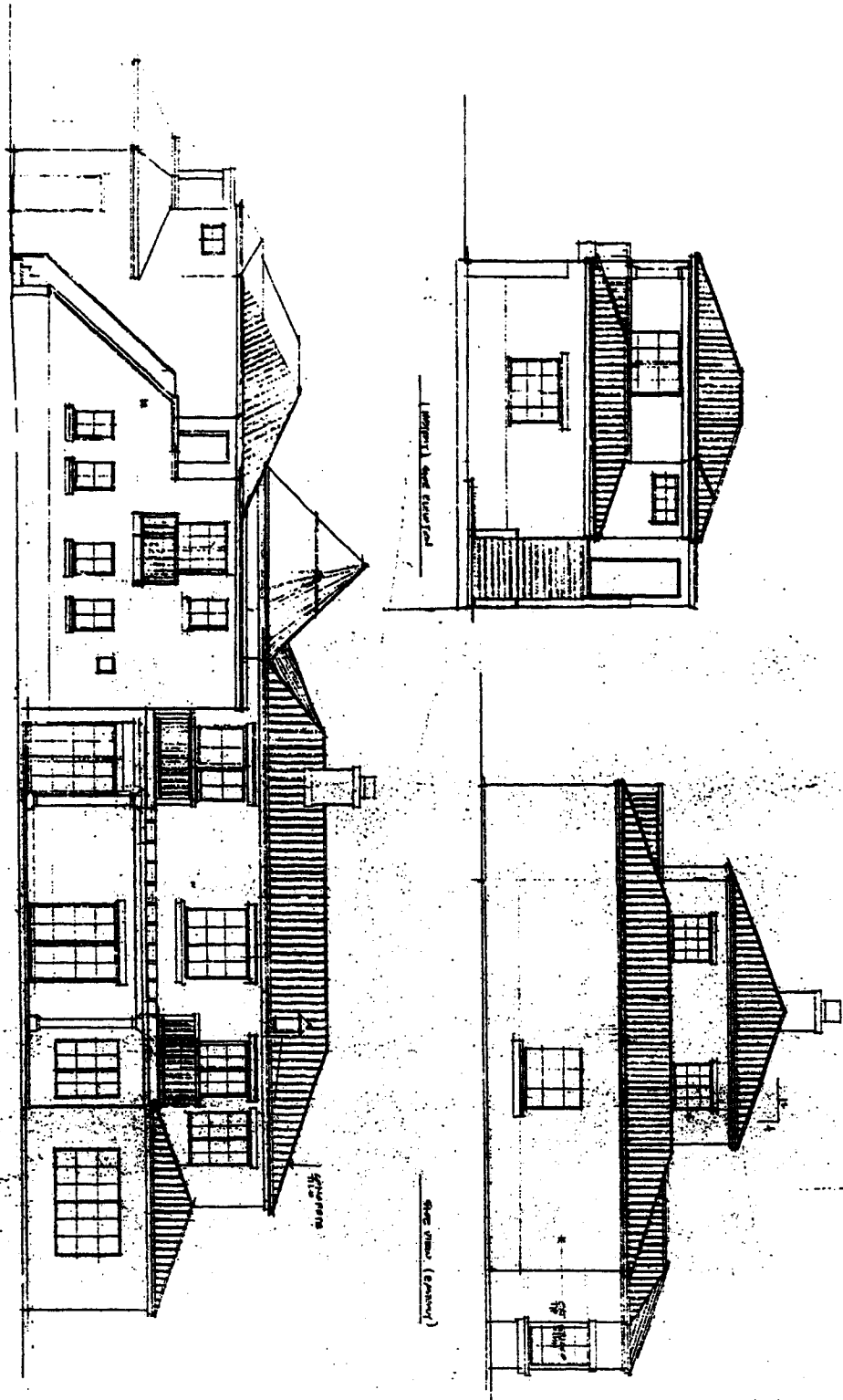


FRONT ELEVATION

CITY OF MALIBU  
 Planning & Permitting  
 APPROVAL BY CONSENT  
 DATE: 10/1/04  
 PROJECT: 4-98-236  
 DRAWN BY: J. L. LEE  
 CHECKED BY: J. L. LEE  
 APPROVED BY: J. L. LEE

EXHIBIT NO. 14  
 APPLICATION NO.

4-98-236  
 Molloy

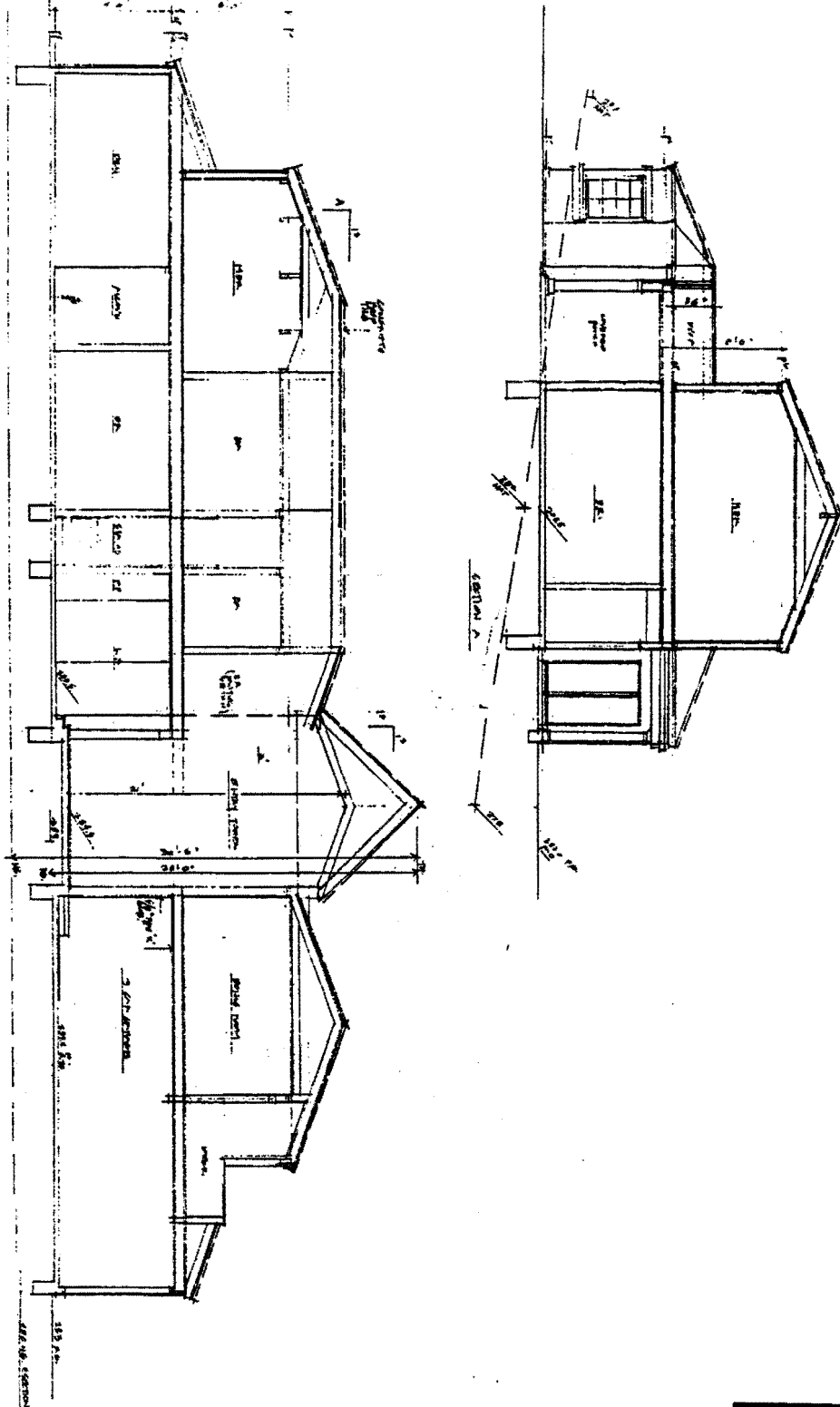


CITY OF MALIBU  
 DEPARTMENT OF PLANNING  
 10000 WILSON AVENUE  
 MALIBU, CA 90263  
 (310) 360-1234  
 FAX (310) 360-1235  
 WWW.MALIBU.CA.GOV

EXHIBIT NO. 15  
 APPLICATION NO.

4-98-236

Molloy



CITY OF MALIBU  
PLANNING DEPARTMENT  
APPROVAL BY COMMISSIONER  
DATE: 10/1/98  
PROJECT NO. 4-98-2346  
PROJECT NAME: 10000 S. MALIBU BLVD.  
SHEET NO. 1 OF 1

EXHIBIT NO. 16  
APPLICATION NO.

4-98-2346  
Molloy

DATE	10/1/98
BY	THICK
FOR	THICK
BY	THICK

