

**CALIFORNIA COASTAL COMMISSION**

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

**ITEM: TU 26h**

Filed: 12/20/98  
 49th Day: 2/7/99  
 180th Day: 6/18/99  
 Staff: MH-V  
 Staff Report: 2/17/99  
 Hearing Date: 3/9/99  
 Commission Action:

**RECORD PACKET COPY**

**STAFF REPORT: REGULAR CALENDAR**

**APPLICATION NO.** 4-98-319

**APPLICANTS:** Mike Greenhut **AGENT:** Terry Valente

**PROJECT LOCATION:** 21900 Saddle Peak Road, Malibu, Los Angeles County

**PROJECT DESCRIPTION:** Construct an approximately 5,000 sq. ft. paved pad (rip-rap and gunnite construction) for vehicle storage and maintenance, install 10 ft. high retaining walls around pad, install concrete-lined drainage swale, extend and widen existing driveway to access pad, regrade landscaped area and install 2,500 sq. ft. of additional lawn, reconfigure driveway entrance to circular design and install 6 ft. high retaining wall adjacent to proposed circular portion of driveway, and 3,023 cu. yds. of grading (1,505 cu. yds. cut; 1,518 cu. yds. fill) on a lot with an existing single family residence and guest house.

**Lot area:** 5.2 acres/238,480 sq. ft.  
**Building Coverage:** 3,500 sq. ft.  
**Pavement Coverage:** 11,500 sq. ft.  
**Landscape Coverage:** 40,300 sq. ft.  
**Parking Spaces:** 4 new proposed  
**LUP Designation:** RL-III, 1 du/2 acres

**LOCAL APPROVALS RECEIVED:** County of Los Angeles, Department of Regional Planning, Approval in Concept, October 21, 1988.

**SUBSTANTIVE FILE DOCUMENTS:** Malibu/Santa Monica Mountains Land Use Plan; Coastal Development Permit No. 5-87-818 (Brafford); "Update/Supplemental Geotechnical Engineering Report," prepared by West Coast Geotechnical, May 19, 1997.

**STAFF RECOMMENDATION:** Staff recommends approval of the proposed project with special conditions regarding: **Revised Plans, Landscaping and Erosion Control, Conformance with Geologic Recommendations, and Offsite Disposal of Excess Graded Material.**

**STAFF NOTE:** Of special concern is a component of the applicant's overall proposal that would construct the vehicle maintenance/parking pad (approximately 5,000 sq. ft.) by partially filling, and redirecting into a new concrete-lined swale, a natural drainage channel that descends downslope to a designated blue line stream traversing the southernmost area of the subject parcel. The blue line stream (Dix Canyon) converges with Topanga Creek approximately 1.25 miles northeast of the subject site. Staff recommends that the Commission require the applicant to submit revised plans deleting construction of the pad and driveway extension while retaining the recontouring of the landscaped area between the residence and swimming pool, and the reconfiguration to a circle driveway of the existing paved driveway in front of the residence.

**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 and Erosion Control Plan

- A. Prior to the issuance of the coastal development permit, the applicant shall submit a landscape and erosion control plan prepared by a licensed landscape architect for review and approval by the Executive Director. The plan 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 immediately upon 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 that tend to supplant native species shall not be used. Irrigated lawn, turf, or ground cover utilized in planting plan shall be selected from the most drought-tolerant species, subspecies, or varieties suited to the Mediterranean climate of the Santa Monica Mountains area. 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) 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.
- (3) 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.

- (4) 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 installation of the landscaping authorized pursuant to the approved landscape plan prepared pursuant to this special condition, 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 report "Update/Supplemental Geotechnical Engineering Report," dated May 19, 1997, prepared by West Coast Geotechnical, that remain applicable to the project as revised in accordance with the requirements of Special Condition 3 set forth below, shall be incorporated into all final designs and construction including recommendations concerning ground preparation, grading, retaining walls, pavement associated with circular driveway, excavation, and drainage. All plans must be reviewed and approved by the geotechnical consultants to confirm that the applicable recommendations have been adequately incorporated in the project plans and designs. 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 proposed changes are "substantial."

3. Revised Plans

Prior to the issuance of the coastal development permit, the applicant shall submit revised plans, including grading and drainage plans, for the review and approval of the Executive Director in accordance with the following requirements, and in accordance with the changes shown in Exhibits 9, 10, 11, and 12.

- (a) The revised plans shall retain the grading shown in the area between the rear of the residence and the swimming pool and such minimal grading as may be necessary to reconfigure the existing driveway in front of the main residence to a circular form (Exhibit 11); and
- (b) The revised plans shall eliminate the grading (cut, shown in Exhibit 12, and fill shown in Exhibits 9 and 10) and construction (such as vehicle pad, culverts, retaining walls, and driveway widening and extension) shown by crosshatching in Exhibits 9, 10, and 12.

4. Disposal of Excess Graded Material

Prior to the issuance of the coastal development permit, the applicant shall provide written notification to the Executive Director of the location outside of the coastal zone where the applicant proposes to dispose of the excess graded (cut) material, together with evidence that the target disposal site is lawfully authorized to accept such material and has sufficient remaining capacity to do so.

**IV. Findings and Declarations.**

The Commission hereby finds and declares as follows:

**A. Project Description**

The applicant proposes to construct an approximately 5,000 sq. ft. paved pad (composed of rip-rap and gunnite) for vehicle storage and maintenance, supported by a 10 ft. high

retaining wall, install a concrete-lined drainage swale to channelize a natural drainage course that descends to a blue line stream traversing the southerly portion of the lot, extend and widen the existing driveway to access the pad, regrade and redistribute an artificial hill previously graded into place during the original construction of the residence (including approximately 1,500 cu. yds. of grading-all cut) and subsequently re-landscape the recontoured area (shown in Exhibits 8) as a 2,500 sq. ft. landscaped area, including lawn, reconfigure the existing driveway in front of the residence to a circular design, and install a 6 ft. high retaining wall adjacent to the proposed circular driveway area. The applicant proposes 3,023 cu. yds. of grading (1,505 cu. yds. cut; 1,518 cu. yds. fill).

The subject site is a 5.42-acre hillside lot located at 21900 Saddle Peak Road, with the existing development onsite located adjacent to and downslope (south) of the road, in the unincorporated Malibu area of Los Angeles County. The immediate area is developed with single family homes. The lot contains a 4,688 sq. ft., two story, single family residence with detached garage and guest house, swimming pool, and landscaping, authorized pursuant to Coastal Development Permit 5-87-818 (Brafford). Construction of the existing development on site required 2,076 cu. yds. of grading (1,740 cu. yds. cut and 336 cu. yds. fill). The applicant states that the site presently contains 3,500 sq. ft. of building coverage, 11,500 sq. ft. of pavement coverage, and 40,300 sq. ft. of landscaped coverage, on a 5.42-acre lot.

The applicant's parcel is not located within any designated sensitive resource areas; however, the steeply sloping lot contains a natural drainage course that converges with a designated blue line stream (Dix Canyon) traversing the southerly portion of the parcel. The blue line stream is a tributary to Topanga Creek, approximately 1.25 miles to the northeast.

The applicant's residence is situated slightly below the grade of, and immediately adjacent to, Saddle Peak Road, a designated scenic highway in the certified Malibu/Santa Monica Mountains Land Use Plan. The proposed project, particularly the area proposed for placement of fill and construction of a vehicle maintenance pad, would be visible from Saddle Peak Road.

**B. Geologic Stability/Hazards; Visual Impacts/Landform Alteration**

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

Section 30253

- (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 30251 of the Coastal Act protects coastal visual resources by, among other means, minimizing the alternation of natural landforms.

Section 30251 states in pertinent part:

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...

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. Coastal Act Section 30251 requires the minimization of the alteration of natural landforms.

In addition, the certified Malibu/Santa Monica Mountains Land Use Plan (LUP) contains a number of applicable policies addressing hazards, erosion control, viewshed protection, and minimization of natural landform alteration along scenic highways (Policies 125, 130, 147, 149).

1. Geologic Stability/Hazards.

As stated above, the applicant proposes to construct an approximately 5,000 sq. ft. paved pad (rip-rap and gunnite construction) for vehicle storage and maintenance, install 10 ft. high retaining walls around pad, install concrete-lined drainage swale, extend and widen existing driveway to access pad, regrade landscaped area and install 2,500 sq. ft. of additional lawn, reconfigure driveway entrance to circular design and install 6 ft. high retaining wall adjacent to proposed circular portion of driveway, and 3,023 cu. yds. of grading (1,505 cu. yds. cut; 1,518 cu. yds. fill) on a lot with an existing single family residence and guest house. (See Exhibits 6-8).

The subject site is a steeply sloping lot on the downslope side of Saddle Peak Road, in the unincorporated Malibu area of Los Angeles County. The lot is presently developed with a 4,688 sq. ft., two story single family residence and guest house/garage, swimming pool, approved by the Commission in 1987 (CDP 5-87-818, Brafford). A natural drainage course extends from the area where the proposed vehicle maintenance pad would be constructed, and descends downslope to a designated blue line stream (Dix Canyon) traversing the southerly portion of the parcel. The applicant proposes to channelize a portion of this drainage course (Exhibits 5 and 7). The blue

line stream draining the site of the proposed project is a tributary to Topanga Creek, approximately 1.25 miles to the northeast. (See Exhibits 1-5).

The applicant has submitted a geologic report titled "Update/Supplemental Geotechnical Engineering Report" prepared by West Coast Geotechnical, dated May 19, 1997. The report contains recommendations regarding site preparation, grading, compaction, drainage, and utility trench backfill. The report concludes that:

"...report...for the proposed new landscape-hardscape and ancillary site Malibu, California. Based on our supplemental geotechnical engineering review and investigation, as described in preceding sections of this report, corresponding improvements to the existing residential development at 21900 Saddle Peak Road, geotechnical analyses, and experience with similar projects, the proposed development is considered feasible from a geotechnical engineering standpoint, provided our recommendations are made part of the development plans and are implemented during construction."

The Commission notes, however, that the applicant's proposal to place 1,518 cu. yds. of fill in the area of, and partially within, the natural drainage channel as shown in Exhibits 5, 6 and 7, and to construct an approximately 5,000 sq. ft., artificially surfaced pad and concrete channels in a steeply sloping area of the site, raises issue under the Coastal Act concerning the long-term potential for increased erosion due to altered topography and hydrology and increased runoff from impervious surfaces. A staff site visit yielded evidence that erosion has already occurred in many areas of the site where landscaping has not established successfully, suggesting that the soils on site are highly erodible once disturbed and difficult to revegetate once topsoil is removed or degraded. These characteristics, combined with the channelization of the natural drainage course, increase the potential for erosion if the project is constructed as proposed.

In addition, the Commission notes that the drainage channel is tributary to a blue line stream designated on the U.S. Geological Survey quadrangle maps, identified as "Dix Canyon" that traverses the southerly, undeveloped portion of the site. The blue line stream converges with Topanga Creek approximately 1.25 miles to the northeast of the applicant's site. Increased erosion in areas adjacent to drainages discharges sediment pollution into coastal waters, as discussed further in the next section. Thus, the Commission finds it necessary to avoid alteration of the drainage channel and the placement of fill within and adjacent to the channel that would alter the hydrology of the site and potentially contribute sedimentation to the downgradient blue line stream.

The Commission finds, therefore, that the project can only be approved if Special Condition 3 is imposed to require the applicant to prepare and submit revised plans deleting the proposed fill and lot construction (Exhibits 9 and 10), and deleting the outlying graded area (cut) situated southwest of the proposed vehicle maintenance lot and shown in Exhibit 12. The Commission further finds that if the recommendations of the



applicant's geotechnical consultant are incorporated into the final project plans (revised), particularly with respect to site preparation, grading, and drainage management, and if the geotechnical consultant reviews the final plans and confirms that the recommendations have been adequately implemented, as required by Special Condition 2, that the project revised in accordance with Special Condition 3 will not result in increased geologic hazards.

The Commission additionally finds that the proposed grading shown in Exhibits 8 and 11 would remove an artificial landscape feature (a mound) situated between the residence and the swimming pool, that is not part of any natural drainage features on the steeply sloping site. The area containing the mound proposed for grading was previously disturbed during the initial site construction and is artificially landscaped with boulders and sparse plantings. As some erosion is presently occurring on the slopes in this area, the recontouring will equalize drainage sheetflow in this area, and if the erosion control requirements of Special Condition 1 are fully implemented to prevent erosion during winter grading, and if landscape plantings are placed and managed in accordance with an authorized landscape plan prepared pursuant to Special Condition 1, existing patterns of erosion on site may be remediated. In addition, if the recommendations of the geotechnical consultant are implemented pursuant to site preparation, construction, and drainage management as required by Special Condition 2, the Commission finds that the proposed project as revised pursuant to the requirements of Special Condition 3 would not create or contribute significantly to erosion or geologic instability.

In addition, because the revised plans required pursuant to Special Condition 3 eliminate the proposed site for placement of the material graded from the area shown in Exhibits 8 and 11, the Commission finds it necessary to ensure that the excess materials are properly disposed of outside of the coastal zone. Disposal within the coastal zone would require the applicant to seek an additional coastal development permit for that activity. Improperly disposed grading spoils may fill or wash into creeks and contribute sediment pollution and increased erosion within affected watersheds. Therefore, the Commission finds it necessary to require Special Condition 4 to ensure that excess graded material is properly disposed outside of the coastal zone

For the reasons set forth above, the Commission finds that as conditioned by Special Conditions 1-4, the proposed project is consistent with the applicable requirements of Coastal Act Sections 30251 and 30253(a).

## 2. Landform Alteration/Visual Impacts.

Coastal Act Section 30251, cited above, protects coastal visual resources and prohibits excessive alteration of natural landforms. The applicant's proposal would significantly alter the natural landform of the drainage channel that descends from Saddle Peak Road, a designated scenic highway in the certified Malibu/Santa Monica Mountains Land Use

Plan, and replace it with a large, permanently paved flat pad approximately 5,000 sq. ft. in size, and supported by 10 ft. high retaining walls.

The Commission notes that the original Commission approval for construction of the residence, guest house, swimming pool, driveways, and landscaping only required a total of 2,076 cu. yds. of grading (1,740 cu. yds. cut and 336 cu. yds. fill). The present proposal to perform 3,023 cu. yds. of grading exceeds the total amount of grading that was required to construct the entire existing development, and almost doubles the amount of total cut that would be performed on the site if the proposal were authorized.

The proposed grading, access road widening, and pad construction are not necessary to secure a sufficient area to construct a residence on a site that would not otherwise be developable. The parcel has previously been developed, as stated, with a substantial, two story single family residence, a detached two story guest house and garage, a swimming pool, and landscaping. Thus, the additional landform alteration proposed to construct the vehicle pad, etc., exceeds the amount of landform alteration that would reasonably be necessary to develop the parcel.

In addition, filling the mouth of the small canyon that descends from Saddle Peak Road (See Exhibit 5) to construct the proposed project will alter the natural contours visible from Saddle Peak Road and substitute a view of a vehicle parking lot. The Commission finds that these impacts, including excessive landform alteration, together with the obliteration of a natural landform visible from a designated scenic highway, combine to render the grading and construction shown on 9, 10, and 12 inconsistent with the policies of Coastal Act Section 30251. Only if the project is revised in accordance with the requirements of Special Condition 3 to eliminate these portions of the proposal would the Commission find the proposed project consistent with Coastal Act Section 30251.

### **C. Biological Resources**

Section 30230 of the Coastal Act provides that:

#### **Section 30230.**

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

Section 30231 of the Coastal Act provides that:

#### **Section 30231.**

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

As noted previously, the applicant's parcel contains a natural drainage channel that funnels runoff from a small canyon immediately south of Saddle Peak Road (see Exhibits 2, 5 and 7) into a downgradient blue line stream referred to as "Dix Canyon" on the U.S. Geological Survey quadrangle maps. The stream traverses the southerly portion of the applicant's parcel and is tributary to Topanga Canyon Creek approximately 1.25 miles to the northeast.

The applicant proposes to fill a portion of the mouth of this small, natural drainage channel just south of Saddle Peak Road, with material excavated from the recontouring of a separate site area between the existing residence and swimming pool, and to install a concrete channel to direct the surface drainage to a 10 ft. by 15 ft. rip rap detention basin and energy dissipater. In addition, the applicant proposes to construct an approximately 5,000 sq. ft. paved lot adjacent to the former location of the filled natural channel.

There are no designated Environmentally Sensitive Habitat Areas within the applicant's parcel, nor is the parcel situated within a sensitive resource area as mapped on the certified Malibu/Santa Monica Mountains Land Use Plan.

Alteration of the hydrology of the site, however, and placement of over 1,500 cu. yds. of fill material in the mouth of the uppermost drainage feature on the site poses the potential, however, to interfere with natural site hydrology, and to add sediment pollution to the runoff that does continue to occur. Erosion has long been established as a primary source of sediment pollution in downgradient water bodies.

For example, 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 single greatest 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. Native chaparral species tend to be deeply rooted, drought resistant plants that, upon establishment, control erosion effectively and require little additional input of irrigation water. These measures are among the requirements set forth in Special Condition 1. These combined measures, where successfully implemented in appropriate settings, will prevent or control erosion successfully.

The Commission finds, however, for reasons discussed in the previous section, that the project, as proposed, would result in excessive alteration of a natural drainage and potentially discharge significant sediment pollution in to downgradient coastal streams as the result of significantly increased erosion and changes in site hydrology. The Commission finds that the project may be approved if Special Condition 3 is implemented to revise the project plans to eliminate the drainage channel alterations, access road extension, and the construction of the proposed vehicle parking and maintenance lot adjacent to Saddle Peak Road (Exhibits 5-7).

As discussed previously, however, the landform alteration, alteration of natural hydrology, and placement of fill in a natural area with established drainage patterns and a demonstrated hydrologic connection to mapped sensitive coastal streams that would result from the applicant's proposal raise issue with Coastal Act policies protective of coastal waters. Coastal Act Section 30231, cited above, specifically states that the quality of coastal waters shall be maintained by, among other means, avoiding substantial interference with surface water flow, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Additionally, implementation of the geotechnical consultant's recommendations, particularly regarding site preparation, grading, and drainage management, as referenced in the previous section, as required by Special Condition 2, in conjunction with the requirement of Special Condition 3 to eliminate filling the onsite drainage channel and eliminating construction of the parking and vehicle maintenance lot, as well as the additional driveway extension and widening, will additionally ensure that both short- and long-term erosion are controlled to the maximum extent feasible. In addition, implementation of Special Condition 4 will ensure that the spoils resulting from the authorized grading will be properly disposed and will not be placed without permit consideration at an unauthorized site in the coastal zone where the loose materials may weather into coastal canyons and streams and thereby discharge sediment pollution into coastal waters.

For all the reasons set forth above, therefore, the Commission finds the proposed project as conditioned by Special Conditions 1-4 is consistent with the requirements of Sections 30230 and 30231 of the Coastal Act.

**D. Local Coastal Program**

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

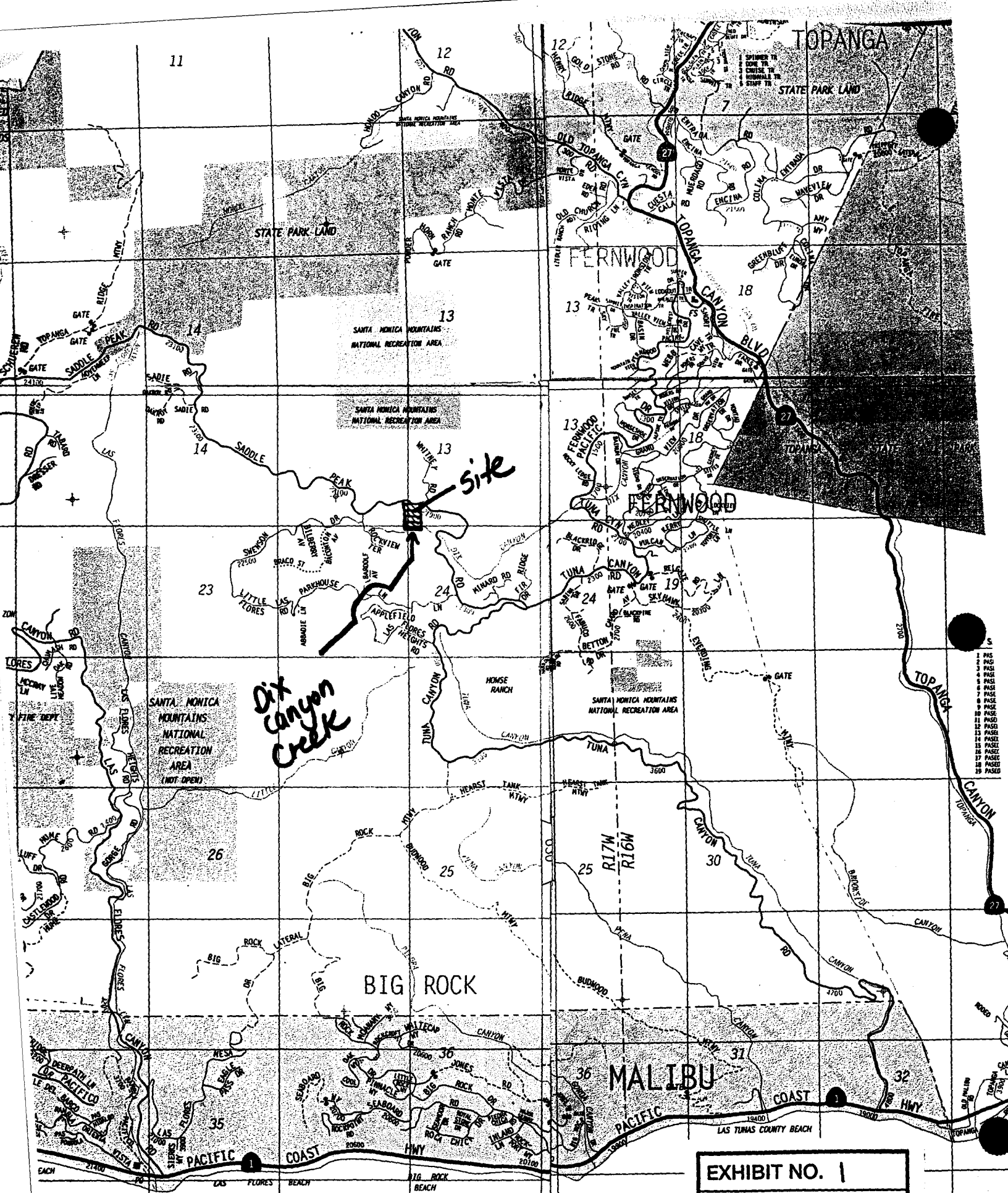
Prior to certification of the local coastal program, a coastal development permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted 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 County's ability to prepare a Local Coastal Program for the incorporated area of Malibu and the Santa Monica Mountains which is also consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

**E. 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.



OCEAN

EXHIBIT NO. 1  
 APPLICATION NO.  
 Greenhut  
 4-98-319



U.S. Geological Survey  
Quadrangle Maps

CALAFORNIA  
TOPANGA

220 000  
FEET (5)

3774

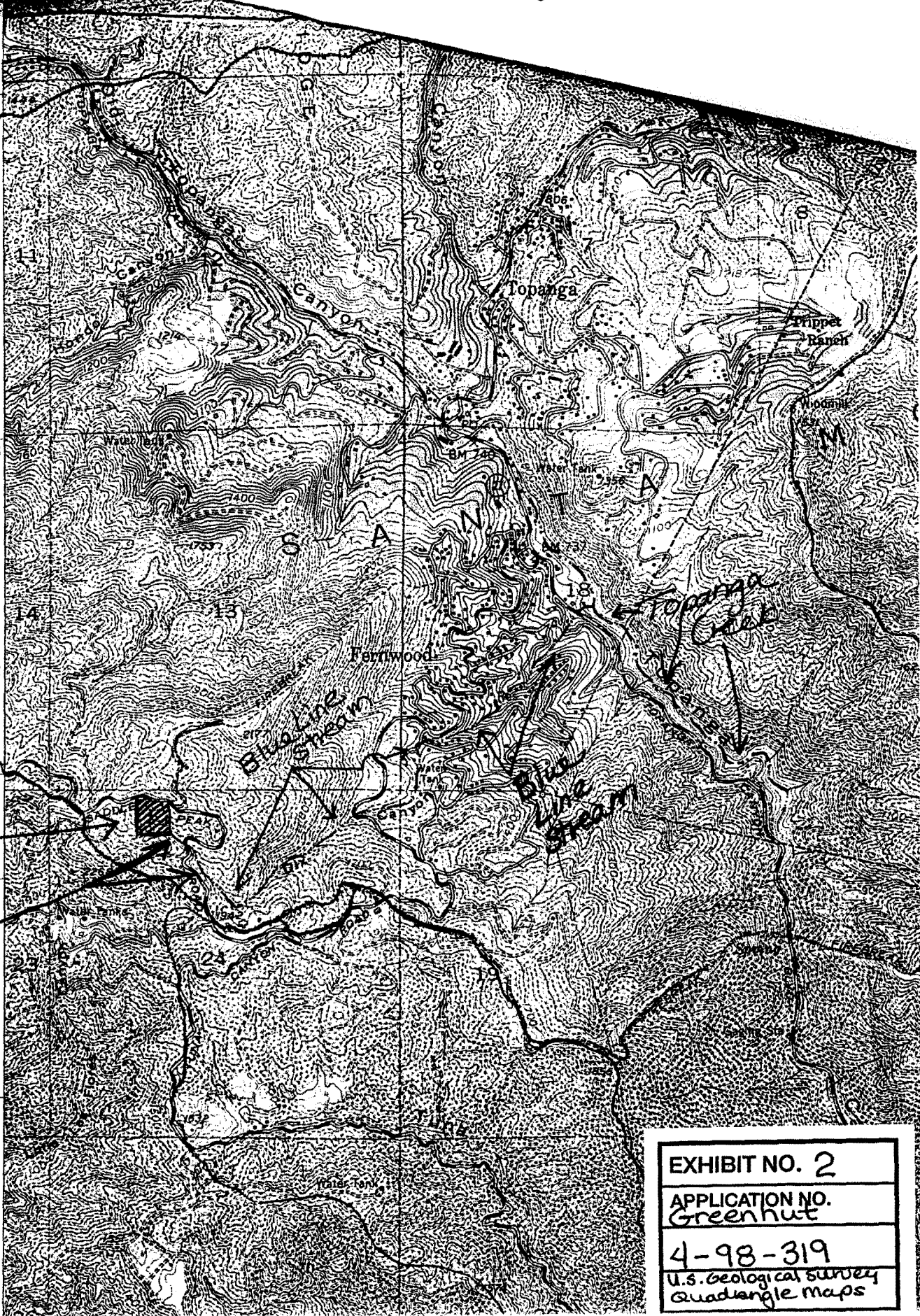
3773

5

3772

15 MI. TO U.S. 101  
MONTE NIDO 9.3 MI.

2252 II SW  
(MALIBU BEACH)



Project  
Site

Blue Line  
stream  
(Dix Canyon)

EXHIBIT NO. 2
APPLICATION NO. Greenhut
4-98-319
U.S. Geological Survey Quadrangle Maps

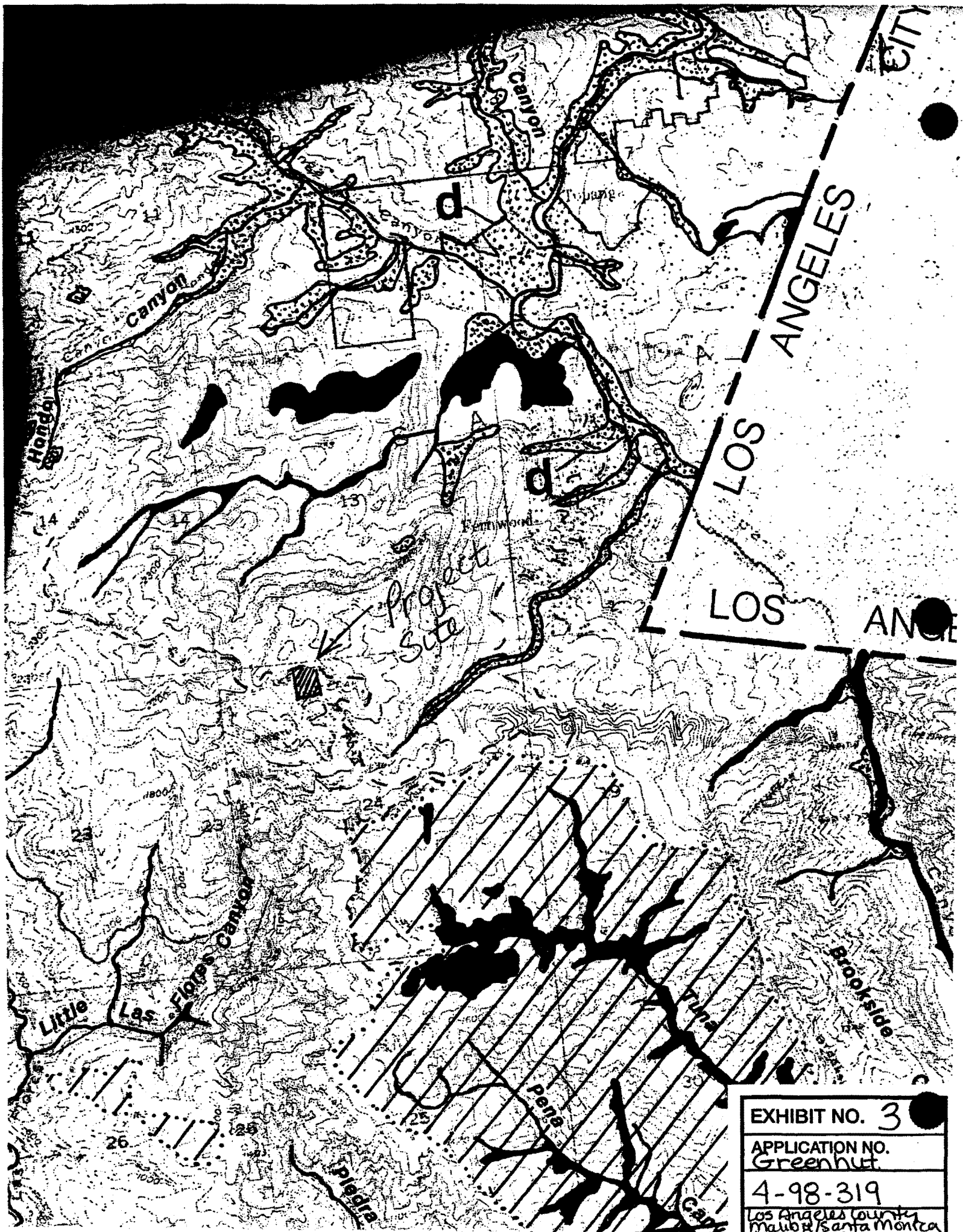


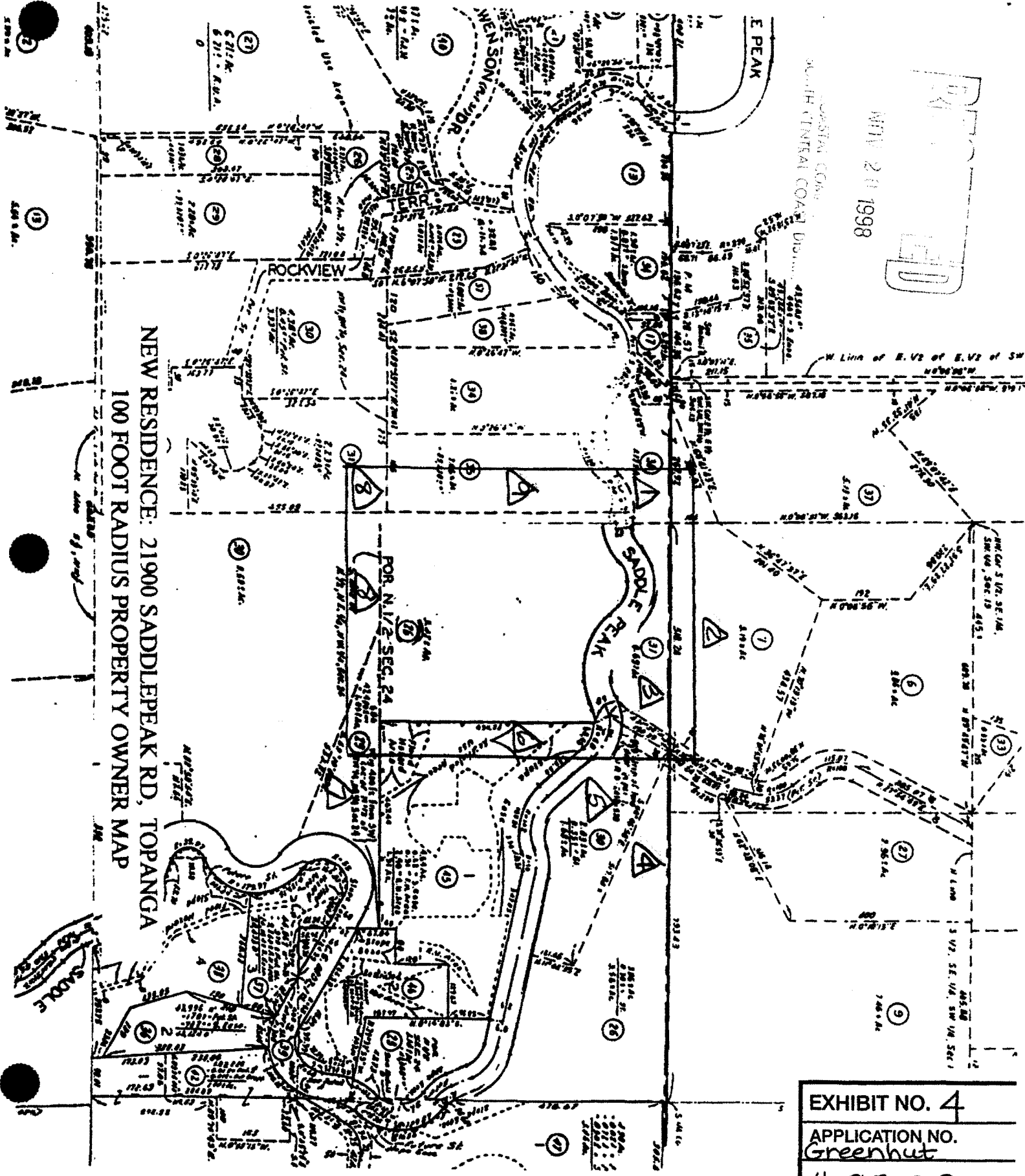
EXHIBIT NO. 3
APPLICATION NO. Greenhut
4-98-319
Los Angeles County Malibu/Santa Monica



RECEIVED

MAY 21 1998

SOUTH CENTRAL COAST DISTRICT

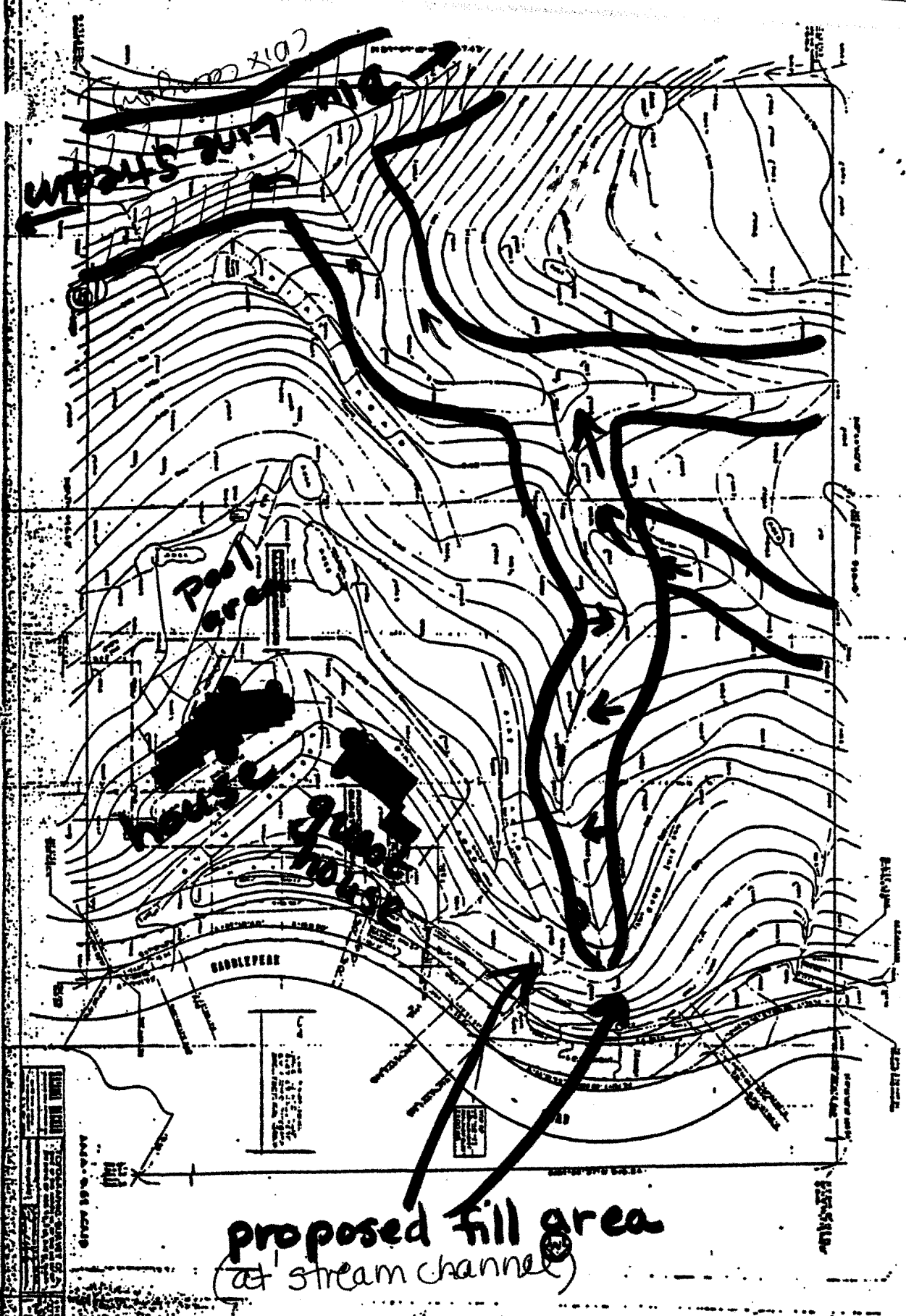


NEW RESIDENCE: 21900 SADDLEPEAK RD, TOPANCA  
 100 FOOT RADIUS PROPERTY OWNER MAP

EXHIBIT NO. 4
APPLICATION NO. Greenhut
4-98-319
Parcel Map

5-87-818

OCT 14 1987  
CALIFORNIA  
COASTAL COMMISSION  
SOUTH COAST DISTRICT



**proposed fill area**  
(at stream channel)

EXHIBIT NO. 5  
APPLICATION NO.  
Greenhut  
4-98-319  
Site Plan COP 587-818  
Note: Topography

EXHIBIT NO. 5  
APPLICATION NO.  
5-87-818  
Site Plan

Scale bar and legend area with various symbols and text, including 'Pacific Concepts Architectural Group, Inc.' and 'Site Plan'.

Section of ...  
Drain sub 313

CONCRETE STREET

DRAIN

Trim (E) slope to  
a uniform gradient  
@ 2:1 Max.  
Delta=41° 39' 30"  
L=94.52  
R=130.00

(E) SLOPE

B.W.  
O.G.  
v.

0.6 IN

N ↑

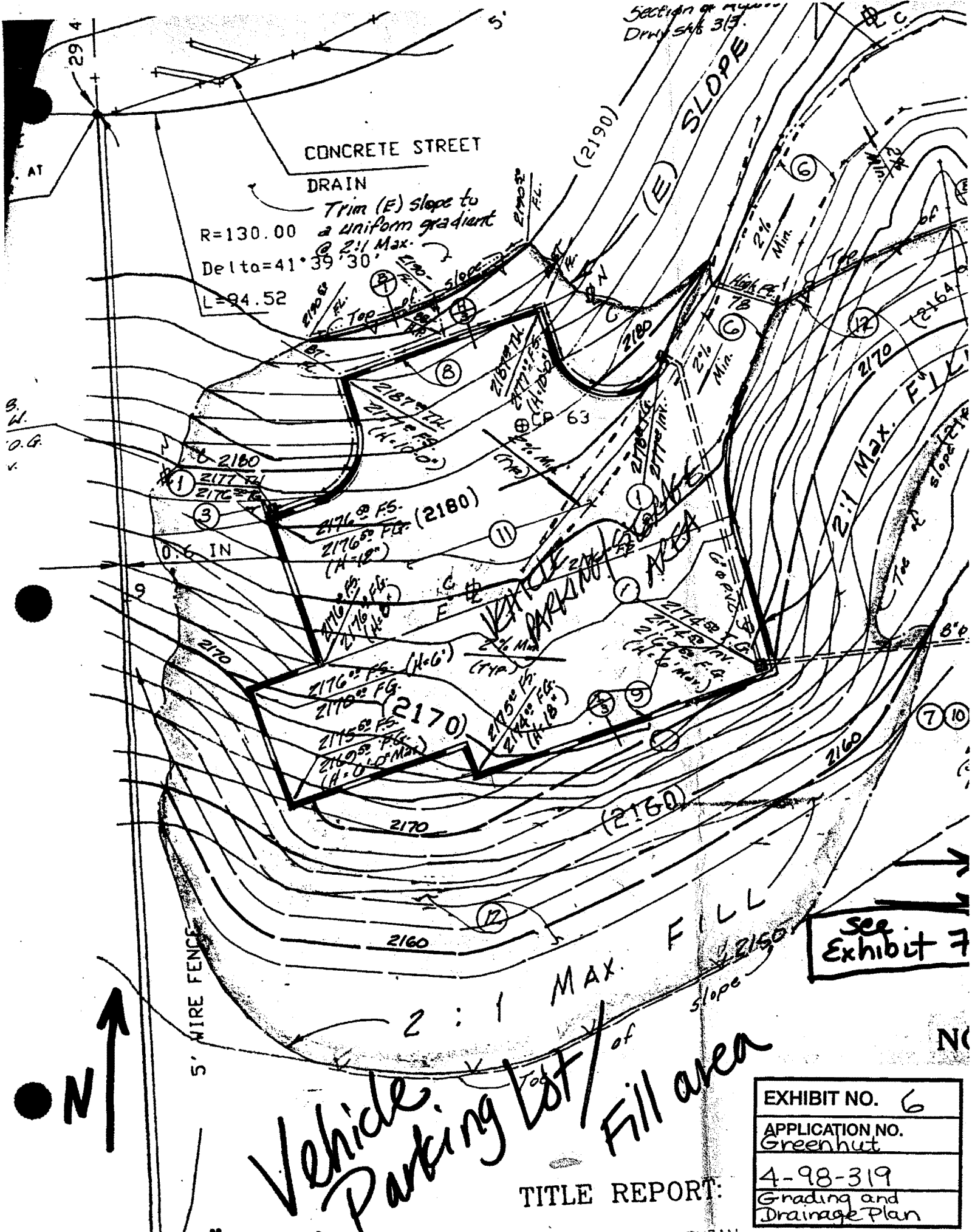
5' WIRE FENCE

Vehicle Parking Lot /  
Fill area

See  
Exhibit 7

EXHIBIT NO.	6
APPLICATION NO.	Greenhut
4-98-319	
Grading and Drainage Plan	

TITLE REPORT:





Proposed fill /  
↓ pad

Saddle Peak Road

guest unit

#4

#2

Area of grading

RECEIVED

20 1998

COAST DIST

EXHIBIT NO. 6A
APPLICATION NO. Greenhut
4-98-319
site photo

Delta=86°39'22"  
L=105.87

ASPHALT SWALE  
FOR STREET DRAINAGE

(2196<sup>00</sup>) FL.

Warp (E) pavement  
to direct drainage  
to inlet structure.  
(Field Verify all elevs)

PEAK

See Exhibit 8

FENCE

ER LINES

(2180)

28.58

226.35

OUTLET 84" CMP  
(DRAINS VERY  
LITTLE AREA)  
POWER #12612

REMAIN

TREE D=12

(2190)

1' HIGH  
ROCK  
RETAINER 2' HIGH

TREE D=8

2186.25  
GU ANCHOR

2:1 Max. FILL

PLAYER (2' x 1')

10%  
10%  
10%

2180.88

(E)

TREE D=6

TREE D=8

2185.88

SLOPE

TREE D=10

TREE D=8

2175.88

2152<sup>00</sup> FL.

10' x 15' Rock  
Rip Rap  
(See Detail  
hereon)

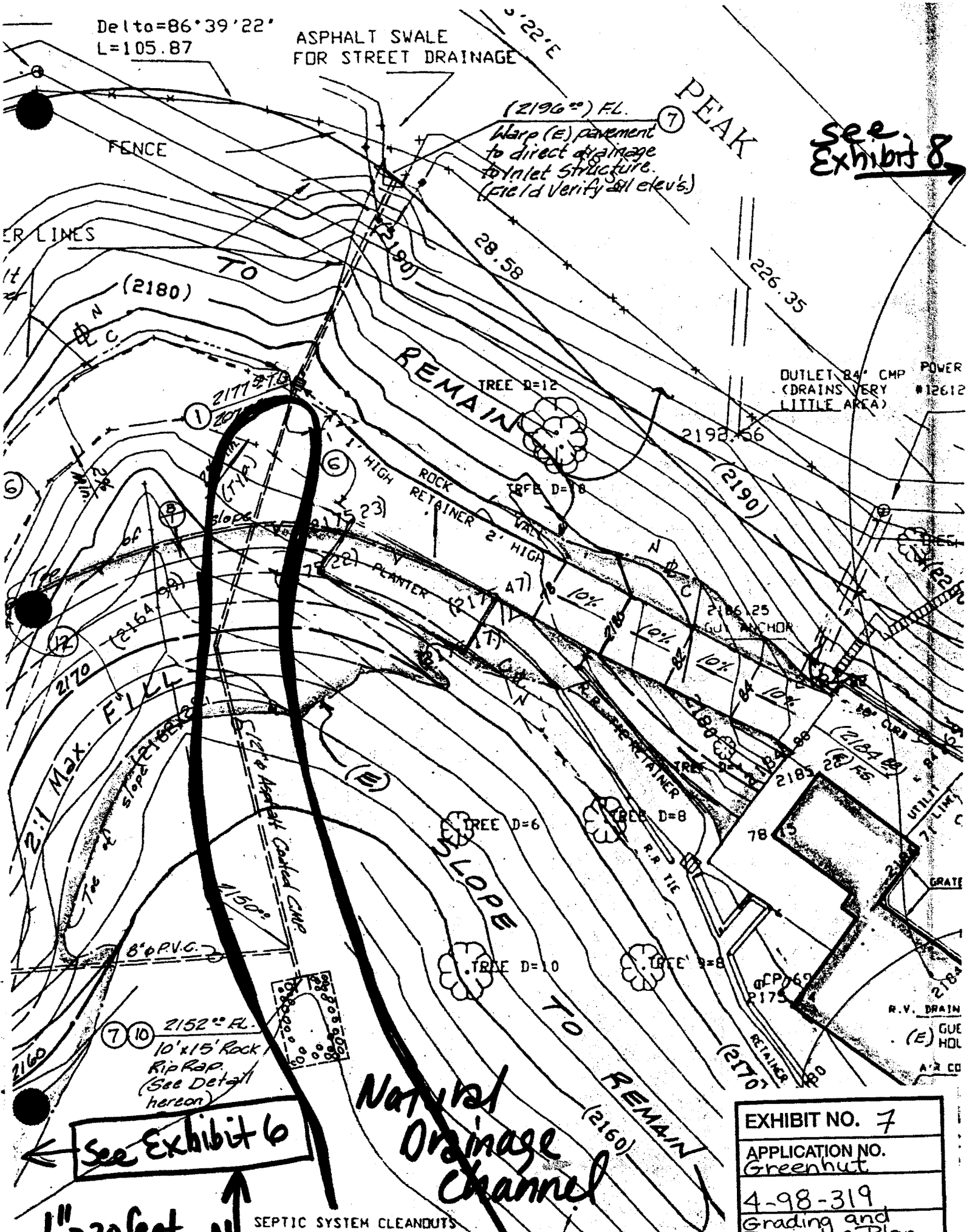
Natural  
Drainage  
Channel

EXHIBIT NO. 7
APPLICATION NO. Greenhut
4-98-319
Grading and Retaining Plan

See Exhibit 6

11" - 20 feet

SEPTIC SYSTEM CLEANDUTS

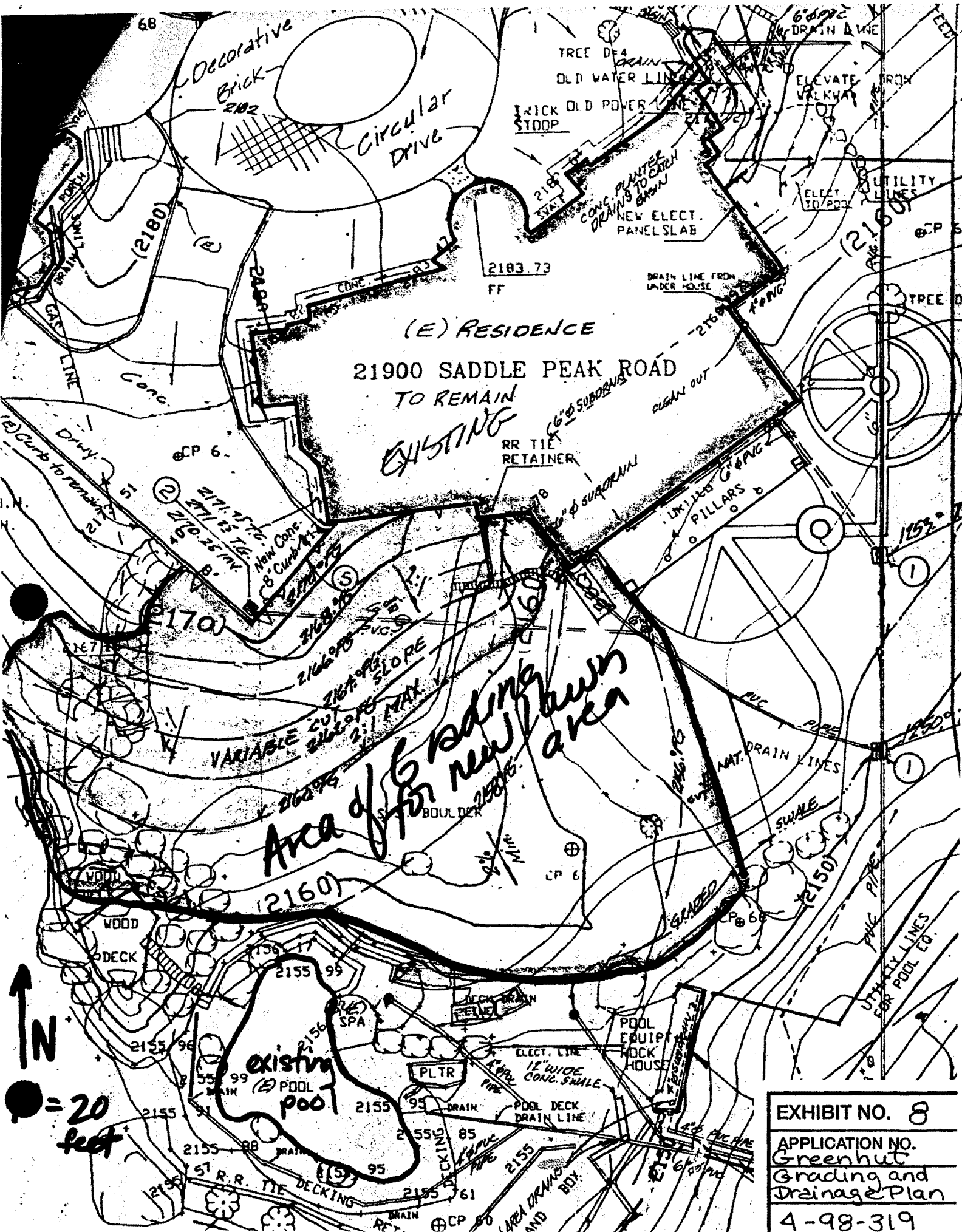




→ to  
Drainage  
channel  
& site  
of proposed  
fill / lot

EXHIBIT NO. 7A
APPLICATION NO. Greenhut
4-98-319
site photos

LN



(E) RESIDENCE  
 21900 SADDLE PEAK ROAD  
 TO REMAIN  
 EXISTING

Area of grading for new lawn area

EXHIBIT NO. 8  
 APPLICATION NO.  
 Greenhut  
 Grading and  
 Drainage Plan  
 4-98-319

↑ N  
 ● = 20 feet





#3

Circular driveway proposed

The lawn Greenhut

VED

398

7 ST DIST

EXHIBIT NO. 8A
APPLICATION NO. Greenhut
4-98-319
site photos

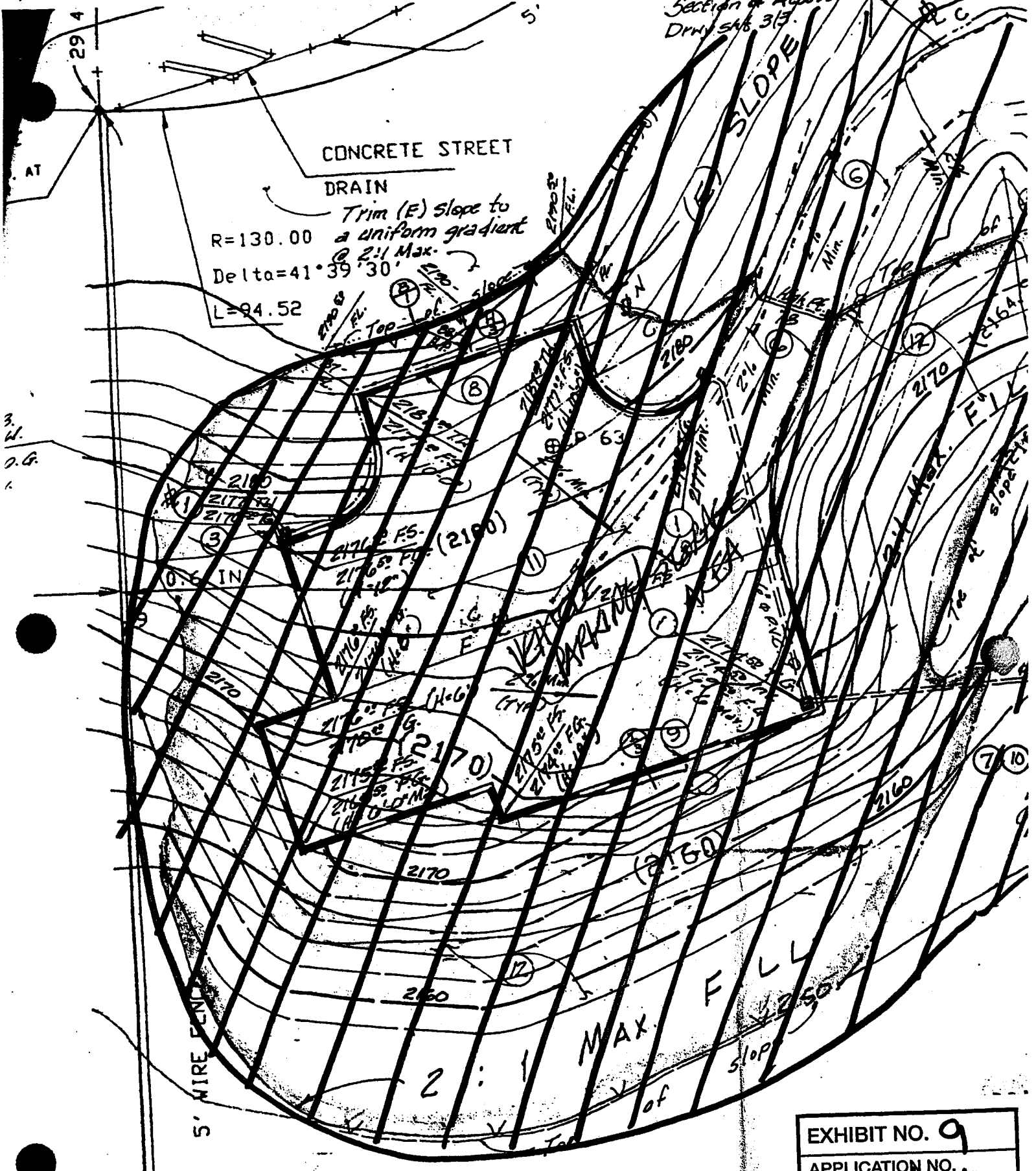
↓ N ↻ driveway entrance



Section of map  
Drwy sub 313

CONCRETE STREET  
DRAIN

Trim (E) slope to  
a uniform gradient  
@ 2:1 Max.  
R=130.00  
Delta=41° 39' 30"  
L=94.52



5' WIRE FENCE

3. W.  
O.G.

1" = 20 feet  
crosshatching: delete

TITLE REPORT:

EXHIBIT NO. 9
APPLICATION NO. Greenhut
4-98-319
Revised Plans: Delete

Delta=86°39'22"  
L=105.87

ASPHALT SWALE  
FOR STREET DRAINAGE

(2196<sup>00</sup>) FL.

Warp (E) pavement  
to direct drainage  
to Inlet Structure.  
(Field Verify all elev's)

PEAK

FENCE

28.58

226.35

(2180)

POWER #12612  
OUTLET 24" CMP  
(DRAINS VERY  
LITTLE AREA)

TREE D=12

2192.56

(2190)

REMAIN

ROCK  
RETAINER 2' HIGH

TREE D=6

TREE D=8

78.13

SLOPE

TREE D=10

TREE D=8

CP 69  
2175

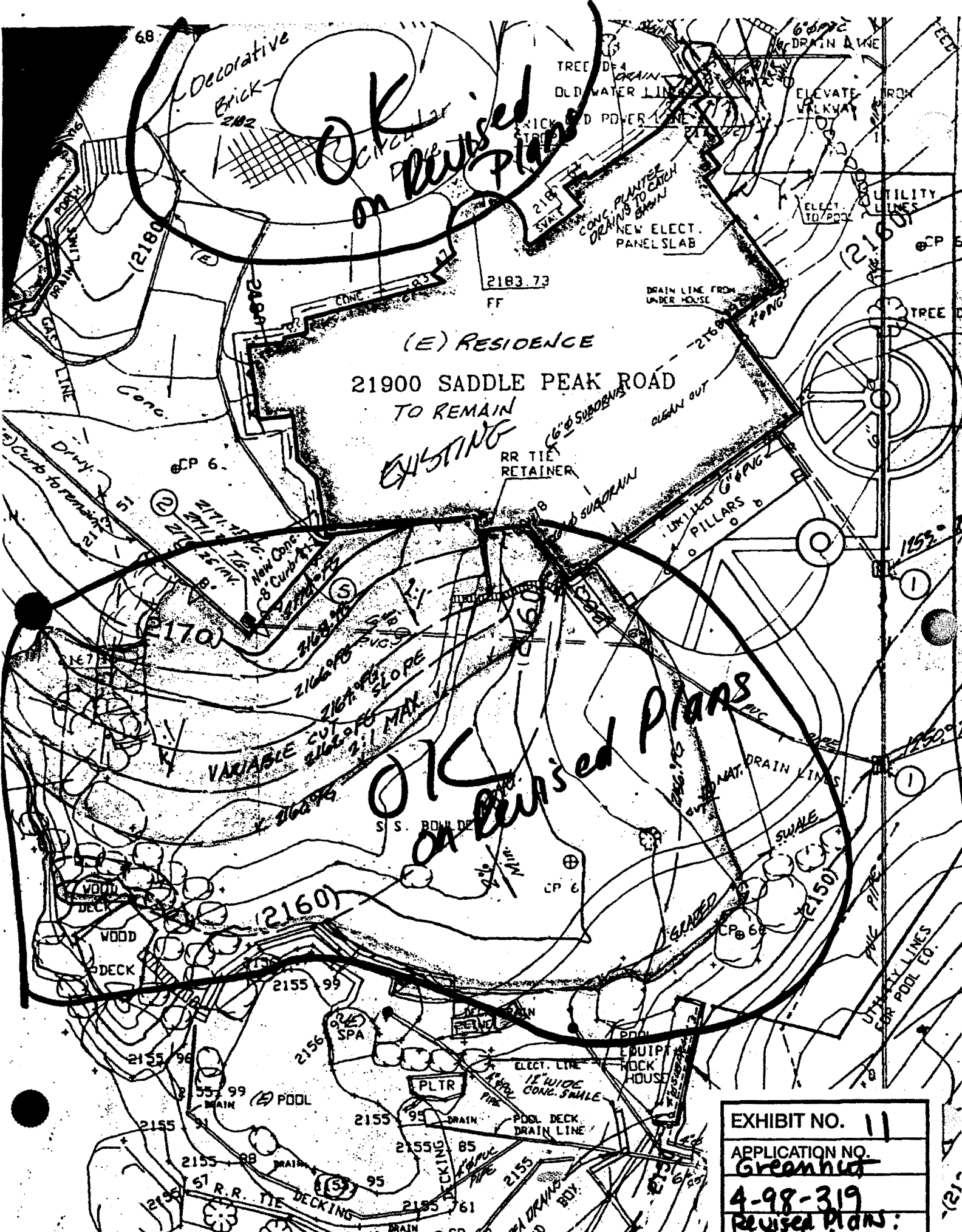
R.V. DRAIN  
(E) GUE  
HOU

2152<sup>00</sup> FL.  
10'x15' Peak  
Rip Rap.  
(See Detail  
hereon)

crosshatching: delete

EXHIBIT NO. 10  
APPLICATION NO.  
Greenhut  
4-98-319  
Revised Plans:

SEPTIC SYSTEM CLEANDUTS

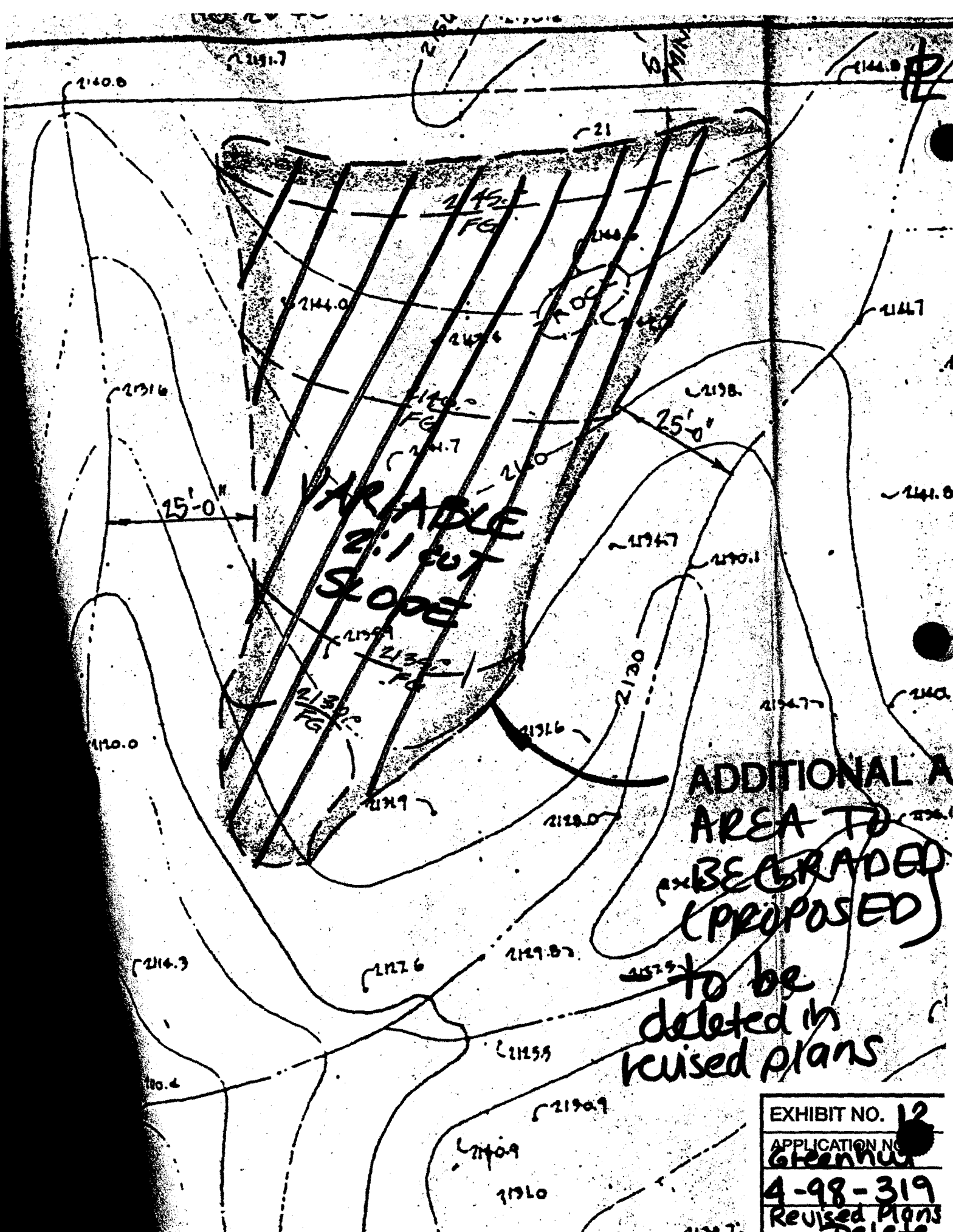


*OK on revised plans*

(E) RESIDENCE  
 21900 SADDLE PEAK ROAD  
 TO REMAIN  
 EXISTING

*OK on revised plans*

EXHIBIT NO. 11
APPLICATION NO. Greenhut
4-98-319
Revised Plans:



**ADDITIONAL AREA TO BE GRADED (PROPOSED)**  
 to be deleted in revised plans

EXHIBIT NO.	12
APPLICATION NO.	Greenhill
	4-98-319
	Revised Plans
	Delete