

CALIFORNIA COASTAL COMMISSION

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

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Staff: MH-V
Staff Report: 4/21/99
Hearing Date: 5/11-14/99
Commission Action:



RECORD PACKET COPY

STAFF REPORT: REGULAR CALENDAR

APPLICATION NO.: 4-98-319

APPLICANT: Mike Greenhut

AGENT: Terry Valente

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

PROJECT DESCRIPTION: Construct landscape features including a circular driveway and retaining wall on the site of the existing driveway, install 6 ft. high retaining wall adjacent to driveway, install new 1,000 sq. ft. lawn in an area presently landscaped with a small knoll created by previous grading as an aesthetic feature between the existing swimming pool and single family residence on 5.2-acre lot; grade a total of 883 cu. yds. of material (728 cu. yds. cut and 155 cu. yds. fill), and perform remedial grading and install drainage management devices in a drainage course adjacent to Saddle Peak Road.

LOCAL APPROVALS RECEIVED: County of Los Angeles, Department of Regional Planning, Approval in Concept dated October 21, 1998.

SUBSTANTIVE FILE DOCUMENTS: Certified Malibu/Santa Monica Mountains Land Use Plan; Coastal Development Permit 5-87-818 (Brafford); "Update/Supplemental Geotechnical Engineering Report," prepared by West Coast Geotechnical, May 19, 1997; "Supplemental Geotechnical Engineering Letter," prepared by West Coast Geotechnical, April 2, 1999.

SUMMARY OF STAFF RECOMMENDATION

This project was postponed from the April, 1999 hearing agenda at the applicant's request, and has subsequently been revised to reduce the proposed lawn area from 2,500 sq. ft. to 1,000 sq. ft., to delete the 5,000 sq. ft. paved pad for vehicle storage, and to reduce total grading from 3,023 cu. yds. to 883 cu. yds. The applicant now proposes remedial grading and installation of drainage control devices in natural stream channel adjacent to Saddle Peak Road.

Staff recommends **approval** of the proposed project with special conditions regarding: Revised Plans (to delete stream channel drainage changes), Landscaping and Erosion Control, Conformance with Geologic Recommendations, and Disposal of Excess Graded Material.

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions

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 governments 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, Erosion Control, and Fuel Modification Plan

A. Prior to the issuance of the coastal development permit, the applicant shall submit a landscaping, erosion control, and fuel modification 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. The revised plans shall eliminate all grading and remedial drainage measures that are proposed for implementation in the area of the natural drainagecourse commencing south of Saddle Peak Road, shown on Exhibit 6. The revised plans shall specifically delete the proposed construction in the area of the drainagecourse as marked on Exhibit 6. The revised plans shall retain only the grading necessary to construct the lawn pad and the minimal amount necessary to reconfigure the existing driveway to a circular pattern. The revised plans shall not contain a driveway extension west of the existing driveway footprint.

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:

A. Project Description

The applicant proposes to construct landscape features including the redesign of the existing driveway entrance to a circular configuration and the associated installation of 6 ft. high retaining wall adjacent to the driveway to support the new configuration, to install a new 1,000 sq. ft. lawn area formerly landscaped with a low, artificial knoll feature between existing swimming pool and single family residence on 5.2-acre lot (turf, if planted previously, has been allowed to die out and the area between the residence and pool is relatively barren and shows evidence of erosion in previously graded areas); grade a total of 883 cu. yds. of material (728 cu. yds. cut and 155 cu. yds. fill), and perform remedial grading and drainage repairs in natural drainagecourse adjacent to Saddle Peak Road.

The subject site is located at 21900 Saddle Peak Road, on a hillside lot in the unincorporated Malibu area, near Topanga. The immediate area is developed 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.

B. Geologic Stability and Hazards; 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 alteration 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).

As stated previously, the applicant proposed to regrade a portion of previously landscaped area located behind the existing residence to construct a lawn area between the residence and the existing swimming pool. The applicant states that ensuring an open view between the residence and the swimming pool is desirable in part to enhance the safety of children using the pool. The material that would be graded is artificial fill that was mounded into a low hill as a landscape feature when the residence was constructed. The applicant additionally proposes to reconfigure the existing entrance driveway to a circular form. A 6 ft. high retaining wall must be placed along the circular portion to support the reconfigured design.

In addition, the applicant revised the previous application to delete a significant amount of grading (approximately 2,800 cu. yds. total) in concert with the deletion of a proposed 5,000 sq. ft. paved area for vehicle parking and maintenance. This change has significantly reduced the landform alteration proposed by the applicant.

The applicant has submitted a geotechnical report entitled "Update/Supplemental Geotechnical Engineering Report" prepared by West Coast Geotechnical, dated May 19, 1997. The report states that:

"...the proposed development is considered feasible from a geotechnical engineering standpoint, provided our recommendations are made part of the development plan and are implemented during construction."

The underlying report cited above did not consider the remedial measures proposed for the drainage course adjacent to Saddle Peak Road, as that report only addressed culvertization, etc., as a means of protecting the proposed new structures in that area that have since been deleted from the applicant's proposal. The Commission finds, however, that to the extent that the report makes recommendations regarding the construction practices and final project designs applicable to the grading and landscape

plans applicable to the new circular driveway and lawn features adjacent to the existing residence, these recommendations must be incorporated into the final project plans and designs in accordance with the requirements of Special Condition 2.

In addition, the Commission finds it necessary to ensure that the new landscape plans and practices control erosion rely upon the use of drought tolerant, locally native species to limit irrigation and associated runoff that may exacerbate erosion on this relatively steep site. Special Condition 1 requires the applicant to prepare and submit for the Executive Director's approval a landscape and erosion control plan, and monitoring plan, consistent with the applicable requirements of Coastal Act Section 30253.

The Commission also notes that the applicant proposes a total of 703 cu. yds. of cut to construct the lawn area, but only 71 cu. yds. of fill to be regraded on site. Therefore, the landscape proposal will result in the need to export 672 cu. yds. of material. To ensure that the graded spoils are not disposed of inappropriately on site or elsewhere within the coastal zone, thereby potentially altering landforms such as coastal canyons (and silting creeks as the secondary consequence) or adversely affecting coastal views by disposing of graded materials along scenic roadways, the Commission finds it necessary to impose Special Condition 4 to ensure appropriate disposal of excess cut material consistent with Coastal Act Section 30251.

The applicant has added a new proposal since requesting that this item be postponed from the Commission's April, 1999 agenda, however. The new proposal includes remedial measures to repair an eroded area in a natural drainage course adjacent to Saddle Peak Road. The applicant proposes to grade approximately 114 cubic yards total (25 cu. yds. cut and 84 cu. yds. of fill) and to trench and install approximately 120 feet of 6-inch PVC pipe to drain Saddle Peak Road and install a 10' by 15' (150 sq. ft.) rip-rap energy dissipater within the bounds of an unnamed drainage course tributary to downgradient Dix Canyon Creek, which traverses the southerly portion of the applicant's parcel. Dix Canyon Creek drains to Topanga Creek approximately 1.25 miles northeast of the applicant's parcel.

The issue of erosion occurring in the stream channel area was not addressed in the applicant's geotechnical report. Grading and channelization of the drainage course were proposed in the original project description and were posed in the geotechnical report as measures to improve the performance of the 5,000 sq. ft. vehicle maintenance area and 10 ft. high retaining walls supporting the parking area (a component of the original project since deleted from the plans by the applicant), not as measures necessary to control an underlying erosion problem.

Upon request of Commission staff, however, the applicant submitted a supplemental geotechnical report attached to this report as Exhibit 7. The report, which is actually a

three-paragraph letter, supports the amended project description calling for remediation of erosion due to runoff from Saddle Peak Road.

Commission staff has visited the site and did not determine that significant erosion was occurring adjacent to the roadway or that any structures were undermined or threatened by runoff patterns from the road or the natural drainage course. The geotechnical consultant notes that the erosion is the result of "uncontrolled or concentrated drainage emanating from the public street, and was not created by a *natural* drainage condition." (See supplemental report, Exhibit 7). The Commission notes that the erosion control proposal was added to the project after the project received approval-in-concept from the Los Angeles County Department of Regional Planning. The applicant's representative states that the County has not been consulted to determine whether management of drainage structures installed by the County along Saddle Peak Road may be warranted.

The Commission further notes that the applicant has not submitted any evidence that the proposed hardscape solutions (grading, culvertization, installation of energy dissipaters) constitute the least environmentally damaging alternative to drainage management from the roadway, nor has the applicant submitted any form of landscape plan to address overall erosion patterns that may be occurring on site due to the lack of natural habitat cover. The Commission notes that a staff visit to the site confirmed that the site is widely planted with non-native vegetation, and that gullying and other evidence of erosion is present in other areas of the site that were previously graded but that have not been landscaped adequately to control runoff in a non-erosive manner.

The Commission finds it necessary to require the applicant to revise the proposed plans to eliminate the remedial grading and drainage management to reduce potentially unnecessary and excessive landform alteration adjacent to a designated scenic route, and in a natural feature tributary to a downgradient blue line stream. Alteration of natural landforms and changes in hydrology without adequate consideration of alternatives and of softscape/landscape solutions (such as streamcourse revegetation measures) may degrade visual and environmentally sensitive resources. Further, if such measures are undertaken without adequate analysis and consideration of alternatives, the measures may fail and may even increase the erosional patterns on site.

Thus, the Commission finds that Special Condition 3 (Revised Plans) is necessary to ensure that landform alteration not essential to construction of an approved project is only undertaken in a natural area, particularly in a drainage tributary to a designated blue line stream (Dix Canyon Creek), when clear and compelling reasons exist consistent with the applicable policies of the Coastal Act, and when a full exploration of available alternatives has been undertaken to the Commission's satisfaction. In addition, the Commission finds that the applicant must further coordinate with the

affected local government (Los Angeles County) before submitting such a proposal for Commission consideration.

Therefore, for all of the reasons set forth above, the Commission finds that as conditioned by Special Conditions 1 through 4, the proposed project is consistent with the applicable policies of Coastal Act Sections 30251 and 30253.

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 1, 2 and 5) 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 undertake remedial measures to control what the applicant has identified in the past few weeks as an erosion problem adjacent to Saddle Peak Road. The applicant proposes approximately 25 cu. yds. of cut in the drainage area and approximately 84 cubic yards of fill within the drainage course, in addition to the installation of approximately 120 feet of 6-inch PVC pipe and a 10' by 15' rip-rap energy dissipater within the channel.

The applicant has deleted a portion of the project previously proposed for consideration by the Commission (the project was postponed from the Commission's April agenda at the applicant's request) and has since been revised to delete significant portions of the project, and to add the erosion control features in the drainage course.

There are no designated Environmentally Sensitive Habitat Areas within the applicant's parcel, other than the blue line stream corridor. Alteration of the hydrology of the streamcourse, placement of fill, etc., may affect the downgradient Dix Canyon Creek in ways that have not been identified in the applicant's revised proposal. Moreover, and as discussed in the previous section, the applicant only requested to undertake remedial grading in and near the drainage area within the past few weeks, and therefore has not conferred with the County, despite the applicant's concern that the underlying problem is the drainage pattern from Saddle Peak Road. The applicant has not submitted a sufficient geotechnical analysis of the hydrologic patterns affecting the site or any erosion control and management measures beyond the hard solutions summarily proposed. Moreover, and as discussed further below, the applicant has not evaluated the potential impacts of the proposed remedial grading upon the biota of the stream channel or the biota of the area. A number of potential solutions, such as revegetation of the drainage course with native riparian species, should be evaluated before a conclusion is formed as to whether the proposed alterations are necessary or appropriate.

The proposed alteration of the drainage channel has not been adequately supported by evidence of the need for the project or adequate evaluation of alternatives –particularly soft alternatives such as planting native riparian species to control erosion, use of geotextiles and other measures to stabilize any previously eroded areas, etc. There is, in short, inadequate evidence that a problem significant enough to warrant the proposed intervention exists, inadequate analysis of alternatives even if intervention is necessary, and no showing of evidence that the existing drainage pattern and/or erosion, threatens any structure on the applicant's parcel. Moreover, hard solutions and remedial grading without adequate planning and analysis may exacerbate any drainage problem that does exist, and may adversely affect downgradient riparian resources and coastal waters.

The Commission finds, therefore, that the proposed project can only be found consistent with the applicable policies of Coastal Act Sections 30230 and 30231 if the proposed project plans are revised as required by Special Condition 3, to delete the portion of the project that would alter the drainage course or place drainage management features within the drainage channel.

With regard to the grading and construction of the lawn area, the Commission finds that should such activities take place during the rainy season, erosion control measures outlined in Special Condition 1 are necessary to prevent erosion and resultant siltation of downgradient streams affected by sediment runoff. Further, Special Condition 1 requires the implementation of a landscape plan relying primarily on native species. Native chaparral species, for example, tend to be deeply rooted, drought resistant plants that, upon establishment, control erosion effectively

and require little additional input of irrigation water. These measures, when implemented, have been demonstrated to provide effective erosion control.

In addition, and as discussed in the previous section, the applicant proposes to export the excess cut material off site to an as-yet unidentified location. To ensure that the excess material is properly disposed, and to avoid unauthorized disposal in an area that could discharge associated sediment pollution from the erosion of improperly disposed cuttings, the Commission finds it necessary to impose Special Condition 4 for the disposal of excess cut material.

For all of the reasons set forth above, therefore, the Commission finds the proposed project as conditioned by Special Conditions 1, 3 and 4 is consistent with the requirements of Sections 30230 and 30231 of the Coastal Act.

D. Local Coastal Program

Section 30604 of the Coastal Act states that:

(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 Chapter 3 (commencing with Section 30200) 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 Chapter 3 (commencing with Section 30200).

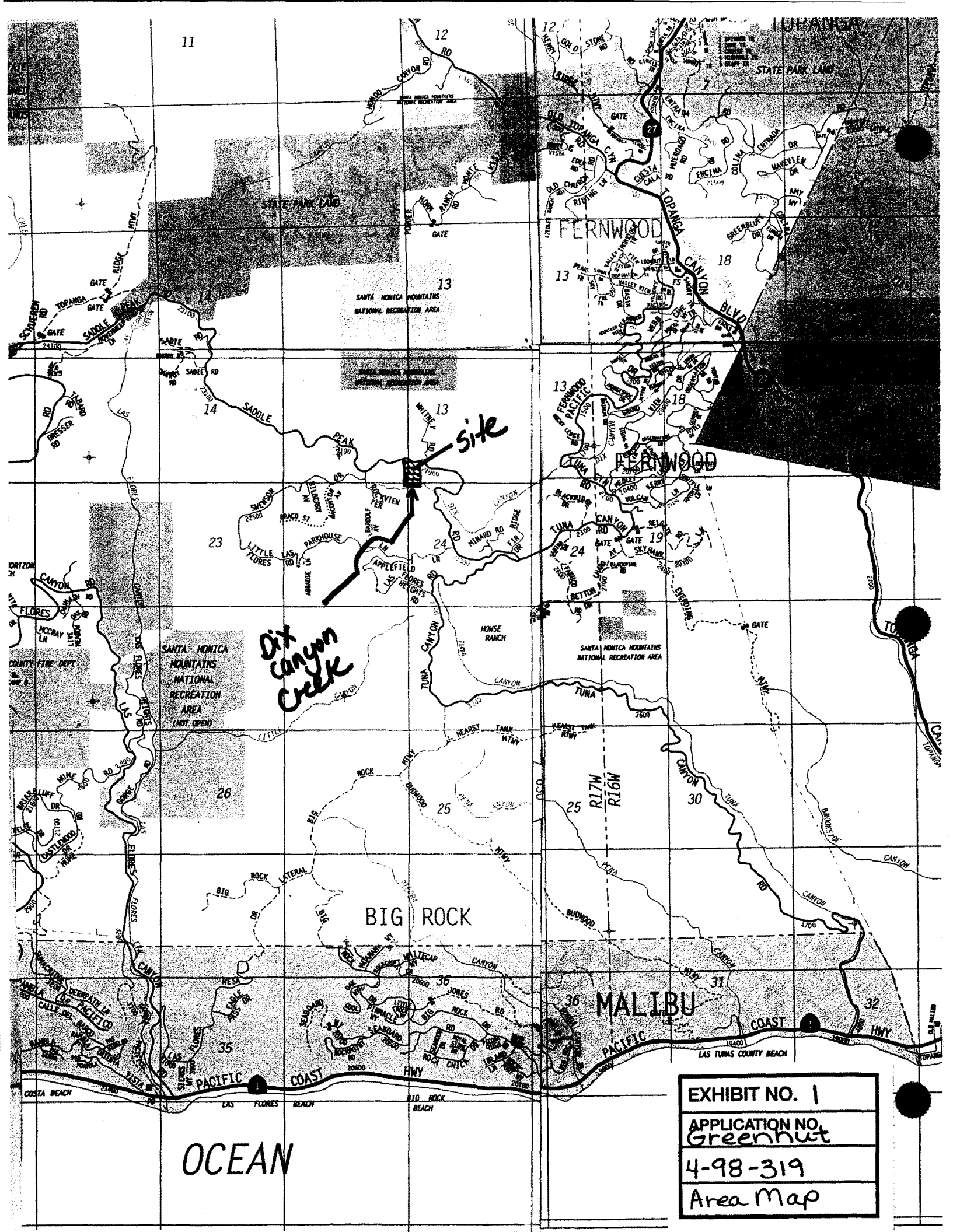
Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act. The preceding sections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

E. California Environmental Quality Act

The Coastal Commission's permit process has been designated as the functional equivalent of CEQA. Section 13096(a) of the California Code of Regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of 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 that would substantially lessen any significant adverse effects that the activity may have on the environment.

The proposed development, as conditioned, will not have significant adverse effects on the environment, within the meaning of the California Environmental Quality Act of 1970. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified effects, is consistent with the requirements of CEQA and the policies of the Coastal Act.



Dix Canyon Creek

site

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| EXHIBIT NO. 1 |
| APPLICATION NO. <i>Greenhut</i> |
| 4-98-319 |
| Area Map |

OCEAN

U.S. Geological Survey
Quadrangle Maps

220 000
FEET (5)

3774

3773

5'

3772

Project
Site

Blue Line
stream
(Dix Canyon)

2252 II SW
(MALIBU BEACH)

3769

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

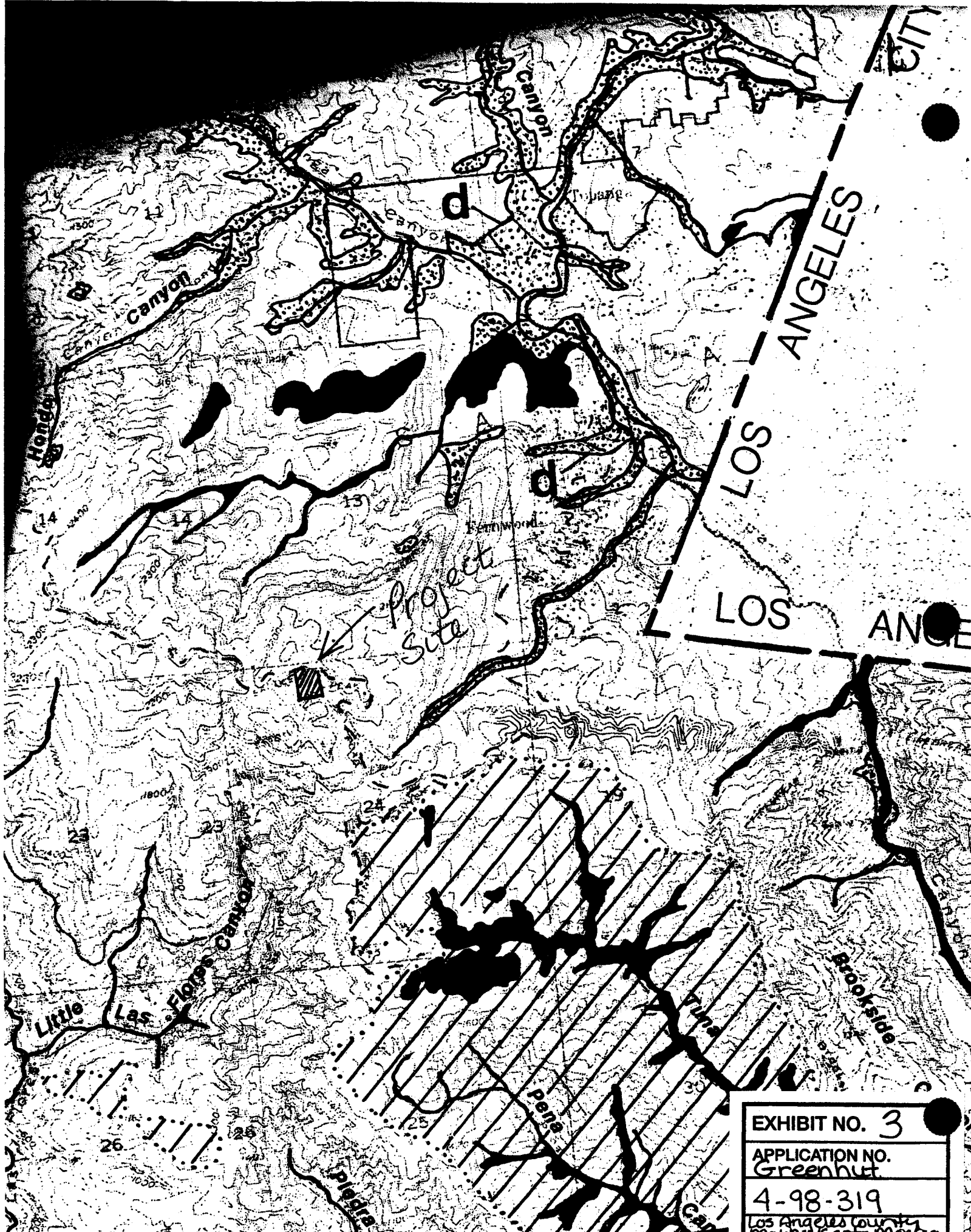
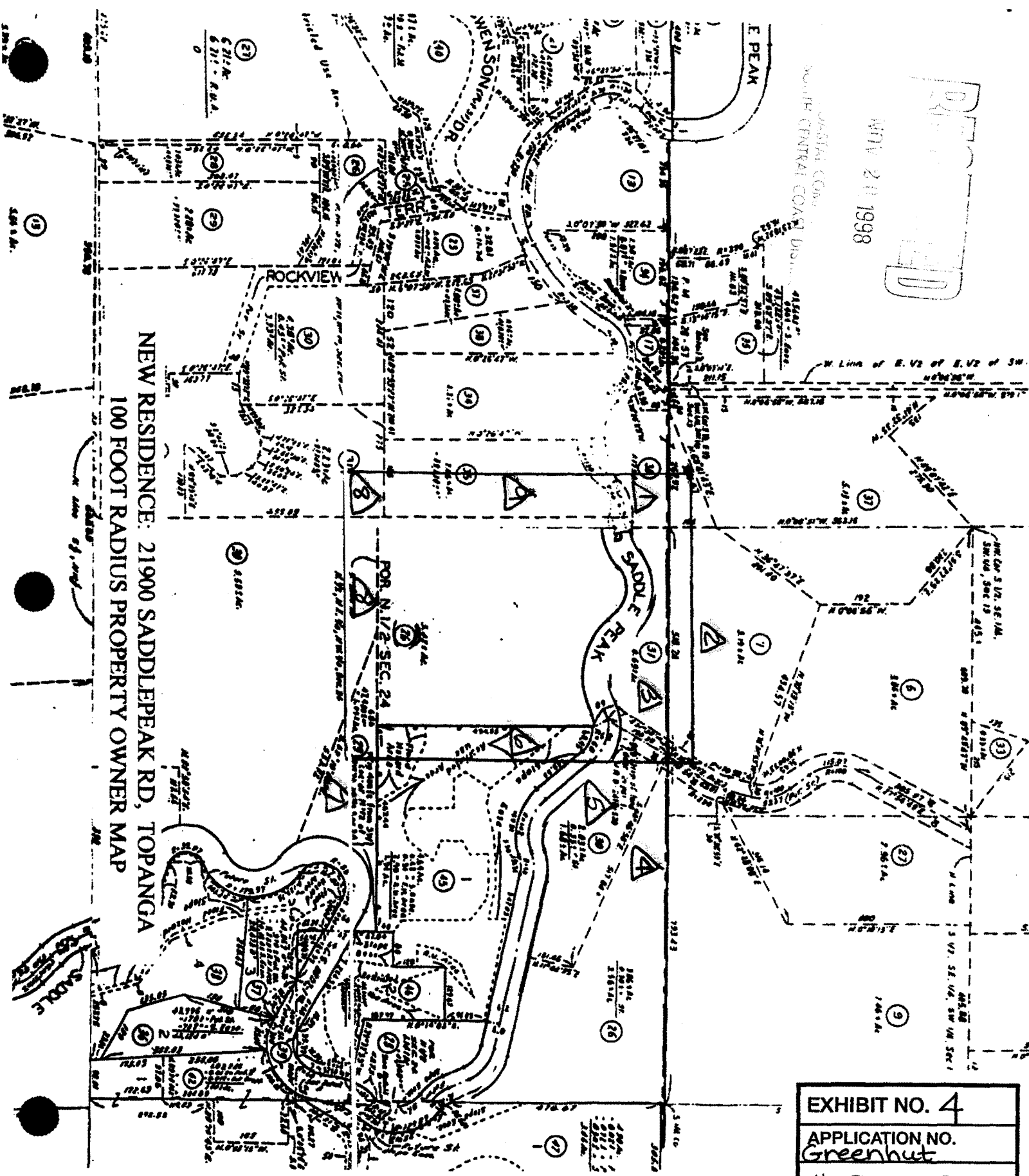


EXHIBIT NO. 3
APPLICATION NO.
Greenhut
4-98-319
Los Angeles County
Malibu/Santa Monica
Mountains

RECORDED

APR 21 1998

COSTA CO. SOUTH CENTRAL COAST DIST.



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

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

5-87-818

OCT 14 1987
CALIFORNIA
COASTAL COMMISSION
SOUTH COAST DISTRICT

EXHIBIT NO. 5

APPLICATION

5-87-818

Site Plan

California Coastal Commi

EXHIBIT NO. 5

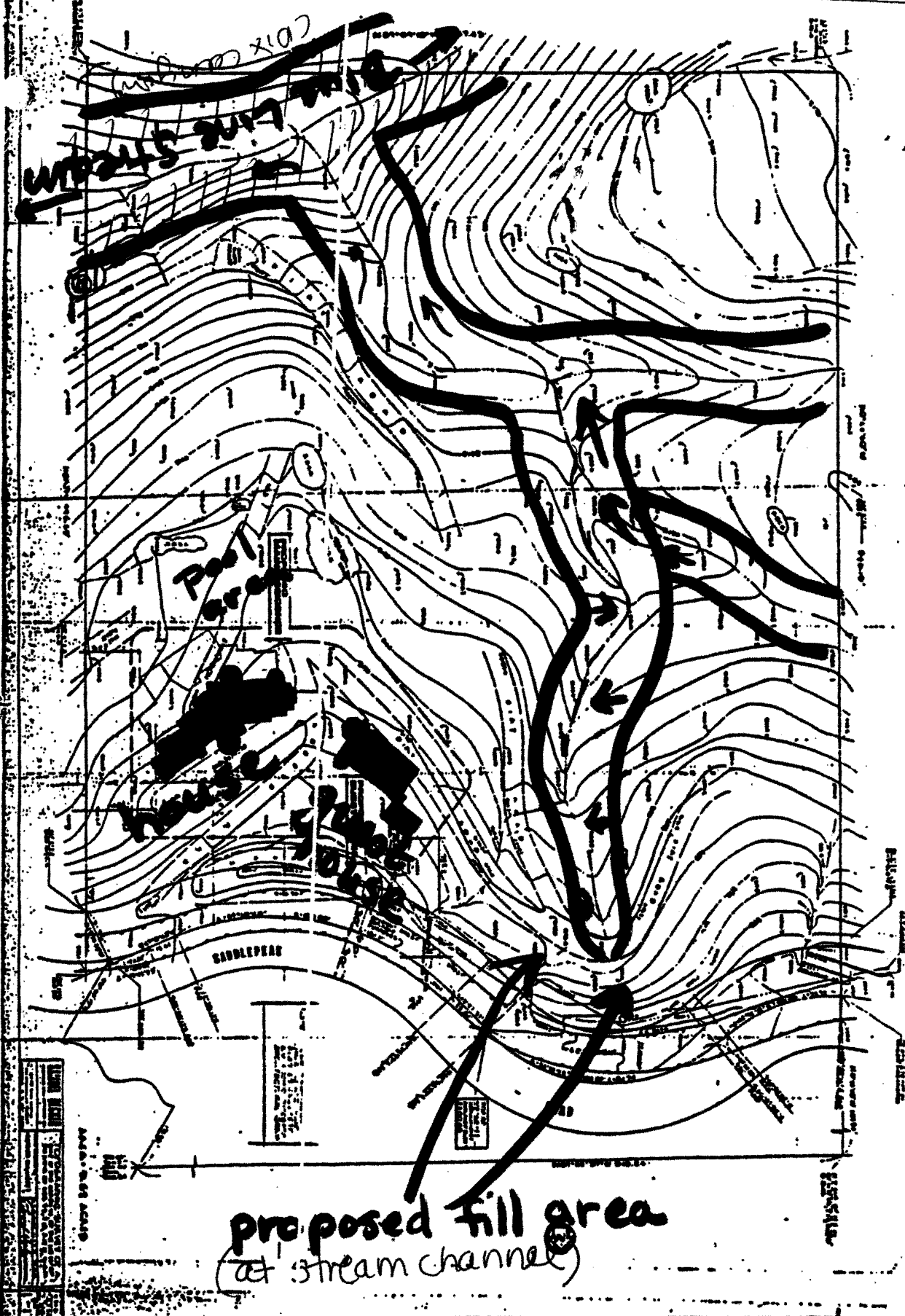
APPLICATION NO.
Greenhut

4-98-319

Site Plan COP587-818

Note: Topography
→ stream channel

proposed fill area
(at stream channel)



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Pacific Concepts
Architectural Group, Inc.

DATE: 8/93

516.22

Delete all proposed activities in this area

Saddle Peak Road

SADDLE

NOTE: SEE SHEET 4 OF 4 FOR ADDITIONAL GRADING.

Area of new lawn (no mow lawn, 1000sq. ft.)

Existing swimming pool

cut/fill and drainage features in channel, and driveway extension, all to be deleted from Revised Plans

Driveway to be re-designed to be circular

Existing Residence

EXHIBIT NO. 6
APPLICATION NO. Greenhut
A-98-319
Amended Site Plan

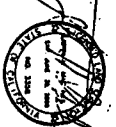
TITLE REPORT:
SOUTH LINE COMPANY FOR
FINAL REPORT ISSUES

EASEMENTS PER TF

- 1. EASEMENT OF 1.00' SIDE SETBACK PER SDG 504 SEC. 15126
- 2. EASEMENT OF THE CENTER OF THE ROAD PER SDG 504 SEC. 15126
- 3. EASEMENT FOR ROAD SIGN OF 10' PER SDG 504 SEC. 15126
- 4. EASEMENT FOR THE RIGHT AND CENTER OF THE ROAD PER SDG 504 SEC. 15126
- 5. EASEMENT FOR THE CENTER OF THE ROAD PER SDG 504 SEC. 15126

INSTRUCTION NOTES

- 1. Channel 12" x 12" Standard Concrete Channel Slopes per Detail "C", Item 31.
- 2. Channel 18" x 18" Standard Concrete Channel Slopes per Detail "C", Item 31.
- 3. Channel Slopes: 1" slope per foot "C", Item 31.
- 4. Channel Slopes: 1" slope per foot "C", Item 31.
- 5. Channel Slopes: 1" slope per foot "C", Item 31.
- 6. Channel Slopes: 1" slope per foot "C", Item 31.
- 7. Channel Slopes: 1" slope per foot "C", Item 31.
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- 10. Channel Slopes: 1" slope per foot "C", Item 31.
- 11. Channel Slopes: 1" slope per foot "C", Item 31.
- 12. Channel Slopes: 1" slope per foot "C", Item 31.
- 13. Channel Slopes: 1" slope per foot "C", Item 31.
- 14. Channel Slopes: 1" slope per foot "C", Item 31.
- 15. Channel Slopes: 1" slope per foot "C", Item 31.
- 16. Channel Slopes: 1" slope per foot "C", Item 31.
- 17. Channel Slopes: 1" slope per foot "C", Item 31.
- 18. Channel Slopes: 1" slope per foot "C", Item 31.
- 19. Channel Slopes: 1" slope per foot "C", Item 31.
- 20. Channel Slopes: 1" slope per foot "C", Item 31.



GRADING AND DRAINAGE PLAN

MIKE GREENHUT
3000 SADDLE PEAK ROAD
MILPITAS, CA

INDEX NUMBER
2



290 Conejo Ridge Ave., Ste. 102 • Westlake Village, CA 91361 • (818) 991-7148 • (805) 497-1244

Consulting Engineers and Geologists

A DIVISION OF L. LISTON & ASSOCIATES, INC.

April 2, 1999

Project No. 3078

Mike Greenhut
c/o Easy Storage
16255 Ventura Blvd., #212
Encino, California 91436

SUBJECT: SUPPLEMENTAL GEOTECHNICAL ENGINEERING LETTER, PROPOSED NEW LANDSCAPE-HARDSCAPE AND ANCILLARY SITE IMPROVEMENTS, EXISTING RESIDENTIAL DEVELOPMENT, 21900 SADDLEPEAK ROAD, MALIBU, CALIFORNIA.

REFERENCES: ADDENDUM GEOTECHNICAL ENGINEERING REPORT; RESPONSE TO THE COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS-MATERIALS ENGINEERING DIVISION, GEOTECHNICAL ENGINEERING REVIEW SHEET DATED JULY 8, 1998, INCLUDED IN APPENDIX A, PROPOSED NEW LANDSCAPE-HARDSCAPE AND ANCILLARY SITE IMPROVEMENTS, 21900 SADDLEPEAK ROAD, MALIBU, CALIFORNIA, PREPARED BY WEST COAST GEOTECHNICAL, PROJECT NO. 3078, DATED OCTOBER 28, 1998.

UPDATE/SUPPLEMENTAL GEOTECHNICAL ENGINEERING REPORT, PROPOSED NEW LANDSCAPE-HARDSCAPE AND ANCILLARY SITE IMPROVEMENTS, EXISTING SINGLE-FAMILY RESIDENTIAL DEVELOPMENT, 21900 SADDLEPEAK ROAD, MALIBU, CALIFORNIA, PREPARED BY WEST COAST GEOTECHNICAL, PROJECT NO. 3078, DATED MAY 19, 1997.

GRADING AND DRAINAGE PLAN, 21900 SADDLEPEAK ROAD, MALIBU, CALIFORNIA, PREPARED BY L. LISTON AND ASSOCIATES, INC., PROJECT NO. 3842, DATED SEPTEMBER 1997.

ADDITIONAL GEOTECHNICAL REFERENCES ARE LISTED IN THE ABOVE REFERENCED REPORT.

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| APPLICATION NO. <i>Greenhut</i> |
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April 2, 1999
Project No. 3078

Dear Mike:

This letter has been prepared at your request and follows your recent meeting at this office with Erick Mason of L. Liston and Associates, Inc., parent company to West Coast Geotechnical, discussing the grading and drainage design. Specifically, the remedial grading proposed for the westerly portion of the property involves two areas located below Saddlepeak Road, which are separated by the existing dirt access roadway. These two areas were eroded due to uncontrolled or concentrated drainage emanating from the drainage culvert at Saddlepeak Road. The concentrated drainage resulted in a steep-sided erosion gully depositing the debris in the natural drainage on the southerly portion of the property.

The current Grading and Drainage Plan, prepared by L. Liston and Associates, Inc., includes general notes and recommendations for the remedial grading of these areas to essentially return the grades to the pre-existing topography. Concurrent improvements would include installation of surface and subsurface drainage devices.

In summary, it is the opinion of this office and L. Liston and Associates, Inc., parent company to West Coast Geotechnical, that the remedial grading delineated on the referenced Grading and Drainage Plan will result in returning the specified areas to the pre-existing topography. It is important to note that the erosion is the result of uncontrolled or concentrated drainage emanating from the public street, and was not created by a *natural* drainage condition.

Should you have any questions, please don't hesitate to call.

Respectfully submitted,

Leonard Liston
President
RCE 31902

ch:cw5d@greenhut.Nr

cc: Mountain Geology, Inc.

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