

CALIFORNIA COASTAL COMMISSION

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

RECORD PACKET COPY

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Staff: SMB-V [signature]
Staff Report: March 10, 1999
Hearing Date: 4/13-16/99

STAFF REPORT: REVOCATION REQUEST**APPLICATION NO.:** R-5-86-517**APPLICANT:** Glen Gerson**PROJECT LOCATION:** 327 South Latigo Canyon Road, Malibu; Los Angeles County**PROJECT DESCRIPTION:** Renovation of an existing conference center and the construction of 152 overnight rooms (70 units). The project will also involve the construction of a new conference center and will include other minor improvements.**PERSON REQUESTING REVOCATION:** Carole Barr, 31590 Mulholland Hwy, Malibu; Los Angeles County.**SUBSTANTIVE FILE DOCUMENTS:** Coastal Development Permit P-78-4441; Coastal Development Permit P-79-4759; Coastal Development Permit A-79-5167; Coastal Development Permit SF-80-6643; Coastal Development Permit 5-86-517; Coastal Development Permit Revocation Request R-4-94-195-A1 (Eide); Malibu/ Santa Monica Land Use Plan

PROCEDURAL NOTE: The California Code of Regulations, Title 14 Division 5.5, Section 13105 states that the grounds for the revocation of a coastal development permit are as follows:

Grounds for revocation of a permit shall be:

- a) *Intentional inclusion of inaccurate, erroneous or incomplete information in connection with a coastal development permit application, where the Commission finds that accurate and complete information would have caused the Commission to require additional or different conditions on a permit or deny an application;*
- b) *Failure to comply with the notice provisions of Section 13054, where the views of the person(s) not notified were not otherwise made known to the Commission and could have caused the Commission to require additional or different conditions on a permit or deny an application. 14 Cal. Code of Regulations Section 13105.*

APPLICANT'S CONTENTION:

The request for revocation contends that the grounds in Section 13105(a) exist because the applicant gave inaccurate and erroneous information to the Commission in the coastal development permit application. The contentions as to incorrect information include the following:

- 1) The zoning on the property is A-1-1 and not C-2.
- 2) Although Mr. Gerson may own 81 acres, the Conditional Use Permit (CUP) issued to Mr. Gerson by the County of Los Angeles only allows for 38 acres to be used to operate Calamigos Ranch. Therefore, the maximum occupancy of 5,000 persons for daytime use that the Commission imposed on the applicant based on 81 acres should be substantially less.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends that the Commission deny the request for revocation on the basis that no grounds exist for revocation under either Section 13105(a) or (b).

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. Denial

The Commission hereby denies the request for revocation on the basis that (1) there was no intentional inclusion of inaccurate, erroneous or incomplete information in connection with the coastal development permit application where accurate and complete information would have caused the Commission to require additional or different conditions on the permit or deny the application; and (2) there was no failure to comply with the notice provisions of Section 13054 where the views of the persons not notified were not otherwise made known to the Commission and could have caused the Commission to require additional or different conditions or deny the application.

II. Findings and Declarations

The Commission hereby finds and declares as follows

A. Project Description and Background

On August 14, 1986, the Commission approved Coastal Development Permit 5-86-517 (Gerson) for the renovation of an existing conference center and the construction of a total of 152 overnight rooms (70 units), additions to the existing on-site restaurant,

poolside gym and meeting rooms as well as the construction of a new conference center and a six foot tall perimeter fence, subject to two special conditions. The facility was limited to a maximum of 300 overnight guests and a maximum of 5,000 persons for a daytime use (Exhibit 2). The first special condition required the applicant to record a deed restriction irrevocably offering to dedicate a trail for Zuma Ridge Trail across the site. The second condition required the applicant to record a deed restriction which acknowledged that the site is subject to extraordinary hazard from fire and that the applicant assumed the risk. The special conditions were met and the permit was issued on July 18, 1987.

Before this 1987 approval the Commission had previously approved other development at the Calamigos Ranch. Coastal Development Permit P-78-4441 was approved on November 27, 1978 for the placement of six two-story modular structures 580 sq. ft. in size to be used as dormitories to replace the structures destroyed by a wild fire. Coastal Development Permit P-79-4759 was approved on February 5, 1979 for the construction of a 5,660 sq. ft. two-level structure used for dining and meeting rooms with an attached 2,415 sq. ft. two-story office, a 2,496 sq. ft. one story dorm facility, one 864 sq. ft. storage building, one 864 sq. ft. tack building, a one-story 1,368 sq. ft. infirmary house, and a temporary office trailer to replace the destroyed office.

In addition, Coastal Development Permit A-79-5167 was approved on April 23, 1979 for the placement of an additional trailer to be used as a temporary office. Coastal Development Permit No. SF-80-6643 was approved on March 24, 1980 for the construction of a 4,592 sq. ft. single family residence.

As previously stated, the Commission issued Coastal Development Permit 5-86-517 on July 18, 1987. Only some of the structures approved under this permit have been constructed to date including the renovation of the existing conference center.

On February 25, 1997, the applicant submitted a Coastal Development Permit Amendment application 5-86-517-A1 to relocate and redesign the conference center building and guest accommodations. The proposed project would include the construction of a 30,000 sq. ft., 35 feet high conference center building, 75 guest units in three separate buildings, a 59 space parking lot, 6,600 cu. yds. of grading, and the removal of 4 oak trees. The project also included the implementation of an oak tree replacement program, replacement of the existing dam, draining of an existing pond, excavation of 9,000 cu. yds. of material from the existing pond, replacement of vegetation removed for the pond dredging and dam replacement, and riparian restoration along the stream corridor. On November 11, 1997, the applicant withdrew the amendment application based on the lack of local approvals.

On October 23, 1995, the applicant has submitted Coastal Development Permit application 4-95-217 for after-the-fact approval for approximately 3,200 cu. yds. of grading to create an outdoor amphitheater and parking. This development was performed without the benefit of a coastal development permit and is undergoing investigation by the Commission's Enforcement Division. This permit application is still pending.

Additional development that has occurred on the property includes grading within a blueline stream, the conversion of single family residences into banquet rooms, and the conversion of a tennis club into picnic facilities. This development was completed

without the benefit of a coastal development permit. The Commission's Enforcement Division is investigating these actions.

Calamigos Ranch has been operating as a private recreational facility since the 1940's. The uses on site include day camps, picnics, weddings, banquets, receptions, conferences and other activities. The original size of the ranch was approximately 75 acres. Additional land acquisitions have been made over the years increasing the ranch holdings to include approximately 120 acres. The Ranch is located adjacent to Mulholland Highway and Kanan Dume Road in Malibu. The Ranch area is designated for Low Intensity Visitor serving uses by the Malibu/ Santa Monica Mountains Land Use Plan (LUP). A stream passes through the property into the existing pond. This stream is a tributary to Zuma Creek, however it is located outside of the Zuma Canyon Significant Watershed.

B. Grounds for Revocation

Section 13105(a)

Pursuant to 14 California Code of Regulations (C.C.R.) Section 13108, the Commission has the discretion to grant or deny a request to revoke a coastal development permit if it finds that any of the grounds, as specified in 14 C.C.R. Section 13105 exist. 14 C.C.R. Section 13105 states, in part, that the grounds for revoking the permit shall be as follows: (1) that the permit application intentionally included inaccurate, erroneous or incomplete information where accurate and complete information would have caused the Commission to act differently; and (2) that there was a failure to comply with the notice provisions of Section 13054, where the views of the person(s) not notified were not otherwise made known to the Commission and could have caused the Commission to act differently. The South Central Coast District office has received a written request for revocation of the subject coastal development permit from Carolyn Barr (Exhibit 1). The request for revocation is based on the grounds that the applicant submitted inaccurate, erroneous, or incomplete information.

The first ground for revocation in 13105© contains three essential elements or tests which the Commission must consider:

- a. Did the application include inaccurate, erroneous or incomplete information relative to the coastal development permit?
- b. If the application included inaccurate, erroneous or incomplete information, was the inclusion intentional (emphasis added)?
- c. Would accurate and complete information have caused the Commission to require additional or different conditions or deny the application?

The request for revocation states that the applicant, Glen Gerson, gave inaccurate and erroneous answers on both the Pais Source Document (internal CCC permit tracking document) and the Coastal Development Permit Application. In order to qualify for grounds for revocation the request must factually demonstrate the above. As indicated above, the first standard consists, in part, of the inclusion of inaccurate, erroneous or incomplete information in connection with a coastal development permit application.

The request has asserted that inaccurate and erroneous answers were given in regards to the zoning of the property. The Commission notes that, in order to satisfy 13105(a), the applicant must have submitted the incorrect information. The subject site is zoned A-1-1 (Exhibit 1) and not C-2 as stated on the Pais Source Document (Exhibit 1). Although the Pais Source Document reviewed here does list the incorrect designated zoning for that parcel, Mr. Gerson or the authorized representative did not submit the incorrect information. The Pais Source Document is an in-house document completed by Commission staff for the purpose of tracking permit applications and not by the applicant or authorized representative. The incorrect zoning listed appears to have been an inadvertent oversight made during the application processing. The Commission notes that on June 30, 1986, as part of Coastal Development Permit application 5-86-517 (Gerson) a copy of the CUP was submitted to Commission staff by the applicant which correctly lists the zoning for the site as A-1-1). Therefore, the applicant did not submit incorrect information.

In addition, the applicant claims that the maximum 5,000 person capacity for daytime use allowed by the Commission is based on incorrect and erroneous information. Coastal Development Permit application 5-86-517 states that the size of the lot is 81 acres, however Conditional Use Permit (CUP) 191-(5) issued by Los Angeles County on August 9, 1973 allowed for operation of the summer camp on three parcels containing a total of only 38+ acres. The applicant proposed in coastal development permit application 5-86-517 the expansion of the existing day camp facilities on 81 acres. As part of the application sufficient evidence was submitted to the Commission which verified that Gerson did own 81 acres. The applicant himself submitted this CUP to the Commission with the permit application. In addition, the Commission notes that the CUP contains a discrepancy within the issued documentation. The CUP states that the camp will be operated on three non-continuous irregular parcels 38+ acres in size as shown in Exhibit "A." However, the three parcels referenced total approximately 80 acres. Nevertheless, the applicant did not submit incorrect information regarding the acreage rather, the application sought approval over 81 acres, where the local approval was for 38. The applicant sought broader approval.

Furthermore, the Commission notes that Section 13053(d) of the California Commission's Regulations states:

"The executive director of the Commission may waive the requirement for preliminary approval based on the criteria of Section 13053(a) for those developments involving uses of more than local importance as defined in Section 13513."

Section 13513 states:

- (a) *General categories of uses of more than local importance that shall be considered in the preparation of LCPs and LRDPs include but are not limited to:*
- (6) *uses of larger-than-local importance, such as coastal agriculture, fisheries, wildlife habitats, or uses that maximize public access to the coast, such as accessways, visitor-serving developments, as generally referenced in the findings, declarations, and policies of the California Coastal Act of 1976.*

The Coastal Commission is not, therefore, always bound by the terms of a local approval. Based on the LUP's designated zoning of the site and evidence provided by the applicant, the Commission found in the review of Coastal Development Permit 5-86-517 that the proposed project was intended as visitor-serving development. Thus, although the CUP issued by Los Angeles County allowed for the operation of the existing day camp on 38+ acres, the Commission under the Coastal Development Permit allowed for Mr. Gerson to continue operating the existing day camp and expand the facilities within the entire 81 acres. Under the Coastal Development Permit, the camp is allowed to operate on the whole 81 acres.

Therefore, based on the reasons stated above the Commission finds that inaccurate or erroneous information was not included in the coastal development permit application relating to the zoning or the acreage issues.

The second standard consists of determining whether the inclusion of inaccurate information was intentional. As indicated above, there is no evidence that the applicant submitted any inaccurate information. Even assuming for the purpose of this analysis only that there was inaccurate information, there is no evidence that its submission was intentional. Therefore, the Commission finds that there was not any intentional inclusion of inaccurate, erroneous or incomplete information in connection with the amendment application submittal.

The third standard for the Commission to consider is whether accurate information would have resulted in the requirement of additional or different conditions or the denial of the application. In regards to the zoning of the site, the Commission finds that the incorrect reference to the zoning of the site as C-2 rather than the designated A-1-1 would not have influenced the Commission's decision. In reviewing proposed projects for their consistency with the Coastal Act, the Commission refers to the local land use plan as guidance. According to the Malibu/ Santa Monica Mountains Land Use Plan (LUP), the subject site is designated Low-Intensity Visitor-Serving Commercial Recreation. The principal use for Low-Intensity Visitor-Serving Commercial Recreation is urban and rural visitor-serving commercial recreation uses characterized by large open space areas with limited building coverage such as golf courses, summer camps, equestrian facilities, and recreational vehicle parks. Thus, the proposed project is found to be consistent with the designated use of that area. Had the parcel's correct A-1-1 zoning been listed, the Coastal Commission decision would have been the same.

In addition, the applicant claims that "although Mr. Gerson may own 81 acres, the CUP issued to Mr. Gerson by the County of Los Angeles only allows for 38+ acres to operate Calamigos Ranch. The applicant has provided the Commission with evidence that the Ranch facilities and day camp have been operated on the entire site prior to the Coastal Act. Furthermore, the Commission finds that the maximum number of occupants allowed on site per day was not directly related to the number of acres within the site, but instead was based on automobile traffic patterns, septic systems, and the proposed uses of the site (i.e. picnics, day camps, etc.). Thus, the Commission found that due to the traffic patterns of Kanan Dume Road and Mulholland Highway, the streets which access the site, a 5,000 person maximum capacity for daytime use was necessary. In addition, the Commission found in the review of Coastal Development Permit 5-86-517 that the site would provide enough parking spaces in accordance with the Land Use Plan for the allowable 5,000 persons. Therefore, the Commission notes that 5000 person maximum capacity for daytime use would have been acceptable even if the site was only 38 acres in size.

The Commission finds that the existing camp is operating in accordance with Coastal Development Permit 5-86-517. In addition, the Commission finds that accurate information as to the zoning or the acreage in the camp would not have resulted in the requirement of additional or different conditions or the denial of the application.

The Commission finds, therefore, that the grounds for revocation contained in Section 13105(a) have not been met because all three elements of 13105(a) are not satisfied.

Section 13105(b)

In review of a request for revocation of a coastal development permit, the Commission also examines whether grounds for revocation exist under the second criteria of Section 13105. The Commission must determine whether or not there a failure to comply with the notice provisions of Section 13054, where the views of the person(s) not notified were not otherwise made known to the Commission and could have caused the Commission to act differently. The Commission notes that the applicant for revocation has not asserted any failure of notice.

In regards to the first portion of Section 13054(b) regarding whether or not the applicant complied with the notice provisions of 13054, the applicant for revocation has not submitted any evidence that there was a failure to comply with the notice provisions nor has staff's investigation disclosed any notice problems. In regards to the second portion of the question relative to whether the view of the persons who were not notified were otherwise made known to the Commission, again the revocation request does not identify persons who were not notified nor has any additional evidence been disclosed to the South Central Coast office which indicates that there was inadequate notification. As there is no evidence of failure of notice, or of person's views not being available to the Commission, Section 13105(b) has not been met.

As listed above, the request for revocation does not show that the requirements of 14 C.C.R. 13105 (a) or (b). The Commission finds, therefore, that this revocation request should be denied on the basis that: (1) there is no evidence of the intentional inclusion of inaccurate, erroneous or incomplete information in connection with a coastal development permit application which could have caused the Commission to require additional or different conditions on a permit or deny an application, and (2) there is no evidence that the notice provisions of Section 13054 were not complied with where the views of the person(s) not notified were not otherwise made known to the Commission and could have caused the Commission to require additional or different conditions on a permit or deny an application.

Mr. Jack Ainsworth
Coastal Commission
89 S. California St.
Ventura Ca. 93001

Dear Sir,

As per my conversation with Susan Brooker on 7/14/98, I am writing to request that you initiate an investigation into the revocation of Coastal Commission Permit # 5-86-517 issued to Calamigos Ranch in 1986.

It is my contention that Glen Gerson gave inaccurate and erroneous answers on both the Pais Source Document and the Application for Permit Form.

First: The zoning on the property is not commercial C-2. It is, in fact, A-1-1.

Second: Altho Mr. Gerson may own 81 acres, according to the county issued C. U. P. 1985, only 38 acres may be used to conduct his business on. I feel that the 5000 person cap given to Calamigos Ranch by Coastal Commission is more than twice the number that should be allowed.

I believe that if the original documents had been answered correctly, either the permit would not have been issued at all, or, at least, different or additional conditions would have been imposed. It is my understanding that these are grounds for revocation.

Thank You,

Carole D. Barr
31590 Mulholland Hwy.
Malibu Ca. 90265
(818) 991-6863

EXHIBIT NO. <u>1</u>
APPLICATION NO.
<u>R-5-86-517</u>

NOTE

Claims 81 AER
Claims Comm. Zoning
Claims 20,000 sq. ft. paved

PAIS SOURCE DOCUMENT

PUBLIC HEARING NOTICE

PAIS Staff
Use Only

PHN	File	EX-1
CSD	File	EX-2

Meeting Date 8/12-15
49th Day After Filing 9/22/10
180th Day After Filing 1-3-87

Permit #

5-86-517

Aug. 8, 1981-810000
Date Filed

860708

1 MEETING NOTICE/BLURB:

5-86-517

CALAMIGOS RANCH CORP.

Application No.

G. GELSON

LOCALITY

MALIBU

CALAMIGOS RANCH CORPORATION AND GLEN GELSON TO
REMODEL AND ENLARGE EXISTING CONFERENCE
CENTER AND RECREATIONAL FACILITY AT 327 S. LATIGO
CANYON ROAD IN MALIBU.

ANALYST'S INITIALS (GG -LB)

Lot area: 81AC. sq. ft.

Blg coverage: 77,000 sq. ft.

Pavement coverage: 20,000 sq. ft.

Landscape coverage: 1,688,960 sq. ft.

Parking spaces: 1,742,400

zoning: COMMERCIAL C-2

Plan description: LOW INTENSITY VISITOR

SERVING RECREATION

COMMERCIAL SERVICES

Project density: NA

St. and file grade: 1100

CRITERIA: Admin.

Consent. Findings.

SE-Reg & Voca. SE-Reg.

SE-Cons Reg & Voca.

Appeals-SE/Reg & Voca.

Appeals-Cons Reg & Voca.

2 DEVELOPMENT LOCATION:

5130101

Jurisdiction Code #

MALIBU

LCP Segment Name (from list)

(Leave Blank)

.X .Y

Min X Coord Y Coord

327

Street # (10 spaces)

SOUTH LATIGO

Street Name (22 spaces)

MALIBU

City (16 spaces)

County: L.A.

If no street address exists, describe the location:

Assessor's

Parcel Number(s)

4471

P. 7

Parcel 9

P. 5

Is the project located between the first public road and the sea? Yes=Y No=N Y

Estimated project cost: Enter amount, N/A or UNKN. No commas or cents \$ 5,505,620

3 APPLICANT'S NAME

CALAMIGOS

AGENT/OWNER/ATTORNEY

GELSON

G. GLEN GELSON

GLEN GELSON

ADDRESS 327 S. LATIGO Canyon Rd

ADDRESS 327 So. LATIGO Canyon Rd

CITY MALIBU ZIP 90265

CITY MALIBU ZIP 90265

PHONE (811) 889-9724

PHONE (811) 284-9724

NOTE - 4-5-3 - CLAIMS \$1 AK,
CLAIMS 20,000 per

NOTE PG 4 - CLAIMS NO GRADING
PROPOSED

State of California, George Deukmejian, Governor

California Coastal Commission

South Coast District

245 West Broadway, Suite 380

P.O. Box 1450

Long Beach, California 90801-1450

(213) 590-5071

APPLICATION FOR COASTAL DEVELOPMENT PERMIT

Type of application:

Standard Permit

RECEIVED

JUN 30 1986

CALIFORNIA
COASTAL COMMISSION
SOUTH COAST DISTRICT

Administrative Permit: (May be applicable if development is one of the following:

(a) improvement to any existing structure;

(b) any new development costing less than \$100,000;

(c) single family dwelling; (d) four dwelling units or less, within any incorporated area, that does not require demolition or subdivision of land; or (e) development authorized as a principal permitted use and proposed in an area for which the Land Use Plan has been certified.

SECTION I. APPLICANT

1. Name, mailing address and telephone number of all applicants.

CALAMIGOS RANCH CORPORATION AND
GLEN R GERSON (owners representative)

327 south Latigo cyn road

Malibu Ca 90265

(818) 889-6440

(Area code/daytime phone number)

2. Name, mailing address and telephone number of applicant's representative, if any.

Glen R Gerson / MALIBU CONFERENCE CENTER at CALAMIGOS RANCH

327 south Latigo cyn road

Malibu Ca 90265

(818)-889-6440

(area code/daytime phone number)

For office use only

Application Number 5-86-517 (1) Project cost _____

Received 6/30 Filed _____ Jurisdiction code _____ (3)

Fee 2516.00 Date paid 6/30 LCP segment _____ (4)

Tentative hearing date _____ Geo Ref Code _____ (5)

X _____ (6) Y _____ (7)

3. Conflict of Interest. All applicants for the development must complete Appendix A, the declaration of campaign contributions.

SECTION II. PROPOSED DEVELOPMENT

Please answer ALL questions. Where questions do not apply to your project (for instance, project height for a land division), indicate "Not Applicable" or "N.A."

1. Project Location. Include street address, city, and/or county. If there is no street address, include other description such as nearest cross streets.
327 south Latifo cyn road, Malibu Ca 90265

number (8)

street (9)

Malibu

Los Angeles County

city (10)

county (11)

LACO BK 4471 pg 9 pcl 9, pg 5, pcl 4, 7, 11, 17

Assessor's Parcel Number

2. Describe the proposed development. Include secondary improvements such as septic tanks, water wells, roads, etc.
Remodel and Refurbish existing conference center and recreational si

will call for improvement to existing septic, all water service provided by Las Virgenes Municipal water district, all roadways exist to service present and future site.

a) If residential, state:

1) Number of units Rehabilitate 50, new 102 (28)

2) Number of bedrooms per unit one (28)

3) Type of ownership proposed: ☐ rental
☐ condominium
☐ stock cooperative
☐ time share
☒ other CONFERENCE CENTER

b) Number of boat slips, if applicable NA (29)

c) If land division, number of lots to be created and size NA

EXHIBIT 1

3. Present use of property.

- a) Are there existing structures on the property? ☒ Yes ☐ No
If yes, describe (including number of residential units, occupancy status, monthly rental/lease rates for each unit) and schedule of rents for past year.

Site is presently in use, Full restaurant, conference rooms, overnight cabins and 50 rooms, current bldg coverage is approx 48,000 square feet,

- b) Will any existing structures be demolished? ☒ Yes ☐ No

Will any existing structures be removed? ☒ Yes ☐ No

If yes to either question, describe the type of development to be demolished or removed, including the relocation site, if applicable.

Existing structures are to be both refurbished and removed

old, substandard cabins will be removed and replaced none to be relocated (31)

4. Estimated cost of development (not including cost of land) \$6,000,000.00 (32)

5. Has any application for a development on this site been submitted previously to the California Coastal Zone Conservation Commission or the Coastal Commission? ☒ Yes ☐ No

If yes, state previous application number 78-4441 79-4759 80-6643

6. Project height: Maximum height of structure 25' ft

Maximum height of structure as measured from centerline of frontage road -20' ft

7. Total number of floors in structure, including subterranean floors, lofts, and mezzanines 2 floors, same as existing

8. Gross floor area including covered parking and accessory buildings 77,000 sq ft

Gross floor area excluding parking 77,000 sq ft

9. Lot area (within property lines) 81 acres (3,528,360sf) sq ft or acres

Lot coverages:	Existing	New proposed	Total
Building coverage	48,000 sq ft	29,000 sq ft	77,000 sq ft
Paved area	20,000 sq ft	none sq ft	20,000 sq ft
Landscaped area	1,306,800 sq ft	same sq ft	1,688,960 sq ft
Unimproved area	2,221,560 sq ft	same sq ft	2,221,560 sq ft
	1,742,400		1,742,400

11. Are utility extensions for the following needed to serve the project?

- I yes to any of the above, would extensions be above ground? ☐ Yes ☒ No

12. Is the project site adjacent to a public maintained road? ☒ Yes ☐ No
If yes, how far is the nearest public road. contiguous

The relationship of the development to the applicable items below must be explained fully. Attach additional sheets if necessary.

- NA, THIS PROJECT IS 6 Miles inland

- a) amount of cut _____ cu yds
- b) amount of fill _____ cu yds
- c) maximum height of fill slope _____ ft
- d) maximum height of cut slope _____ ft
- e) amount of import or export _____ cu yds
- f) location of borrow or disposal site _____

Grading and drainage plans must be included with this application. In certain areas, an engineering geology report must also be included. See Section V, paragraph 11 for the specifics of these requirements.

EXHIBIT 4

3. Does the development involve diking, filling, dredging or placing structures in open coastal waters, wetlands, estuaries, or lakes?

- a) diking ☐ Yes ☒ No c) dredging ☐ Yes ☒ No
b) filling ☐ Yes ☒ No d) placement of structures ☐ Yes ☐ No

- Amount of material to be dredged or filled _____ cu yds.

Location of dredged material disposal site _____

NOT APPLICABLE TO THIS PROJECT

Has a U.S. Army Corps of Engineers permit been applied for? ☐ Yes ☐ No

4. Will the development extend onto or adjoin any beach, tidelands, submerged lands or public trust lands? ☐ Yes ☐ No

For projects on State-owned lands, additional information may be required as set forth in Section V, paragraph 10.

5. Will the development protect existing lower-cost visitor and recreational facilities? ☒ Yes ☐ No

Will the development provide public or private recreational opportunities? ☒ Yes ☐ No If yes, explain.

WE ARE AN ESTABLISHED EDUCATIONAL AND RECREATIONAL SITE,

SERVING A WIDE CROSSSECTION OF THE POPULATION FOR BOTH DAY AND OVERNIGHT USAGE. SERVING SENIORS, YOUTH, AND FAMILIES

6. Will the proposed development convert land currently or previously used for agriculture to another use? ☐ Yes ☒ No

If yes, how many acres will be converted? _____ acres.

7. Is the proposed development in or near:

- a) sensitive habitat areas ☒ Yes ☐ No (biological survey may be required)
b) 100-year floodplain ☐ Yes ☒ No (hydrologic mapping may be required)
c) park or recreation area ☒ Yes ☐ No

8. Is the proposed development visible from:

- a) US Highway 1 or other scenic route ☒ Yes ☐ No
b) park, beach, or recreation area ☒ Yes ☐ No
c) harbor area ☐ Yes ☒ No

9. Does the site contain any:

- a) historic resources ☐ Yes ☒ No
b) archaeological resources ☐ Yes ☒ No
c) paleontological resources ☐ Yes ☒ No

If yes to any of the above, please explain on an attached sheet.

10. Where a stream or spring is to be diverted, provide the following information:

Estimated streamflow or spring yield NA. gpm

If well is being used, existing yield NA gpm

If water source is on adjacent property, attach Division of Water Rights approval and property owner's approval.

SECTION IV. OTHER GOVERNMENTAL REQUIREMENTS

The Local Agency Review Form, Appendix E, must be completed and signed by the local government in whose jurisdiction the project site is located. The completed and signed form must be submitted with this application for the application to be considered complete.

SECTION V. ADDITIONAL ATTACHMENTS

ALL BELOW ITEMS, INCLUDED IN PROJECT BOO

The following items must be submitted with this form as part of the application.

1. Proof of the applicant's legal interest in the property. (A copy of any of the following will be acceptable: current tax bill, recorded deed, signed Offer to Purchase along with a receipt of deposit, signed final escrow document, or current policy of title insurance. Preliminary title reports will not be accepted.)
2. Assessor's parcel map(s) showing the applicant's property and all other properties within 100 feet (excluding roads) of the property lines of the project site. (Available, along with owner's names/addresses, from assessor's office.)
3. Copies of required local approvals for the proposed project, including zoning variances, use permits, etc., as noted on Local Agency Review Form, Appendix B.
4. Stamped envelopes addressed to each property owner and occupant of property situated within 100 feet of the property lines of the project site (excluding roads), along with a list containing the names, addresses and assessor's parcel numbers of same. If the application qualifies for an administrative permit, envelopes are not required unless specifically requested. However, a mailing list is required on all applications. The envelopes must be plain (i.e., no return address), and regular business size (9½" x 4 1/8"). Include first class postage on each. Metered stamped envelopes cannot be accepted. The words "Important Public Hearing Notice" must be on the front of each envelope. (An appropriate stamp is available in the District Office. Use Appendix C, attached, for the listing of names and addresses. (Alternate notice provisions may be employed at the discretion of the District Director under extraordinary circumstances).)
5. Stamped, addressed envelopes and a list of names and addresses of all other parties known to the applicant to have an interest in the proposed development (such as persons expressing interest at a local government hearing, etc.).
6. Development location and vicinity maps. Maps should show precisely where the development is proposed and present land and water uses in the project vicinity. U. S. Geological Survey 7½ minute series quadrangle map, Thomas Brothers map, road map or area maps prepared by local governments may provide a suitable base map.

Two copies of project plans, except for projects located in the City of Los Angeles where three sets are required, stamped and signed "Approved in Concept" by the local building department, drawn to scale, including site plans, floor plans, elevations, grading and drainage plans, landscape plans, and septic system plans. A reduced site plan, 8 1/2" x 11" must also be submitted. Reduced copies of complete project plans will be required for large projects. Trees to be removed must be marked on the site plan. For demolitions, include a site plan showing the placement and dimensions of existing development on subject lot. Photographs may be submitted to show elevations and demolitions.

8. Where septic systems are proposed, evidence of County approval or Regional or Regional Water Quality Control Board approval. Where water wells are proposed, evidence of County review and approval.
9. A copy of any Final Negative Declaration, Final Environmental Impact Report (FEIR) or Final Environmental Impact Statement (FEIS) prepared for the project. Comments of all reviewing agencies and responses to comments must be included.
10. Verification of all other permits, permissions or approvals applied for or granted by public agencies (e.g., Dept. of Fish and Game, State Lands Commission, U.S. Army Corps of Engineers, U.S. Coast Guard).
11. For development on a bluff face, bluff top, or in any area of high geologic risk, a comprehensive, site-specific geology and soils report (including maps) prepared in accordance with the Coastal Commission's Interpretive Guidelines. Copies of the guidelines are available from the District Office.

SECTION VI. NOTICE TO APPLICANTS

Under certain circumstances additional material may be required prior to issuance of a coastal development permit. For example, where offers of access or open space dedication, preliminary title reports, land surveys, legal descriptions, subordination agreements, and other outside agreements will be required prior to issuance of the permit.

* Commission may adopt or amend regulations affecting the issuance of coastal development permits. If you would like notice of such proposals during the pendency of this application of such proposals that are reasonably related to this application indicate that desire.

☒ Yes

☐ No

SECTION VII. AUTHORIZATION OF AGENT

I hereby authorize GLEN R GERSON
to act as my representative and to bind me in all matters concerning this application.


Signature of Applicant(s)

SECTION VIII. CERTIFICATION

1. I hereby certify that I, or my authorized representative, will complete and post the Notice of Pending Permit card in a conspicuous place on the property within 3 days of receipt of the card and notification of filing of this application.
2. I hereby certify that I understand the Commission may impose reasonable conditions that must be satisfied by persons that are not a party to this application and that prior to issuance of the permit, I must submit evidence that the conditions will be satisfied by the appropriate parties.
3. I hereby certify that I have read this completed application and that, to the best of my knowledge, the information in this application and all attached appendices and exhibits is complete and correct. I understand that any misstatements or omission of the requested information or of any information subsequently requested shall be grounds for denying the permit, for suspending or revoking a permit issued on the basis of these or subsequent representations, or for seeking of such further relief as may seem proper to the Commission.
4. I hereby authorize representatives of the California Coastal Commission to conduct site inspections on my property. Unless arranged otherwise, these site inspections shall take place between the hours of 8:00 a.m. and 5:00 p.m.

SECTION XIV. COMMUNICATION WITH COMMISSIONERS

Decisions of the Coastal Commission must be made on the basis of information available to all commissioners and the public. Therefore permit applicants and interested parties and their representatives are advised not to discuss with commissioners any matters relating to a permit outside the public hearing. Such contacts may jeopardize the fairness of the hearing and result in invalidation of the Commission's decision by court. Any written material sent to a commissioner should also be sent to the commission office for inclusion in the public record and distribution to other Commissioners.


Signature of Authorized Agent or Applicant

EXHIBIT 1

§ 13096. Commission Findings.

All decisions of the commission relating to permit applications shall be accompanied by written conclusions about the consistency of the application with Public Resources Code, Section 30604, and Public Resources Code Section 21000 and following, and findings of fact and reasoning supporting the decision.

NOTE: Authority cited: Section 30333, Public Resources Code. Reference: Sections 30315.1 and 30333, Public Resources Code.

HISTORY

1. Amendment filed 6-10-77; effective thirtieth day thereafter (Register 77, No. 24).
2. Amendment filed 1-3-80 as an emergency; effective upon filing (Register 80, No. 1). A Certificate of Compliance must be filed within 120 days or emergency language will be repealed on 5-3-80.
3. Certificate of Compliance transmitted to OAH 1-29-80 and filed 5-8-80 (Register 80, No. 19).
4. Amendment of NOTE filed 7-24-80; effective thirtieth day thereafter (Register 80, No. 30).
5. Amendment of subsection (a), repealer of subsections (b) and (c) and relettering and amendment of subsection (d) to subsection (b) filed 8-14-81; effective thirtieth day thereafter (Register 81, No. 33).
6. Amendment filed 8-2-89; operative 9-1-89 (Register 89, No. 32).

Article 15. Consent Calendar Procedures**§ 13100. Consent Calendar.**

New permit applications which, in the opinion of the executive director of a commission, are de minimis with respect to the purposes and objectives of the California Coastal Act of 1976, may be scheduled for one public hearing during which all such items will be taken up as a single matter. This procedure shall be known as the Consent Calendar.

NOTE: Authority cited: Section 30333, Public Resources Code. Reference: Section 30620, Public Resources Code.

HISTORY

1. Amendment filed 8-14-81; effective thirtieth day thereafter (Register 81, No. 33).

§ 13101. Procedures for Consent Calendar.

The procedures prescribed in these regulations pertaining to permit applications, including application summaries, staff recommendations, resolutions, voting, etc., shall apply to the Consent Calendar procedure, except that all included items shall be considered by the commission as if they constituted a single permit application. The public shall have the right to present testimony and evidence concerning any item on the Consent Calendar. Application summaries and tentative staff recommendations for applications placed on the consent calendar may be comprised of a brief but fair and accurate description of the proposed development and its location and a description of any proposed conditions. A factual finding may be made for similar projects located in the same geographic area and may be incorporated by reference in each application summary governed by the findings.

NOTE: Authority cited: Section 30333, Public Resources Code. Reference: Section 30620, Public Resources Code.

HISTORY

1. Amendment filed 8-14-81; effective thirtieth day thereafter (Register 81, No. 33).

§ 13102. Conditions to Consent Calendar Items.

The executive director may include recommended conditions in agenda descriptions of consent calendar items which shall then be deemed approved by the commission if the item is not removed by the commission from the consent calendar.

NOTE: Authority cited: Section 30333, Public Resources Code. Reference: Section 30620, Public Resources Code.

HISTORY

1. Amendment filed 8-14-81; effective thirtieth day thereafter (Register 81, No. 33).

§ 13103. Public Hearings on Consent Calendar.

At the public hearing on the consent calendar items, any person may ask for the removal of any item from the consent calendar and shall briefly state the reasons for so requesting. If any three (3) commissioners object to any item on the consent calendar and request that such item be processed individually as a separate application, such item shall be removed from the consent calendar and shall thenceforth be processed as a single permit application. If any item is removed from the consent calendar, the public hearing on said item shall ordinarily be deemed continued until it can be scheduled for an individual public hearing.

NOTE: Authority cited: Section 30333, Public Resources Code. Reference: Section 30620, Public Resources Code.

HISTORY

1. Amendment filed 1-28-81; effective thirtieth day thereafter (Register 81, No. 5).
2. Amendment filed 8-14-81; effective thirtieth day thereafter (Register 81, No. 33).

Article 16. Revocation of Permits**§ 13104. Scope of Article.**

The provisions of this article shall govern proceedings for revocation of a coastal development permit previously granted by a regional commission or the commission.

NOTE: Authority cited: Sections 30331 and 30333, Public Resources Code. Reference: Sections 30519 and 30600, Public Resources Code.

HISTORY

1. New Article 16 (Sections 13104-13108) filed 2-11-77 as an emergency; effective upon filing (Register 77, No. 7).
2. Certificate of Compliance filed 4-29-77 (Register 77, No. 18).
3. Amendment filed 8-14-81; effective thirtieth day thereafter (Register 81, No. 33).

§ 13105. Grounds for Revocation.

Grounds for revocation of a permit shall be:

(a) Intentional inclusion of inaccurate, erroneous or incomplete information in connection with a coastal development permit application, where the commission finds that accurate and complete information would have caused the commission to require additional or different conditions on a permit or deny an application;

(b) Failure to comply with the notice provisions of Section 13054, where the views of the person(s) not notified were not otherwise made known to the commission and could have caused the commission to require additional or different conditions on a permit or deny an application.

NOTE: Authority cited: Section 30333, Public Resources Code. Reference: Section 30620, Public Resources Code.

HISTORY

1. Amendment filed 6-10-77; effective thirtieth day thereafter (Register 77, No. 24).
2. Amendment filed 1-28-81; effective thirtieth day thereafter (Register 81, No. 5).
3. Amendment filed 8-14-81; effective thirtieth day thereafter (Register 81, No. 33).

§ 13106. Initiation of Proceedings.

Any person who did not have an opportunity to fully participate in the original permit proceeding by reason of the permit applicant's intentional inclusion of inaccurate information or failure to provide adequate public notice as specified in Section 13105 may request revocation of a permit by application to the executive director of the commission specifying, with particularity, the grounds for revocation. The executive director shall review the stated grounds for revocation and, unless the request is patently frivolous and without merit, shall initiate revocation proceedings. The executive director may initiate revocation proceedings on his or her own motion when the grounds for revocation have been established pursuant to the provisions of Section 13105.

NOTE: Authority cited: Section 30333, Public Resources Code. Reference: Section 30620, Public Resources Code.

APPLICATION FOR COASTAL DEVELOPMENT PERMIT

APPENDIX A

DECLARATION OF CAMPAIGN CONTRIBUTIONS

Government Code Section 84308 prohibits any Commissioner voting on a project if he or she has received campaign contributions in excess of \$250 within the past year from project proponents or opponents, their agents, employees or family, or any person with a financial interest in the project.

In the event of such contributions, a Commissioner must disqualify him or herself from voting on the project; failure to do so may lead to revocation of the permit.

Each applicant must declare below whether any such contributions have been made to any of the Commissioners or Alternates listed on the reverse.

CHECK ONE

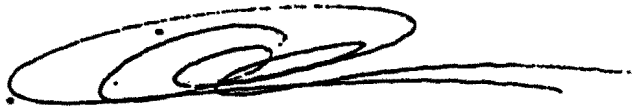
☒ The applicants, their agents, employees, family and any person with a financial interest in the project HAVE NOT CONTRIBUTED over \$250 to any Commissioner(s) or Alternates within the past year.

☐ The applicants, their agents, employees, and/or family, and/or any person having a financial interest in the project HAVE CONTRIBUTED OVER \$250 to the Commissioner(s) or Alternates listed below within the past year.

Commissioner _____

Commissioner _____

Commissioner _____



Signature of Applicant or Authorized Agent

6/23/86
Date

Please print your name GLENN R. GIBSON

EXHIBIT 1

CALIFORNIA COASTAL COMMISSION

SOUTH COAST AREA

245 WEST BROADWAY, SUITE 380

LONG BEACH, CA 90802

213) 590-3071

*App 4/c*
*8/14/86**Changes*
per [illegible]
attached

FILED: 7/ 8/86
49th DAY: 8/23/86
180th DAY: 1/03/87
STAFF: CGG.Gleason:do
STAFF REPORT: 8/01/86
HEARING DATE: 8/14/86

REGULAR CALENDAR
STAFF REPORT AND RECOMMENDATION

Application: 5-86-517

Applicant: Calamigos Ranch Corp.
327 S. Latigo Canyon Rd.
Malibu, CA 90265

Agent: G.R. Gerson

Description: The project consists of the renovation of an existing conference center and the construction of a total of 152 overnight rooms (70 units). The project will also involve the construction of a new conference center and will also include other minor improvements.

Site: 327 S. Latigo Canyon Road, Malibu, Los Angeles County

Substantive File Documents:

1. Coastal Permit 78-4441 (Calamigos Ranch).
2. Coastal Permit 79-4759 (Calamigos Ranch).
3. Coastal Permit 80-6643 (Calamigos Ranch).
4. Coastal Permit 79-5167 (Calamigos Ranch).
5. Suggested Modifications to the Malibu/Santa Monica Mountains Coastal Land Use Plan.

Local Government Approval: County of Los Angeles, Approval in Concept.

SUMMARY:

The staff is recommending approval of the project with a special condition to bring the project into conformity with the policies of the Coastal Act which address coastal recreation.

STAFF RECOMMENDATION

- I. Approval with Conditions.

EXHIBIT NO. 2

APPLICATION NO.

R-5-86-517

The Commission hereby grants a permit for the proposed development, subject to the conditions below, on the grounds that the development 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 impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions: See Attachment X.

III. Special Conditions.

1. Trail Dedication.

Prior to transmittal of permit, the applicants shall map and record an irrevocable offer to dedicate to a public agency or private association acceptable to the Executive Director, an easement for hiking/equestrian trail access. The easement shall be designed in consultation with the Los Angeles County Department of Parks and Recreation and National Park Service.

Such easement shall be a strip of the dedicatory's real property defined as follows:

Zuma RIDGE TRAIL

A strip of the applicants' real property less than 15 feet in width beginning near the northeasterly corner of the applicants' property within the approximate alignment of the Zuma Ridge Trail as shown in Exhibit 10 attached to these findings.

The offer shall be recorded free of prior liens except for tax liens and shall be binding on heirs, assigns and successors, it shall appear with an explanatory note on the final parcel map. The applicants and successors in interest shall not interfere with the pedestrian and equestrian access along the trails.

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

2. Assumption of Risk.

Prior to transmittal of permit, the applicant as landowner shall execute and record a deed restriction, in a form and content acceptable to the Executive Director, which shall provide (a) that the applicant understands that the site may be subject to extraordinary hazard from fire and the applicant assumes the liability from such hazards; and (b) that the applicant unconditionally waives any claim of liability on the part of the Commission and agrees to indemnify and hold harmless the Commission and its advisors relative to the Commission's approval of the project for any damage due to natural hazards. The document shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens and encumbrances which the Executive Director determines may affect the interest being conveyed.

IV. FINDINGS AND DECLARATIONS

A. Project Description.

The proposed project consists of the renovation and improvement of an existing conference center including the remodeling and/or construction of a total of 152 rooms (70 units). The proposed project will also include additions to the existing on-site restaurant, poolside gym and meeting rooms as well as the construction of a new conference center building. The project will also involve the construction of a six-foot perimeter fence.

The facility is limited to a maximum of 300 overnight guests and a maximum of 5,000 persons for day-time use. The proposed project is located on 81 acres at 327 Latigo Canyon Drive in Malibu.

B. Recreation.

The Coastal Act in Sections 30222 and 30223 states as follows:

Section 30222.

The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.

Section 30223.

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

In addition to the above Coastal Act policies cited above, the Commission is acting to approve the Suggested Modifications to the Malibu/Santa Monica Mountains Land Use Plan adopted several policies aimed at the provision of additional coastal recreation opportunities in the Malibu/Santa Monica Mountains. The recreational policies of the Suggested Modifications to the Land Use Plan follow:

- P1 Provide recreational opportunities to meet the variety of recreation demands.
- P2 Provide for passive and educational, as well as active, recreational opportunities.
- P2b Provide for the widest feasible distribution of public recreational facilities, including parking facilities, throughout the Malibu/Santa Monica Mountains coastal zone, so as to avoid overcrowding or overuse by the public of any single area.
- P12 Create an incentives program that would encourage landowners to make lands available for public recreational uses.
- P13 Accept private land donations which are compatible with the recreation policy.
- P17 Encourage the development of commercial recreational and visitor-serving facilities in/proximity to/on the public beaches which will yield lease, concessionaire, and other revenue to balance beach and recreational operations and maintenance costs at suitable locations which provide convenient public access, adequate infrastructure, convenient parking, and, when feasible, which are focused at locations where existing low cost recreation uses will be enhanced. Such uses shall not displace existing recreational uses unless a comparable replacement area is provided. Existing parking areas serving recreational uses shall not be displaced unless a comparable replacement area is provided or alternative means of improving access to the recreational area are assured, such as improved public transit facilities or services. Among other sizes, encourage development of/

commercial/recreational/and/visitor-serving
facilities/and/also/development/centers/(Malibu
Civic Center/and/Point/Dume/Paradise/Cove)/and/also
one/subcenter/(Mojave/and/Topanga/Canyon)/

- P18c** On land suitable for visitor-serving commercial recreational facilities, provide priority for visitor-serving facilities over private residential, general industrial, or general commercial development.
- P19** Ensure that the types and intensities of commercial recreational uses are environmentally compatible with the area and the site.
- P20** Locate commercial recreation facilities to efficiently utilize public services, particularly the road system.
- P24** Design public recreation facilities to minimize the impact on neighboring communities.
- P25** Protect adjacent neighborhood areas, to the extent feasible, from noise, visual and traffic impacts from new recreation areas.

The proposed project consists of the renovation and expansion of an existing conference center and recreational facility. The proposed conference center is a visitor serving facility and the Commission in its findings to adopt the above Suggested Modifications to the Land Use Plan found that there was a definite need for this type of facility in the mountain area. The applicant has supplied information which stipulates that the current facility provides visitor related educational and recreational opportunities to over 100,000 people per year. Existing uses consist of day and overnight accommodations and group and corporate picnic facilities. The existing ranch also provides horseback riding facilities with stabling facilities for equestrian groups. The applicant has stated in his submittal package that presently the facility is booked until January 1987 with over 50 churches, educational organizations and corporations on a waiting list.

Based upon the foregoing, the Commission concludes that the proposed project is a coastal recreation use and does provide visitor-serving recreational uses. The proposed project by expanding the existing facility will serve to increase coastal recreational opportunities. Therefore, the Commission finds that the proposed project is consistent with Sections 30223 and 30222 of the Coastal Act.

C. Location of New Development.

The Coastal Act in Section 30250(a) specifies that:

"New residential, commercial or industrial development except as otherwise not in this discussion shall be located within, contiguous with or in close proximity to existing developed areas able to accommodate it."

The proposed project consists of improvements to and expansion of an existing conference facility. The proposed project will increase the capacity of the facility for visitors and recreational use.

The proposed project is located on an 80-acre site. The newly proposed structures will be located within an area of the site where existing development is located. According to the file materials submitted by the applicants, the existing infrastructure is adequate to accommodate the development proposed for the site.

The County of Los Angeles Department of Health has previously reviewed and approved several prior applications to the septic system for the ranch complex. Since the project is situated on a ±80-acre site, there is adequate room for the siting of septic disposal systems to accommodate the site.

Water service to the project will be provided via a Las Virgenes Municipal Water District water main located adjacent to Vera Canyon Road south of Mulholland. Information in the permit application indicates that the provision of water to the project site will not create a problem.

Based upon the foregoing information, the Commission concludes that the proposed site is not located in an existing developed area as designated by the Coastal Commission. However, the 80-acre project site contains an existing visitor serving, commercial recreational facility which accommodates approximately 100,000 visitors per year. Therefore the Commission further concludes that the proposed project would be a significant coastal recreational use for which there is a need in the Malibu/Santa Monica Mountains. Also, the Commission further concludes that the project would be located in an existing developed recreational complex able to accommodate it and therefore the Commission finds that as proposed, the project would be consistent with Section 30250(a) of the Coastal Act.

D. Parking.

The Coastal Act in Section 30252(4) states:

The location and amount of new development should maintain and enhance public access to the coast by (4) providing adequate parking facilities . . .

The proposed project will provide a total of 1,100 on-site parking facilities. The parking criteria contained in the Suggested Modifications would require a total of 1,053 parking spaces. Therefore, as proposed, the project exceeds the parking requirements adopted by the Commission. Thus the Commission finds that as proposed the project is consistent with Section 30252(4) of the Coastal Act.

E. Hiking and Equestrian Trails Access.

Section 30223 of the Coastal Act states in part:

Upland areas necessary to support recreational uses shall be reserved for such uses, where feasible.

The project site is traversed by sections of Zuma Ridge Trail, a key component of the Mountains Trail System. With respect to such trails, the Suggested Modifications states the following:

A trail dedication requirement shall be a condition of approval for new development as defined in Coastal Act Section 30212(b) where the property encompasses a mapped trail alignment, as indicated in Figure 3 of the LUP, where substantial evidence of historic public use of the trail exists along routes to destinations of recreational significance, or where the Coastal Commission has previously required trail easements. Nothing in this policy shall preclude relocating a trail that has historically been used by the public as a trail so long as the new trail is equivalent for purposes of public use. Both new development and the trail alignment shall be sited to provide maximum privacy for residents and maximum safety for trail users. Property owners and residents shall not be permitted to grade or develop the trail area in such a way as to render the trail unsafe or unusable.

Therefore, the Commission finds that it is necessary to condition the project to require the applicant to offer an easement for trails across the project site where the Zuma Ridge Trail is located. The Commission finds if so conditioned, the project would be consistent with Section 30223 of the Coastal Act.

F. Hazard.

1. Fire.

Section 30253(a) of the Coastal Act provides that new development shall minimize risks to life and property in areas of high fire hazard.

One significant aspect of the project with which the Commission is concerned is the project's location in a fire hazard area. The

proposed subdivision will be located in Fire Zone IV which is an area of extreme fire hazard. Large areas of land in the Santa Monica Mountains are located in Fire Zone IV.

Section 30253(a) of the Coastal Act requires that the Commission ensure new developments minimize risks to life and property in areas of high fire hazard. The adopted Suggested Modifications to the County's Land Use Plan contain several policies which are aimed at the reduction of fire hazards in the Santa Monica Mountains.

The extensive residential damage which has occurred previously in the Santa Monica Mountains is adequate evidence of the potential which fire hazard poses to existing development in Malibu. The Commission notes that even with the present level of development protection from fire is not always possible. The Commission staff estimates that since 1953 over 1,000 residences in the Santa Monica Mountains have been destroyed by fire.

The Commission finds that as proposed the project is not consistent with Section 30253(a) of the Coastal Act. However, the Commission further finds that if conditioned with measures to reduce the risk of fire hazard, the project could be brought into conformity with Section 30253(1) of the Coastal Act.

F. Local Coastal Program.

Section 30604(a) of the Coastal Act states:

(a) 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 coastal program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200). A denial of a coastal development permit on grounds it would prejudice the ability of the local government to prepare a local coastal program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200) shall be accompanied by a specific finding which sets forth the basis for such conclusion.

The County of Los Angeles Board of Supervisors approved the Land Use Plan portion of the Malibu/Santa Monica Mountains LCP on December 28, 1982. In March of 1983, the Commission denied the Commission Land Use Plan as submitted. Subsequently in January of 1985, and June of 1985, the Commission conducted hearings on Suggested Modifications. At its June 13, 1985, hearing the Commission adopted

extensive "Suggested Modifications to the County's Land Use Plan". However, the County of Los Angeles has resubmitted the Malibu Land Use Plan to the Commission. In November of 1985, the Commission acted to approve a resubmitted Land Use Plan for the County with Suggested Modifications.

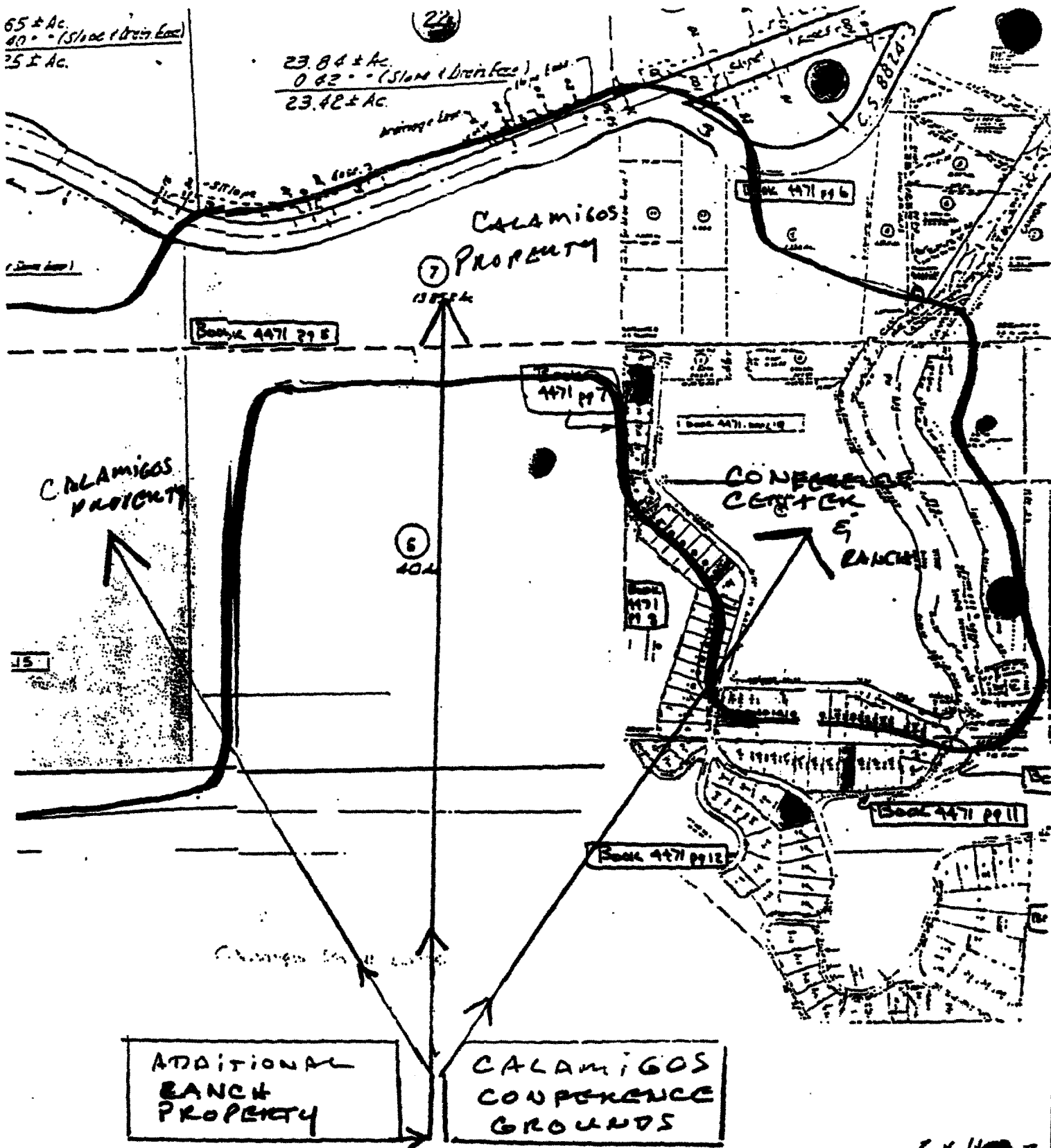
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page
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Henderson
att*

The Suggested Modifications to the Malibu/Santa Monica Mountains Land Use Plan designates the project site as Residential 6. The proposed project is consistent with the adopted Land Use designation for this area of Malibu. Since the proposed project would be in conformity with Land Use Plan policies which address recreation, hazards and concentration of development, the project would not prejudice the ability of the local government to prepare a local government to prepare a LCP in conformity with the provisions of Chapter 3 of the Coastal Act.

1244A

65 ± Ac.
80 ± Ac. (Slope & Drain Easement)
25 ± Ac.

(24)
23.84 ± Ac.
0.62 ± Ac. (Slope & Drain Easement)
23.42 ± Ac.



EK 11-7
(cont.)

5-16-51
EXHIBIT

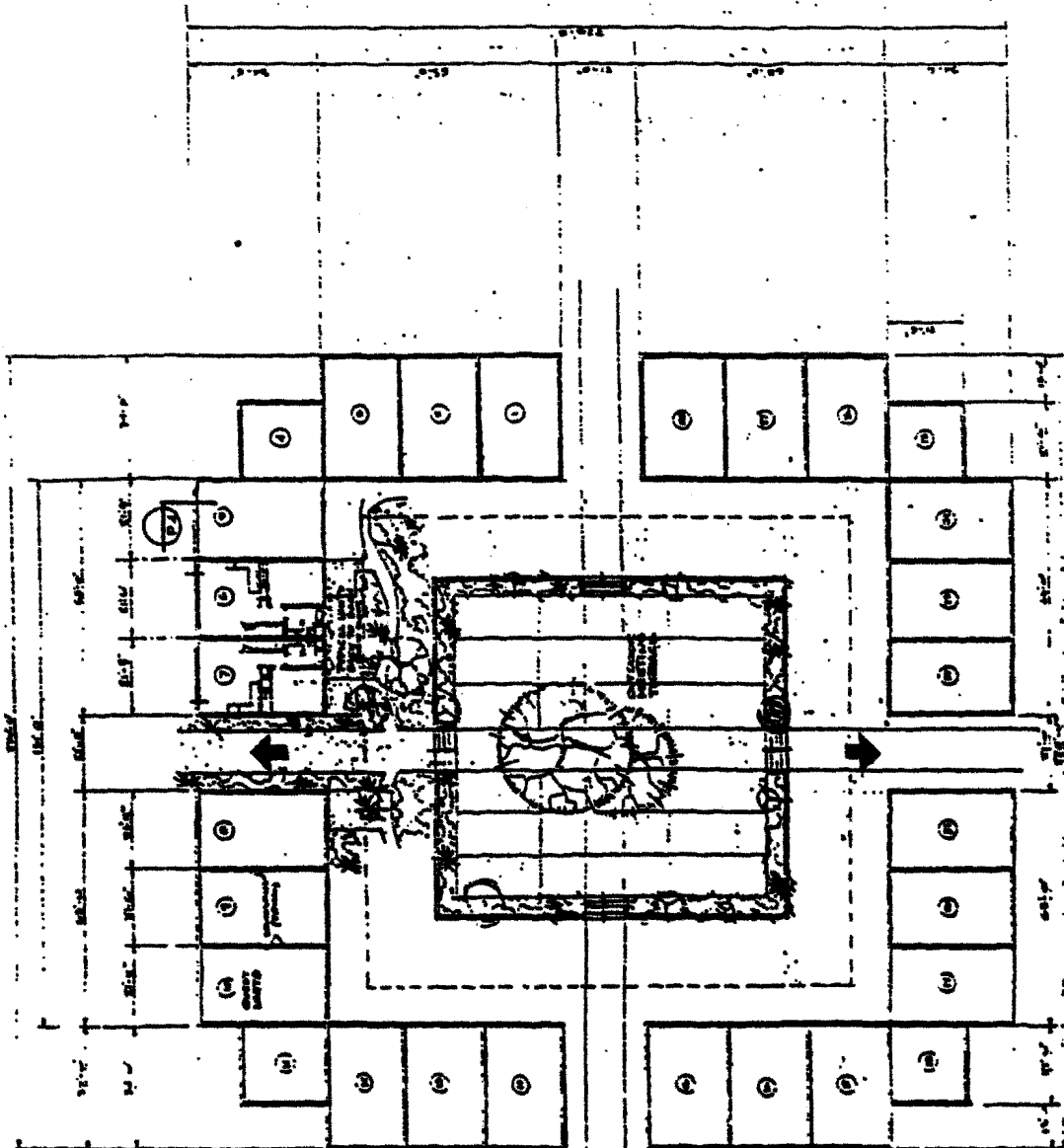
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MALIBU CONFERENCE CENTER
327 MALIBU BLVD. MALIBU, CALIF. 90265
MAILED - JULY 1971

OTTO J. KORVER AIA
ARCHITECT
1722 WEST 10TH AVE. SUITE 200
DENVER, COLORADO 80202
TELEPHONE 333-5555

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BUILDING AREA: 18,768 SQ. FT.
32 UNITS

PLAN
UNIT A

EXHIBIT 2

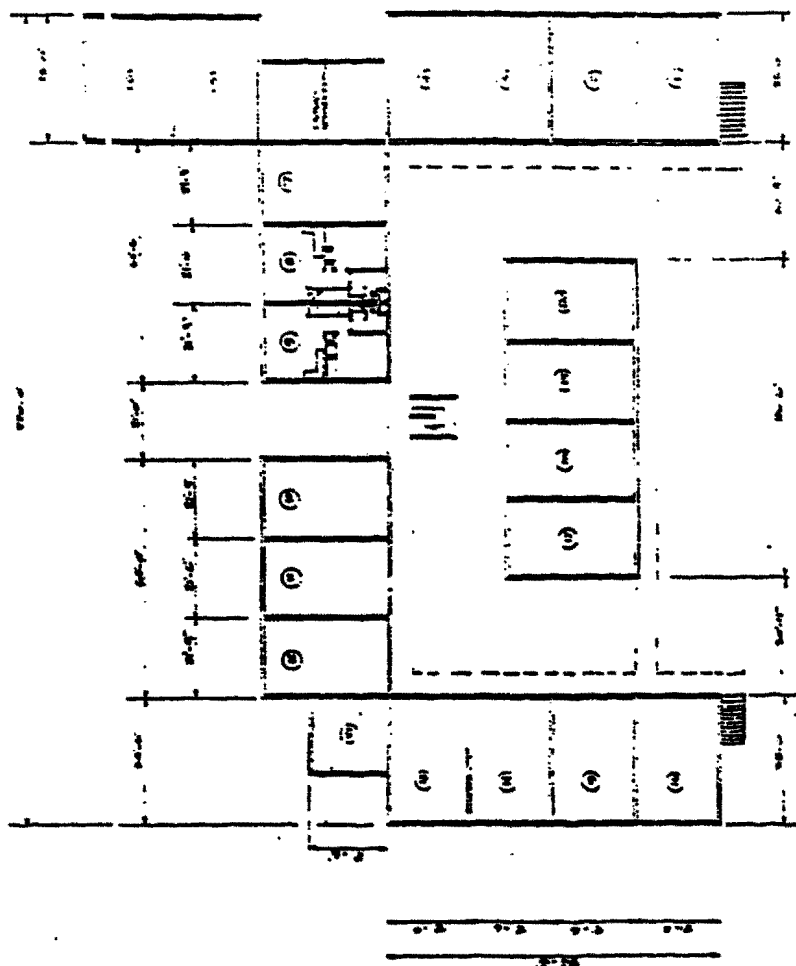
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EXHIBIT

5-26-517
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OTTO J. KORVER A.I.A.
ARCHITECT
3424 MOTOR AVE
LOS ANGELES 828 - 2988

APR 18 1964
U.S. DEPT. OF JUSTICE
FBI - NEW YORK
RE: JAMES EARL RAY
NY 100-38861
FROM: SAC, NEW YORK (100-38861)
TO: DIRECTOR, FBI (100-38861)
SUBJECT: JAMES EARL RAY, AKA
RE: NEW YORK TELETYPE TO BUREAU, APRIL 17, 1964.



WATER IS
NOT A DRUG

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BUILDING - 13.

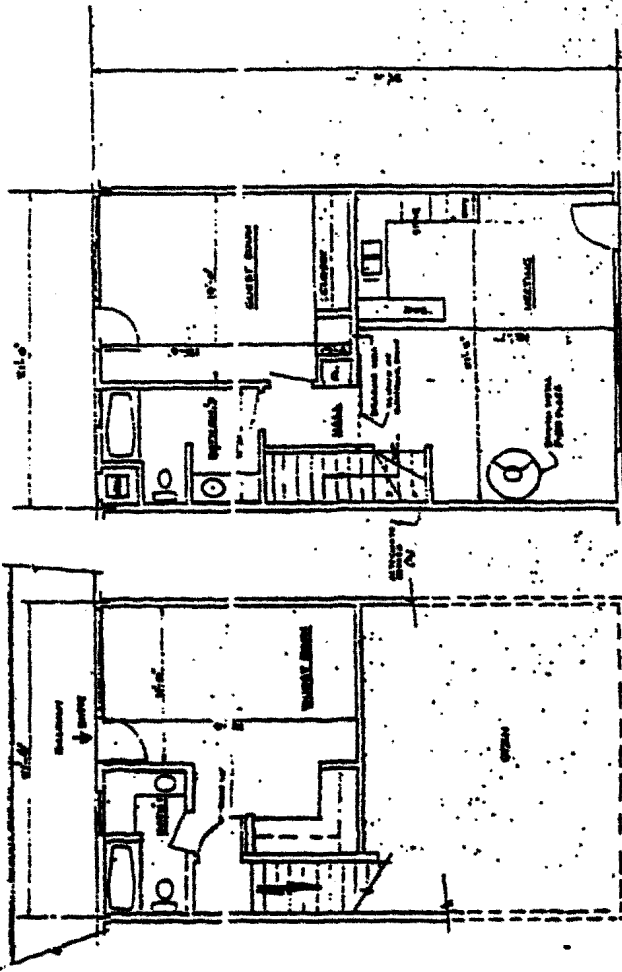
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MALIBU CONFERENCE CENTER
277 NORTH ATLANTIC AVE. WOOD ROAD
MALIBU, CALIF. 90265

OTTO J. KORVER A.I.A.
ARCHITECT
3444 MOTOR AVE.
LOS ANGELES, CALIF. 90018

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2ND FLOOR 1ST FLOOR

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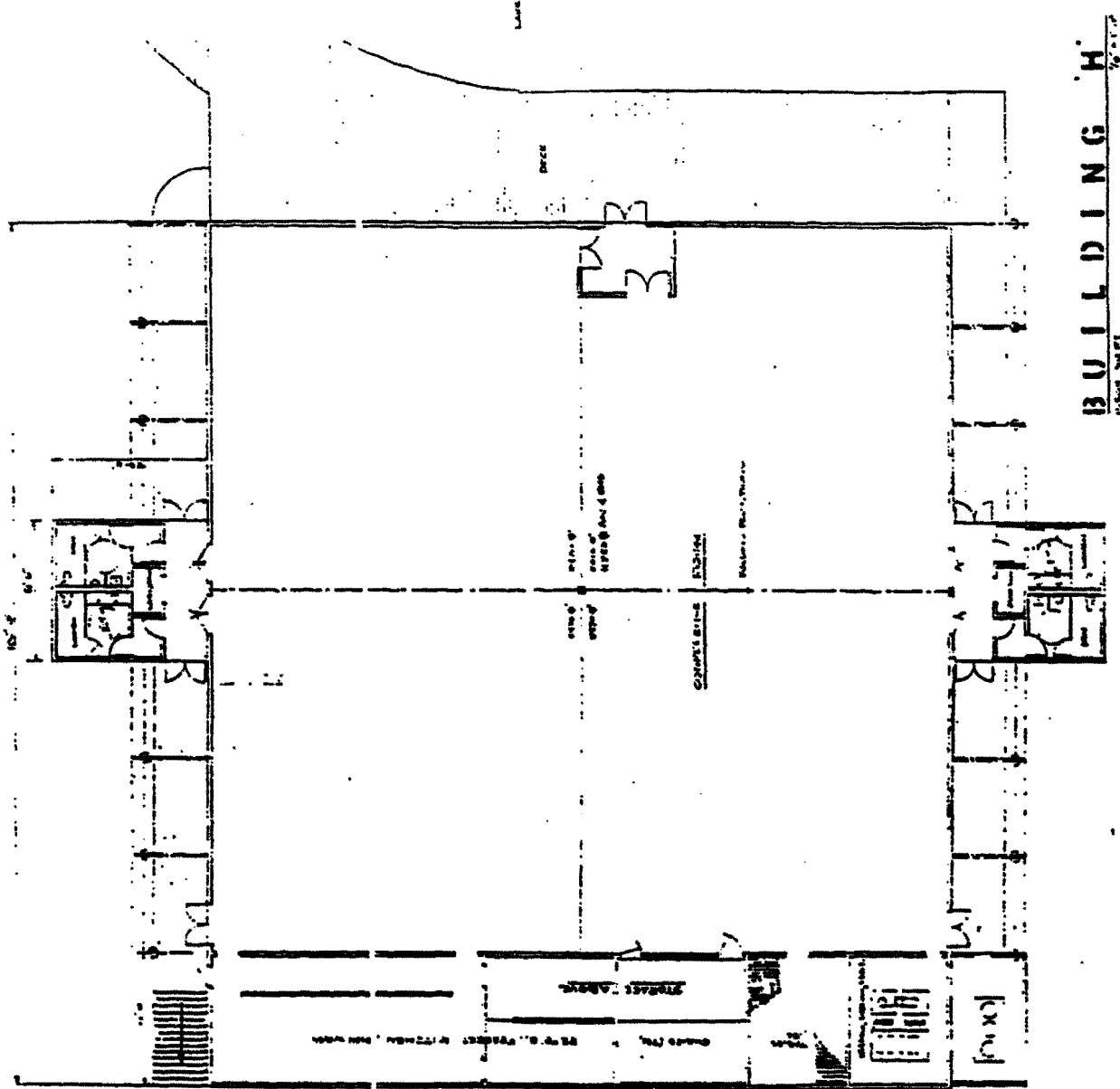
THIS UNIT
LIVING ROOM
KITCHEN
BATH
BEDROOM

5-96-97

OTTO J. KORVER A.I.A.
ARCHITECT
3424 MOTOR AVE
LOS ANGELES 328 - 2888

[illegible]

3-16-517



BULLDOG H.

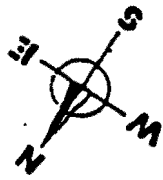


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MAHBU CONFERENCE CENTER
327 SOUTH LATOPE CANYON RD.
MALIBU, CALIF. 90265

OTTO J. KORVER AIA
ARCHITECT
2434 MOTOR AVE
LOS ANGELES 900-2988

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PARTIAL ELEVATION

TYPICAL FOR ALL UNITS

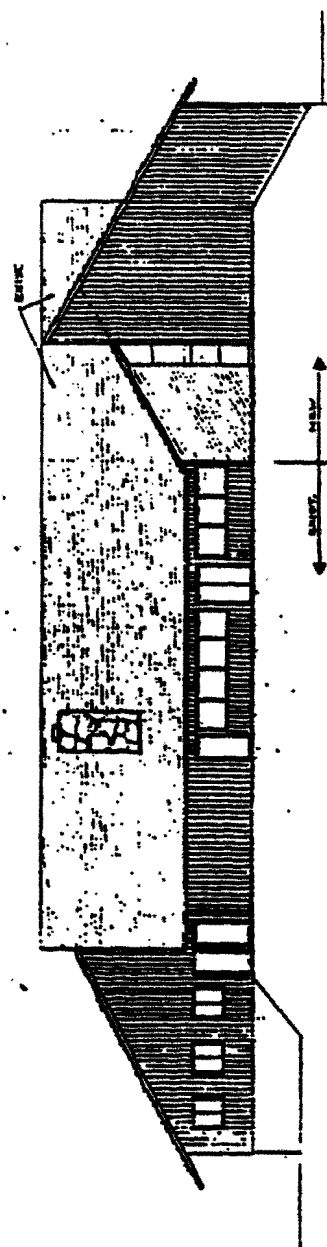
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EXHIBIT 8
SUDICAL REEVALATIONS

EXHIBIT 2
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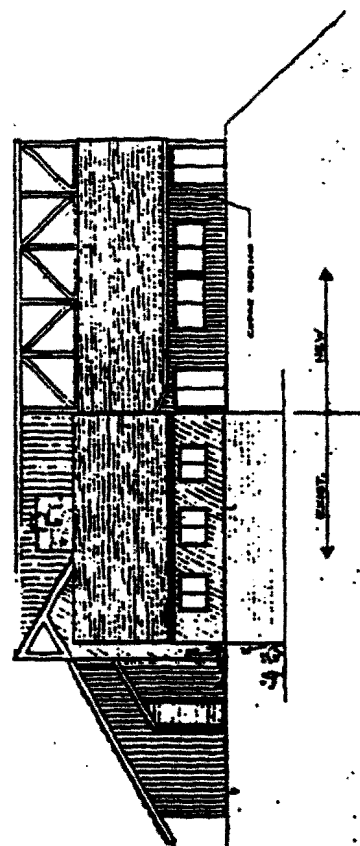
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EXHIBIT 2
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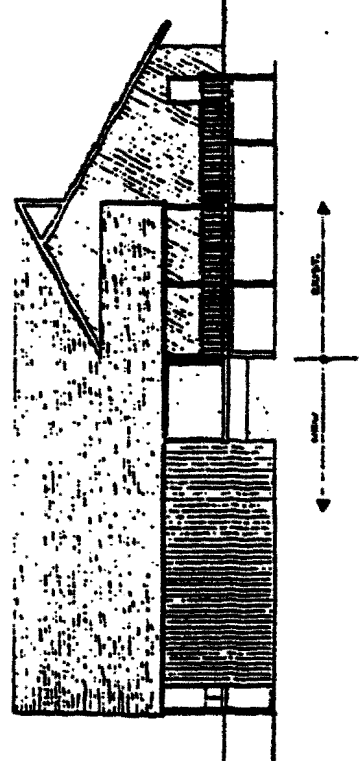
WEST ELEV.



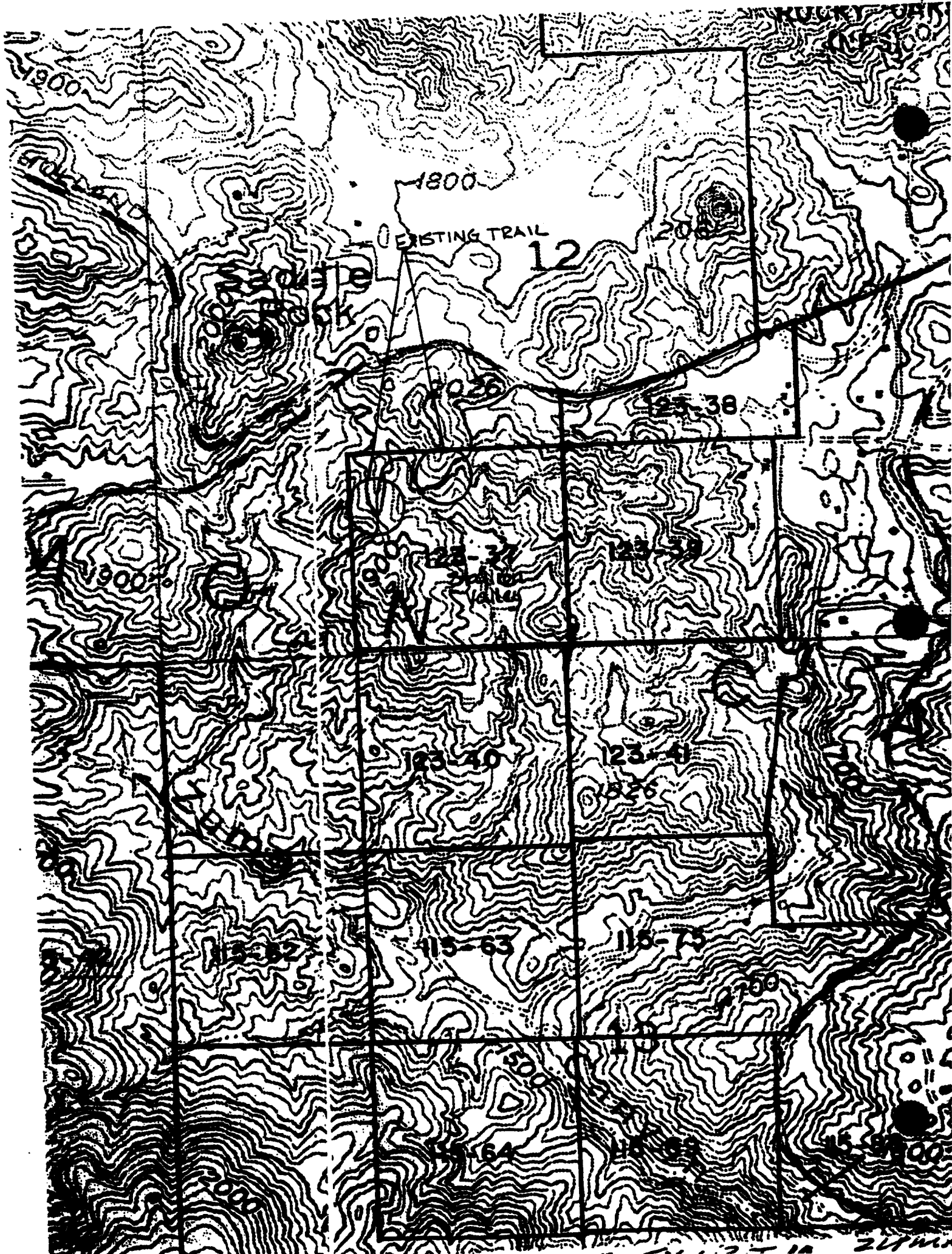
NORTH ELEV.



SOUTH ELEV.



OTTO J. KOKORIS AIA
A R C H I T E C T
327 S. LATIGO CANYON RD.
MALIBU, CALIFORNIA 90263
MALIBU CONFERENCE CENTER
327 S. LATIGO CANYON RD.
MALIBU, CALIFORNIA 90263



SANTA MONICA MOUNTAINS CONSERVANCY

107 SOUTH BROADWAY, ROOM 7117
LOS ANGELES, CA 90012
(213) 620-2021

June 27, 1986

RECEIVED
JUL 25 1986CALIFORNIA
COASTAL COMMISSION
SOUTH COAST DISTRICT

The Honorable Michael Wornum
Chairman, California Coastal Commission
631 Howard Street, 4th Floor
San Francisco, California 94105

Dear Chairman Wornum and
Members of the Commission:

Having learned recently that Calamigos Ranch will soon apply for permit to expand its facilities, I want to take this opportunity to indicate that the Conservancy staff believes such a facility fills a definite need in the Santa Monica Mountains. Further, we feel that the expansion proposed by the ranch is indeed over due, for a strong demand has existed for at least the past five years.

Calamigos Ranch has served a wide range of organizations, including some minority and handicapped groups, and has provided that service with careful attention and sensitivity to the mountain setting, taking every opportunity to introduce and orient the groups to the natural resources of the Santa Monica Mountains. We believe that is an important aspect of any visitor-serving facility.

There are several other important concerns associated with visitor facilities in the Santa Monica Mountains and we believe these should be conditions of the permit:

- 1) Large open space areas should be reserved: we are pleased to see that almost 95% of the Calamigos Ranch property will be left in a natural condition.
- 2) Scenic roadway viewshed should be protected by requiring careful placement and design of structures.
- 3) Trail corridors should be retained to assure that public use of the open space will not be cut off.

The Conservancy staff has reviewed the preliminary plans for the Calamigos Ranch expansion and believes that it will serve the increasing demand for private recreational facilities, and will indeed enhance the quality of the visitor's experience, as well.

Sincerely,



JOSEPH T. EDMISTON, AICP
Executive Director

EXHIBIT 2
1. 1. 1

THE MOUNTAINS CONSERVANCY FOUNDATION

PETER STRAUSS RANCH
30000 MULHOLLAND HIGHWAY
AGOURA, CALIFORNIA 91301

TELEPHONE (818) 706-8380/706-0153

June 6, 1986

RECEIVED
JUN 30 1986

CALIFORNIA
COASTAL COMMISSION
SOUTH COAST DISTRICT

Mr. William Anderson
Calamigos Ranch
327 South Latigo Canyon Road
Malibu, CA 90265

Dear Mr. Anderson:

It has come to my attention that Calamigos Ranch is pursuing long-range plans to enlarge the conference facility in the Santa Monica Mountains.

Since this nonprofit organization has operated the Peter Strauss Ranch for the past three years and has provided recreational, educational and cultural programs for the public, we are constantly in touch with large groups desiring overnight accommodations in a natural setting. Because there are no such facilities of this type on public land, we have consistently recommended Calamigos Ranch as a possible site for their use.

My question is: Why has it taken so long for private enterprise to realize a need that has been around for so long? With major businesses establishing their headquarters in the Las Virgenes, Conejo and Camarillo areas, the demand has been increasing.

Therefore, I highly support your intended plans. Along with that support, however, is an equally strong recommendation to design facilities that fit into this mountain environment and that enhance the natural beauty of the area. The facilities should serve equestrians and hikers as well as the Presidents and Chairmen of the Board of potential organizations.

Sincerely,



RUTH TAYLOR KILDAY
Executive Director

EXHIBIT 2

CHARLES W. THRIFT
612 THRIFT ROAD • MALIBU, CALIFORNIA 90265 • (213) 889-9691

July 2, 1986

RECEIVED
JUL 25 1986

CALIFORNIA
COASTAL COMMISSION
SOUTH COAST DISTRICT

Dear Mr. Gerson:

As a long-time resident and land owner in the Santa Monica Mountains, and as a member of Concerned Citizens for Property Rights, this letter is to support your proposal for renovation and remodeling of your Conference Center, Restaurant, and Overnight Accommodations.

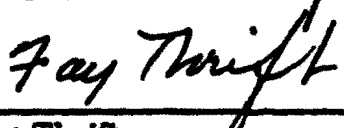
It appears that your current course is one that is long overdue and one that should be met with enthusiasm from both sides of a somewhat polarized set of environmentalists and developers and, with time, will develop into a reason to say we at last have an example of the best use of land for private homeowners and environmental activists.

Activities on your facility in the past have caused us no concern. We feel that your stated desire to develop the conferencing aspects of your facility will limit any impact to the neighborhood. We support your project as planned.

Wishing you much luck, we are



Charles Thrift



Fay Thrift

CWT/fo

EXHIBIT 2

RECEIVED
JUN 30 1986

June 28, 1986

TO: William Anderson:

CALIFORNIA
COASTAL COMMISSION
SOUTH COAST DISTRICT

It has been brought to my attention that Calamigos is in the process of expanding its Conference Center. As your closet neighbor, completely surrounded by your property and my home being within 50 feet of you most active area I feel that it is important that I document our recent conversations regarding your Conference Center plans.

I must say that following our meeting, Mr. Anderson, I not only support your project, but appauld it.

I would like to restate many of the topics discussed in our meeting so that I might feel that we both fully agree and understand the many positive changes you and your organization will be undertaking.

Overnight Accommodation

It is my understanding that the Conference Center will create approximately 150 living units, or an increase of 100 units on your site. This actually will keep your overnight densities to the same level you held with the childrens operations. These overnight accommodations will be as you stated "Clustered" away from the neighborhood to "mitigate" sound and other impacts. It appears the design process will create an improved environment for the surrounding neighborhood.

Site Improvements:

A number of on site improvements will be made that will directly affect us, to the better I might add, which will include a full 8 foot fence around the property, and modifications to your current sound and PA systems to lower the sound level. Improvements will be made to your current dining and evening banquet areas to further lessen the neighborhood impact by providing further sound mitigating benefits. Believe me, as a direct neighbor I truly appreciate your concern and willingness to invest these dollars, to make our relationships far better.

Additional Comments:

In addition Mr Anderson, you further stated that one of your three picnic areas, the area closest to many of your neighbors, would be put out of service. As a Conference Center, this would again benefit the entire neighborhood. I again must say, I look forward to the new "Calamigos".

I hope these summary meets with your approval, and should it, please consider me a supporter of your, "Our" new Malibu Conference Center at Calamigos Ranch.

Sincerely Yours,

Rick Elmore



EXHIBIT 2

June 23, 1986

Bill Anderson
Vice President Operations
Calamigos Ranch
327 South Latigo Canyon Road
Malibu, California 90265

RECEIVED
JUN 30 1986

CALIFORNIA
COASTAL COMMISSION
SOUTH COAST DISTRICT

Dear Mr. Anderson;

I am an avid horsewoman and involved in the sport of endurance riding.

I am writing to let you know of the interest and excitement generated by your plan to have overnight accomodations for mounted groups. There is nothing of the kind available in the whole area, and everyone that I have mentioned it to has been very enthusiastic.

You would be providing a terrific service to the horse owners in our area, and there are many, and you would also make it possible for horse people from all over to come and enjoy our beautiful mountains. I know of many people who travel all of the western states with their horses.

I am very much hoping to hear in the very near future that this plan is a reality.

Thank you,

Linda R. Chapman


Linda R. Chapman
28910 Wagon Road
Agoura, Ca 91301

EXHIBIT 2

CALIFORNIA COASTAL COMMISSION

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

*Attach to
Original Report*

ADDENDUM

To: Commissioner and Interested Persons
From: South Coast District Staff *C.C.*
Subject: Commission meeting of August 14, 1986
Agenda Item 7.h. p.14
5-86-517 Calimigos and Gerson

Corrections and Additions

The staff report on p.9 should be modified in the 2nd paragraph to read as follows:

"The Suggested Modifications to the Malibu/Santa Monica Mountains Land Use Plan designates the project site as 16- Low Intensity Visitor Serving Commercial Recreation. The proposed project is consistent with the adopted Land Use designation for this area of Malibu. Since, the proposed project would be in conformity with the Land Use Plan policies of which address recreation, hazards and concentration of development, the project would not prejudice the ability of the local government to prepare a Local Coastal Program in conformity with the provisions of chapter 3 of the Coastal Act.

The following section should be added to the staff report as Section G. P.9 of the staff report.

G. Environmentally Sensitive Habitat Areas.

The Coastal Act in Section 30107.5 describes Environmentally Sensitive Habitat Areas (ESHAs) as follows:

The Coastal Act in Section 30107.5 defines Environmentally Sensitive Area as "... any area in which plant or animal life or their habitats are either rare or especially valuable

EXHIBIT 2

because of their special native role in our ecosystem and which could be easily disturbed or degraded by human activities and developments."

The following Coastal policies address ESHA protection:

Section 30240(a) of the Coastal Act further provides that "Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas."

The project site is traversed on its eastern periphery (location of new development) by an identified intermittent blue line stream. The Suggested Modifications to the Malibu Santa Monica Mountains Land Use Plan contain the following policies which are aimed at the protection of Blue Line Streams:

P79 To maintain natural vegetation buffer areas that protect all sensitive riparian habitats as required by Section 30231 of the Coastal Act, all development other than driveways and walkways for public recreational purposes should be set back at least 50 100 feet from outer limit of designated environmentally sensitive riparian vegetation canopy. Such canopy shall not be considered to include scattered trees or shrubs not located in a riparian (streamside) location. Driveways may be allowed through riparian areas only where there is no less environmentally damaging feasible alternative means of providing access to recreational areas or homesites located outside the riparian area and no alternative development sites on the property. No new parcels shall be created by subdivision which would require access through riparian areas or other ESHAs.

P80 To minimize the adverse effects of waste water discharges as required by Section 30222 of the Coastal Act, the County should enforce the following setback requirements for septic systems: (a) at least 50 feet from the outer edge of the existing riparian or oak canopy for leachfields, and (b) at least 100 feet from the outer edge of the existing riparian or oak canopy for seepage pits. A larger setback shall be required if necessary to prevent lateral seepage from the disposal beds into stream waters.

EXHIBIT 72

The Commission notes that although the septic systems for the proposed project will observe an approximate 50' setback from the blue line stream that new structures proposed on the site will not observe the 100 ft. minimum setback requirement as set out in the above policies. However, the Commission further notes the project is intended to restore the existing facility to its original capacity of 300 overnight visitors and 5,000 daytime visitors as limited by the County of Los Angeles. The Commission finds that many of the structures which previously existed on the site have been destroyed by fire. The Commission finds that development of the proposed project as planned by the applicant is not the same as new development on a previously vacant parcel of land. A camping ground/conference facility had existed on the site for many years prior to the enactment of the Coastal Act or adoption of Suggested Modifications because of the extent of existing development and previously existing development on the site. The Commission finds that it would be inequitable to require the applicant to construct new or renovated structures which observe a 100 ft. stream setback.

The Commission further notes that some of the proposed structures such as proposed 6' in height, stucco perimeter sound wall have been designed to lessen noise impacts from the project and cannot physically be designed to observe a 100' stream setback. Other structures such as the deck area of the conference center structure will actually encroach unto a small lake in the center of the conference ground facility and have been designed to enhance the recreational experience for visitors to the facility.

The Commission has received written opposition to the proposed project indicating concern that the project will result in water quality impacts to ground water supplies because of increased septic system requirements. However, the Commission notes that wastewater discharge is a function of the capacity of the facility (number of visitors) and not the design of the proposed structures on the site. Again the Commission notes that the proposed project is intended to restore the facility to the capacity which existed prior to the time many on-site structures were destroyed by fire.

The applicant's have supplied an extensive analysis of septic system requirements and plans for achieving wastewater discharge requirements. The County of Los Angeles Dept of Health has approved those plans.

Based upon the foregoing, the Commission finds that as proposed the project is consistent with section 30240 of the Coastal Act.