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STATE OF CALIFORNIA - THE RESOURCES AGENCY

GRAY DAVIS, Governor

CALIFORNIA COASTAL COMMISSION

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

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Staff: A. Verbanac/k
Staff Report: 12/09/99
Hearing Date: January 12, 2000
Commission Action:



RECORD PACKET COPY

STAFF REPORT: CONSENT CALENDAR

APPLICATION NO.: 4-99-214

APPLICANT: Larry and Michelle Droeger

AGENT: Rana Makarem

PROJECT LOCATION: 24768 W. Saddle Peak Road, Malibu, Los Angeles County

PROJECT DESCRIPTION: Construction of a three story, 35 ft. high, 3,542 sq. ft. single family residence with an attached three-car garage and septic system. The project will require grading estimated at 356 cu. yds. (178 cu. yds. cut, 58 cu. yds. fill, and 120 cu. yds. to remain onsite for landscaping).

Lot area:	37,026 sq. ft.
Building coverage:	2,561 sq. ft.
Pavement coverage:	2,857 sq. ft.
Landscape coverage:	27,104 sq. ft.

LOCAL APPROVALS RECEIVED: Los Angeles County Department of Regional Planning Approval In Concept 7/08/99, County of Los Angeles Department of Health Services Sewage Disposal System Design Approval 9/03/99, County of Los Angeles Fire Department Approved Preliminary Fuel Modification Plan 10/28/99.

SUBSTANTIVE FILE DOCUMENTS: Preliminary Geotechnical Investigation by Strata-Tech, Inc. 11/06/99; Engineering Geologic Report by Geoplan, Inc. 08/31/98; Report of Percolation Test by Geoplan, Inc. 09/01/98; Los Angeles County Geologic Review Sheet 8/02/99; County of Los Angeles Soils Engineering Review Sheet 8/03/99; County of Los Angeles Department of Parks and Recreation Saddle Peak Trail Alternative Trail Alignment letter 11/14/89; Coastal Development Permit No. 5-82-287A2 (Hurd and Demery); Coastal Development Permit No. 4-99-139 (Weber).

SUMMARY OF STAFF RECOMMENDATION

Staff recommends approval of the proposed project with seven (7) special conditions regarding conformance to geologic recommendations for design and construction, drainage and maintenance responsibilities, landscaping and erosion control, removal of natural vegetation, color restriction, future improvements condition, and wildfire waiver of liability.

STAFF RECOMMENDATION:

The staff recommends that the Commission APPROVE the permit application with special conditions.

MOTION

Staff recommends a Yes vote on the following motion:

I move the Commission approve with special conditions CDP # 4-99-214 per the staff recommendation as set forth below.

A majority of the Commissioners present is required to pass the motion.

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. **Plans Conforming to Geologic Recommendation**

All recommendations contained in the Preliminary Geotechnical Investigation Report prepared by Strata-Tech, Inc. 11/06/99 and the Engineering Geologic Report prepared by Geoplan, Inc. 8/31/98 shall be incorporated into all final design and construction including foundations, grading, drainage, and sewage disposal. Final plans must be reviewed and approved by the geologic and geotechnical consultants. Prior to the issuance of the coastal development permit, the applicant shall submit, for review and approval by the Executive Director, evidence of the consultants' review and approval of all project plans.

The final plans approved by the consultants 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 consultants shall require an amendment to the permit or a new coastal permit.

2. Drainage Plans and Maintenance Responsibility

Prior to the issuance of the Coastal Development Permit, the applicant shall submit for the review and approval of the Executive Director, a run-off and erosion control plan designed by a licensed engineer which assures that run-off from all impervious surfaces on the subject parcel are collected and discharged in a non-erosive manner. Site drainage shall not be accomplished by sheetflow runoff. With acceptance of this permit, the applicant agrees that should any of the project's surface or subsurface drainage structures fail or result in increased erosion, the applicant/landowner or successor-in-interest shall be responsible for any necessary repairs to the drainage system and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Executive Director to determine if an amendment or new coastal development permit is required to authorize such work.

3. Landscaping and Erosion Control Plans

Prior to issuance of a coastal development permit, the applicant shall submit revised landscaping and erosion control plans, prepared by a licensed landscape architect or a qualified resource specialist, for review and approval by the Executive Director. The landscaping and erosion control plans shall be reviewed and approved by the consulting geotechnical and engineering geologist to ensure that the plans are in conformance with the consultants' recommendations. The plans shall identify the species, extent, and location of all plant materials and shall incorporate the following criteria:

A. Landscaping Plan

- (1) All graded & disturbed areas on the subject site shall be planted and maintained for erosion control purposes within (60) days of receipt of the certificate of occupancy for the residence. To minimize the need for irrigation 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 which tend to supplant native species shall not be used. All graded & disturbed areas on the

subject site shall be planted and maintained for erosion control purposes within (60) days of receipt of the certificate of occupancy for the residence.

- (2) All cut and fill slopes shall be stabilized with planting at the completion of final grading. Planting should be of native plant species indigenous to the Santa Monica Mountains using accepted planting procedures, consistent with fire safety requirements. Such planting shall be adequate to provide 90 percent coverage within two (2) years, and this requirement shall apply to all disturbed soils;
- (3) Vertical landscape elements shall be included in the landscape plan that are designed, upon attaining maturity, to screen the residence from the views of Piuma Road and Saddle Peak Trail.
- (4) Plantings will 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.
- (5) The Permittee shall undertake development in accordance with the final approved plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Coastal Commission - approved amendment to the coastal development permit, unless the Executive Director determines that no amendment is required.
- (6) Vegetation within 50 feet of the proposed house may be removed to mineral earth, vegetation within a 200 foot radius of the main structure may be selectively thinned in order to reduce fire hazard. However, such thinning shall only occur in accordance with an approved long-term fuel modification plan submitted pursuant to this special condition. The fuel modification plan shall include details regarding the types, sizes and location of plant materials to be removed, and how often thinning is to occur. In addition, the applicant shall submit evidence that the fuel modification plan has been reviewed and approved by the Forestry Department of Los Angeles County. Irrigated lawn, turf and ground cover planted within the fifty foot radius of the proposed house shall be selected from the most drought tolerant species or subspecies, or varieties suited to the Mediterranean climate of the Santa Monica Mountains.

B. Interim Erosion Control Plan

- (1) The plan shall delineate the areas to be disturbed by grading or construction activities and shall include any temporary access roads, staging areas and stockpile areas. The natural areas on the site shall be clearly delineated on the project site with fencing or survey flags.

- (2) The plan shall specify that should grading take place during the rainy season (November 1 – March 31) the applicant shall install or construct temporary sediment basins (including debris basins, desilting basins or silt traps), temporary drains and swales, sand bag barriers, silt fencing, stabilize any stockpiled fill with geofabric covers or other appropriate cover, install geotextiles or mats on all cut or fill slopes and close and stabilize open trenches as soon as possible. These erosion measures shall be required on the project site prior to or concurrent with the initial grading operations and maintained through out the development process to minimize erosion and sediment from runoff waters during construction. All sediment should be retained on-site unless removed to an appropriate approved dumping location either outside the coastal zone or to a site within the coastal zone permitted to receive fill.
- (3) The plan shall also include temporary erosion control measures should grading or site preparation cease for a period of more than 30 days, including but not limited to: stabilization of all stockpiled fill, access roads, disturbed soils and cut and fill slopes with geotextiles and/or mats, sand bag barriers, silt fencing; temporary drains and swales and sediment basins. The plans shall also specify that all disturbed areas shall be seeded with native grass species and include the technical specifications for seeding the disturbed areas. These temporary erosion control measures shall be monitored and maintained until grading or construction operations resume.

C. Monitoring

Five years from the date of the receipt of the Certificate of Occupancy for the residence the applicant shall submit for the review and approval of the Executive Director, a landscape monitoring report, prepared by a licensed Landscape Architect or qualified Resource Specialist, that certifies the on-site landscaping is in conformance with the landscape plan approved pursuant to this Special Condition. The monitoring report shall include photographic documentation of plant species and plant coverage.

If the landscape monitoring report indicates the landscaping is not in conformance with or has failed to meet the performance standards specified in the landscaping plan approved pursuant to this permit, the applicant, or successors in interest, shall submit a revised or supplemental landscape plan for the review and approval of the Executive Director. The revised landscaping plan must be prepared by a licensed Landscape Architect or a qualified Resource Specialist and shall specify measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan.

4. Removal of Natural Vegetation

Removal of natural vegetation for the purpose of fuel modification within the 50 foot zone surrounding the proposed structure(s) shall not commence until the local government has issued a building or grading permit for the development approved pursuant to this permit. Vegetation thinning within the 50-200 foot fuel modification zone shall not occur until commencement of construction of the structure(s) approved pursuant to this permit.

5. Color Restriction

The color of the structures, roofs, and driveway permitted hereby shall be restricted to a color compatible with the surrounding environment (white tones shall not be acceptable). All windows shall be comprised of non-glare glass.

- A. Prior to the issuance the coastal development permit the applicant shall execute and record a deed restriction, in a form and content acceptable to the Executive Director, which reflects the restrictions stated above on the proposed development. The document shall run with the land for the life of the structures approved in this permit, binding all successors and assigns, and shall be recorded free of prior liens and encumbrances that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

6. Future Improvements

- A. This permit is only for the development described in Coastal Development Permit No. 4-99-214. Pursuant to Title 14 California Code of Regulations Sections 13250 (b)(6), the exemptions otherwise provided in Public Resources Code Section 30610(a) shall not apply to the entire parcel. Accordingly, any future improvements to the permitted structures, including but not limited to clearing of vegetation or grading, other than as provided for in the approved fuel modification, landscape and erosion control plan prepared pursuant to Special Condition 3, shall require an amendment to Permit No. 4-99-214 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.
- B. Prior to the issuance of the coastal development permit the applicant shall execute and record a deed restriction in a form and content acceptable to the Executive Director, reflecting the above restrictions on development in the restricted area. The deed restriction shall include legal descriptions of both the applicant's entire parcel and the restricted area. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of

prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

7. Wildfire Waiver of Liability

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

IV. Findings and Declarations

The Commission hereby finds and declares:

A. PROJECT DESCRIPTION AND BACKGROUND

The applicant proposes to construct a new three story, 35 ft. high, 3,542 sq. ft. single family residence, attached three car garage, and septic system (Exhibits 2-4). The project will also require approximately 356 cu. yds. of grading (178 cu. yds. cut, 58 cu. yds. fill, and 120 cu. yds. fill to remain onsite for landscaping).

The project site is located on a 37,026 sq. ft. parcel along and to the south side of West Saddle Peak Road approximately 750 ft. east of Piuma Road in the Santa Monica Mountains (Exhibit 5). The subject site for the proposed development is located just outside of the Cold Creek Resource Management Area at the crest of a south-facing parcel that descends to a drainage south of West Saddle Peak Road. The project site is undeveloped with vegetation consisting primarily of weeds and grasses. Properties in the near vicinity of the project site, including those properties directly adjacent to the east and west boundaries of the subject property, are developed with moderate to large single family residences.

Historically, Saddle Peak Trail, a designated trail in the Malibu Land Use Plan, ran along West Saddle Peak Road in the general area of the road easement and adjacent property boundaries. In order to mitigate the impact of development on public access and recreational use of the trail the Commission, in past permit actions, required the dedication of a trail easement as a condition of permit approval for many new

developments located along West Saddle Peak Road for that portion of the trail which traversed these properties [reference 5-81-552 (Adelman), 5-82-287 (Demery), 5-81-569 (MacGowan), 5-88-1030 (Kagon)]. Trail maps illustrate Saddle Peak Trail as traversing the west and north property boundaries of the proposed project site (Exhibit 6). However, a letter dated November 14, 1989 by the County of Los Angeles Department of Parks and Recreation indicates that the County adopted an alternative trail alignment for Saddle Peak Trail (Exhibits 7,8). The newly aligned trail right of way was established along Piuma Road and would no longer affect property owners along West Saddle Peak Road. In response to this new alignment for Saddle Peak Trail, Coastal Development Permit 5-82-287A2, at 24772 West Saddle Peak Road, was amended in December of 1989 to delete the condition requiring an offer to dedicate a public access trail easement. Establishment of a new trail right of way by the County of Los Angeles to avoid traversing West Saddle Peak Road and adjacent properties, and Commission permit action on CDP # 5-82-287A2, indicate that development at the subject property at 24768 West Saddle Peak Road will not be affected by a trail easement along its west and north property boundaries.

B. GEOLOGIC STABILITY AND HAZARDS

Geology

The proposed development is located in the Santa Monica Mountains area, an area which is generally considered to be subject to an unusually high amount of natural hazards. Geologic hazards common to the Santa Monica Mountains area include landslides, erosion, and flooding. In addition, fire is an inherent threat to the indigenous chaparral community of the coastal mountains. Wild fires often denude hillsides in the Santa Monica Mountains of all existing vegetation, thereby contributing to an increased potential for erosion and landslides on property.

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

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

The applicant has submitted an Engineering Geologic Report by Geoplan, Inc. dated 8/31/98 and a Preliminary Geotechnical Investigation Report prepared by Strata-Tech, Inc. dated 11/06/99 evaluating the geologic stability of the subject site in relation to the proposed development. The consultants have determined that the project site is

appropriate for the proposed development. The Engineering Geologic Report by Geoplan, Inc. states that:

The findings of the engineering geologic investigation and review of data and references demonstrate that proposed residential development...is feasible. Proposed development will be free from hazard of landslide, settlement, or slippage. Implementation of the proposed development will have no adverse affect on neighboring property.

Furthermore, the Preliminary Geotechnical Investigation Report prepared by Strata-Tech, Inc. dated 11/06/99 concludes that:

...in accordance with our recommendations and properly maintained as presented in our report, (1) the proposed structure(s) will be safe against hazard from settlement, slippage, or landslide, and (2) the completed grading will have no adverse effect on the stability of property outside the building site.

The Engineering Geologic Report by Geoplan, Inc. dated 8/31/98, and the Preliminary Geotechnical Investigation Report prepared by Strata-Tech, Inc. dated 11/06/99, include several engineering and geotechnical recommendations to be incorporated into project construction, design, and drainage to ensure the stability and geologic safety of the project site. To ensure that the recommendations of the consultants have been incorporated into all proposed development the Commission, as specified in **Special Condition 1**, requires the applicant to submit project plans certified by both the consulting geotechnical and geologic engineer as conforming to all structural and site stability recommendations for the proposed project. Final plans approved by the consultants shall be in substantial conformance with the plans approved by the Commission. Any substantial changes to the proposed development, as approved by the Commission, which may be recommended by the consultants shall require an amendment to the permit or a new coastal development permit.

The Commission finds that minimizing site erosion will add to the geologic stability of the project site and that erosion will be minimized by incorporating adequate drainage, erosion control methods, and appropriate landscaping into proposed development. To ensure that adequate drainage and erosion control is included in the proposed development the Commission requires the applicant to submit drainage and interim erosion control plans certified by the consulting geotechnical and geologic engineer, as specified in **Special Conditions 2 and 3**.

The Commission also finds that landscaping of the graded and disturbed areas on the project site will serve to enhance and maintain the geologic stability of the project site. Therefore, **Special Condition 3** requires the applicant to submit revised landscaping plans certified by the consulting geotechnical and geologic engineer as in conformance with their recommendations for landscaping of the project site. Special Condition 2 also

requires the applicant to utilize and maintain native and noninvasive plant species compatible with the surrounding area for landscaping the project site.

Invasive and non-native plant species are generally characterized as having a shallow root structure in comparison with their high surface/foliage weight. The Commission finds that non-native and invasive plant species with high surface/foliage weight and shallow root structures do not serve to stabilize slopes and that such vegetation results in potential adverse effects to the stability of the project site. Native species, alternatively, tend to have a deeper root structure than non-native, invasive species and aid in preventing erosion. In addition, the use of invasive, non-indigenous plant species tends to supplant species that are native to the Malibu/Santa Monica Mountains area. Increasing urbanization in this area has also caused the loss or degradation of major portions of the native habitat and the loss of native plant seed banks through grading and removal of topsoil. Moreover, invasive groundcovers and fast-growing trees that originate from other continents, that have been used as landscaping in this area, have invaded and seriously degraded native plant communities adjacent to development. Therefore, the Commission finds that in order to ensure site stability, all slopes and disturbed and graded areas of the site shall be landscaped with appropriate native plant species, as specified in Special Condition 3.

In addition, in order to ensure vegetation clearance for fire protection purposes does not occur prior to commencement of grading or construction of the proposed structures, the Commission finds that it is necessary to impose a restriction on the removal of natural vegetation as specified in **Special Condition 4**. This restriction specifies that natural vegetation shall not be removed until grading or building permits have been secured and construction of the permitted structures has commenced.

Wild Fire

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

Due to the fact that the proposed project is located in an area subject to an extraordinary potential for damage or destruction from wild fire, the Commission can only approve the project if the applicant assumes the liability from these associated risks. Through **Special Condition 7**, the wildfire waiver of liability, the applicant acknowledges the nature of the fire hazard which exists on the site and which may

affect the safety of the proposed development. Moreover, through acceptance of Special Condition 7, the applicant also agrees to indemnify the Commission, its officers, agents and employees against any and all expenses or liability arising out of the acquisition, design, construction, operation, maintenance, existence, or failure of the permitted project.

The Commission finds that, as conditioned to incorporate all recommendations defined by the project's geotechnical and engineering geology consultants for construction, design, drainage, erosion control, and landscaping, and inclusion of the wildfire waiver of liability, the proposed project is consistent with Section 30253 of the Coastal Act.

C. SEPTIC SYSTEM

The Commission recognizes that the potential build-out of lots in Malibu and the Santa Monica Mountains, and the resultant installation of septic systems, may contribute to adverse health effects and geologic hazards in the local area. Section 30231 of the Coastal Act states that:

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

The applicant proposes to construct a new 2000-gallon septic tank and disposal system as shown on the plans approved "for design purposes" by the County of Los Angeles, Department of Health Services. The conceptual approval by the County indicates that the sewage disposal system for the project in this application complies with all minimum requirements of the County's Plumbing Code.

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

D. VISUAL IMPACTS

Section 30251 of the Coastal Act requires scenic and visual qualities to be considered and protected and states that:

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. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

The applicant proposes the construction of a new 3 story, 35 ft. high, 3,542 sq. ft. single family residence. The project will require grading estimated at 356 cu. yds. Grading will consist of 178 cu. yds. of cut, 58 cu. yds. of fill, and retaining 120 cu. yds. of excess fill material onsite for landscaping.

The project site is located at the top of a ridge crest that is visible from Piuma Road, a designated scenic highway in the Malibu Land Use Plan, and the area designated as the new right of way for Saddle Peak Trail. The project site is located in a neighborhood consisting of several moderate to large single family residences. The proposed project will be consistent with the character and scale of the existing neighborhood and is designed to "step down" with the natural contours of the land minimizing the need for excessive grading and landform alteration. However, due to the highly visible nature of the project site as seen from Piuma Road and Saddle Peak Trail, the Commission finds it necessary to require mitigation measures to minimize visual impacts.

Impacts on public views can be mitigated by requiring the residence to be finished in a color consistent with the surrounding natural landscape and, further, requiring that the windows of the proposed structure be of a non-reflective glass type. In order to ensure any visual impacts associated with the colors of the structure and the potential glare of the window glass are minimized, the Commission finds it necessary to require the applicant to use colors compatible with the surrounding environment and non-glare glass, as required by **Special Condition 5**.

Visual impacts associated with proposed retaining walls, grading, and the structure itself, can be further reduced by the use of appropriate and adequate landscaping. **Special Condition 3**, the landscape and fuel modification plan, incorporates the requirement that vertical screening elements be added to the landscape plan to soften views of the proposed residence from Piuma Road and Saddle Peak Trail. In addition, Special Condition 3 requires the applicant to prepare a landscape plan relying mostly on native, noninvasive plant species to ensure that the vegetation on site remains visually compatible with the native flora of surrounding areas. The implementation of Special Condition 3, therefore, will help to partially screen and soften the visual impact of the development from Piuma Road and Saddle Peak Trail. In order to ensure that the final approved landscaping plans are successfully implemented, Special Condition 3 requires the applicant to revegetate all disturbed areas in a timely manner, and includes

a monitoring component, to ensure the successful establishment of all newly planted and landscaped areas over time.

Finally, regarding future developments or improvements, certain types of development to the property, normally associated with a single family residence which might otherwise be exempt, have the potential to impact scenic and visual resources in this area. It is necessary to ensure that future development or improvements normally associated with the entire property, which might otherwise be exempt, is reviewed by the Commission for compliance with the scenic resource policy, Section 30251 of the Coastal Act. **Special Condition 6** the Future Development Deed Restriction, will ensure that the Commission will have the opportunity to review future projects for compliance with the Coastal Act.

The proposed project, as conditioned, will not result in a significant adverse impact to scenic public views or character of the surrounding area in this portion of the Santa Monica Mountains. Therefore the Commission finds that, as conditioned, the proposed development is consistent with section 30251 of the Coastal Act.

E. LOCAL COASTAL PROGRAM

Section 30604 of the Coastal Act states:

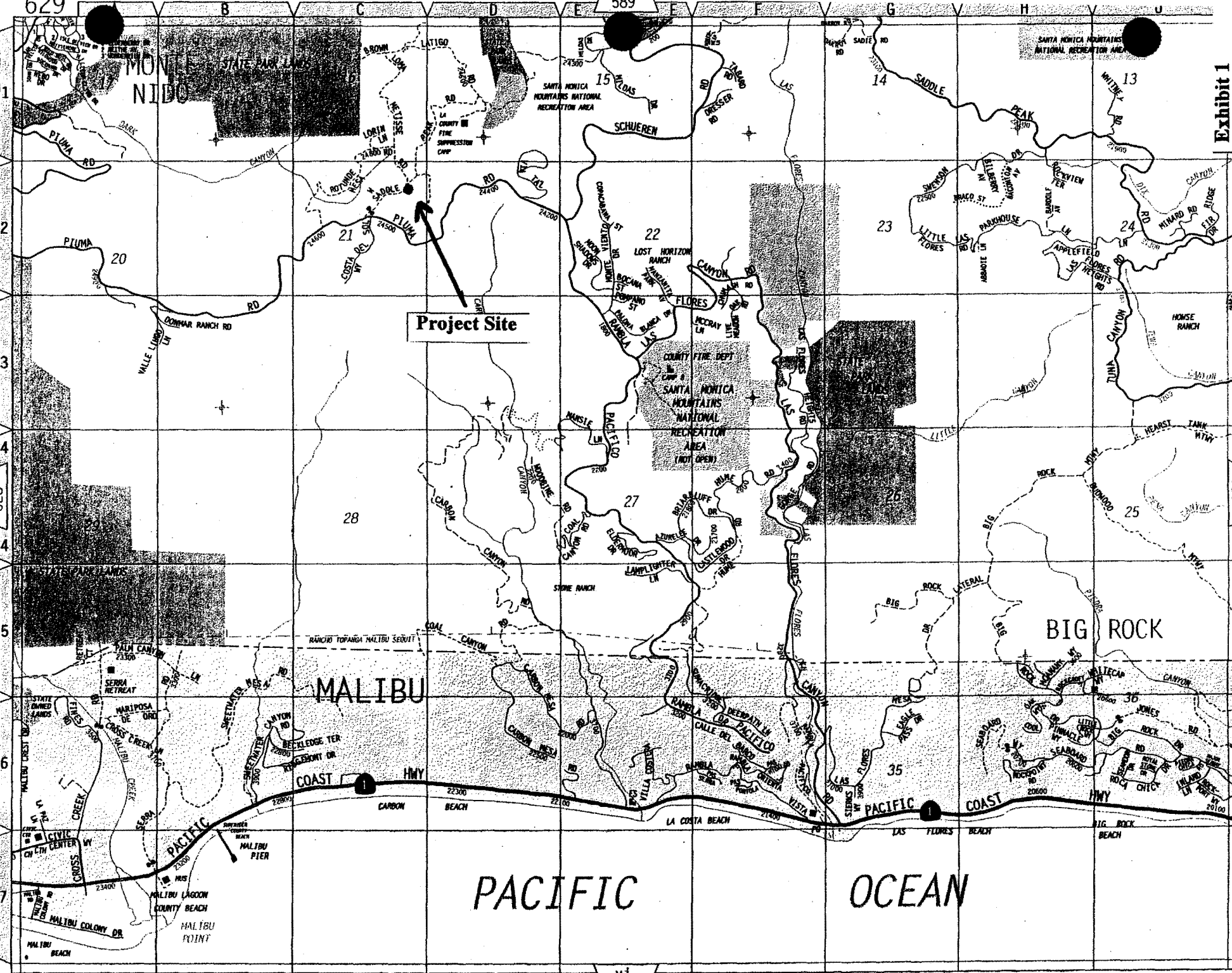
- A) Prior to certification of the local coastal program, a coastal development permit shall be issued if the issuing agency, or the Commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a local program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200).***

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

F. CALIFORNIA ENVIRONMENTAL QUALITY ACT

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

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



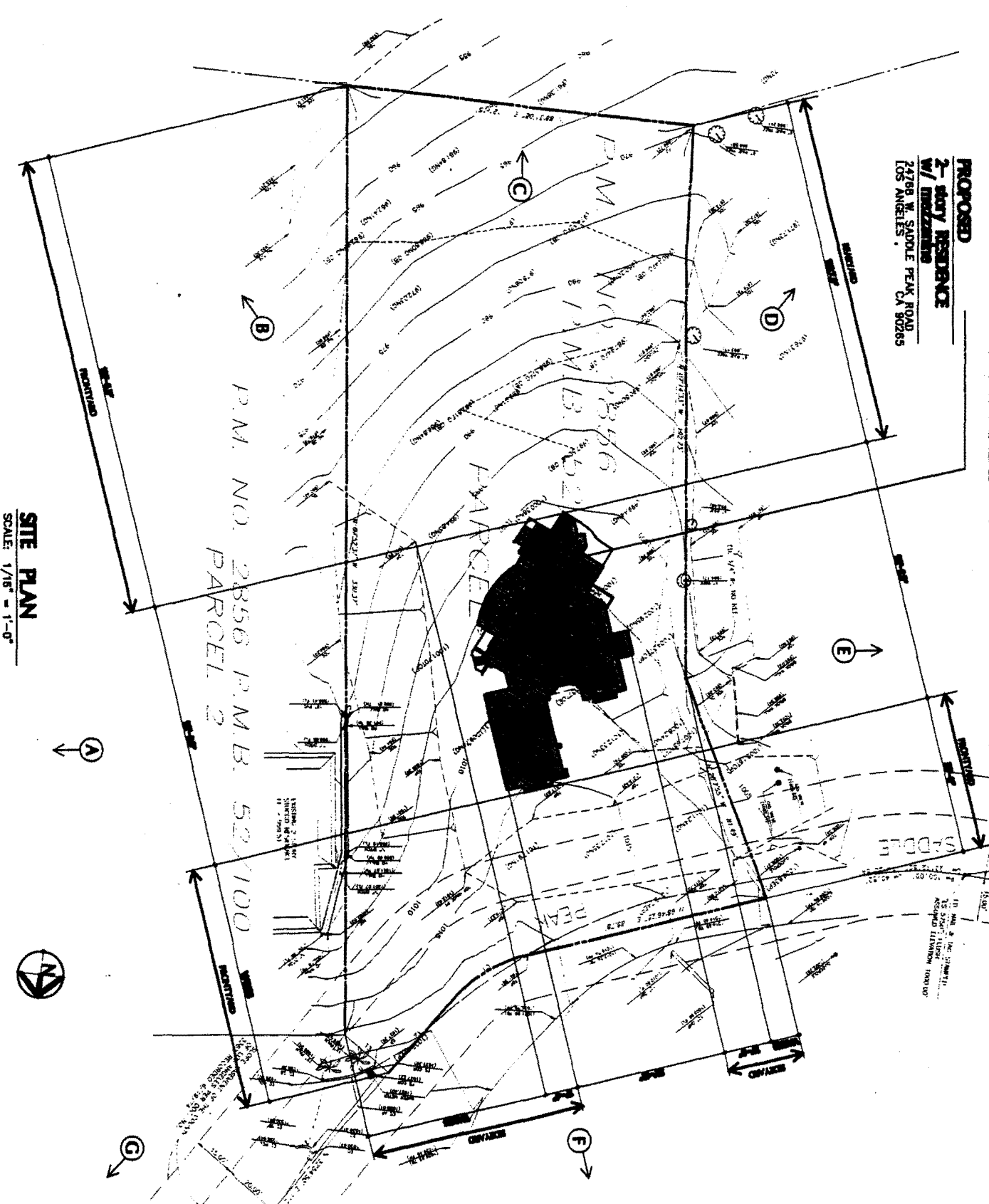
Project Site

PACIFIC

OCEAN

PROPOSED
2-story RESIDENCE
w/ landscaping
 7470B W. SADDLE PEAK ROAD
 LOS ANGELES, CA 90265

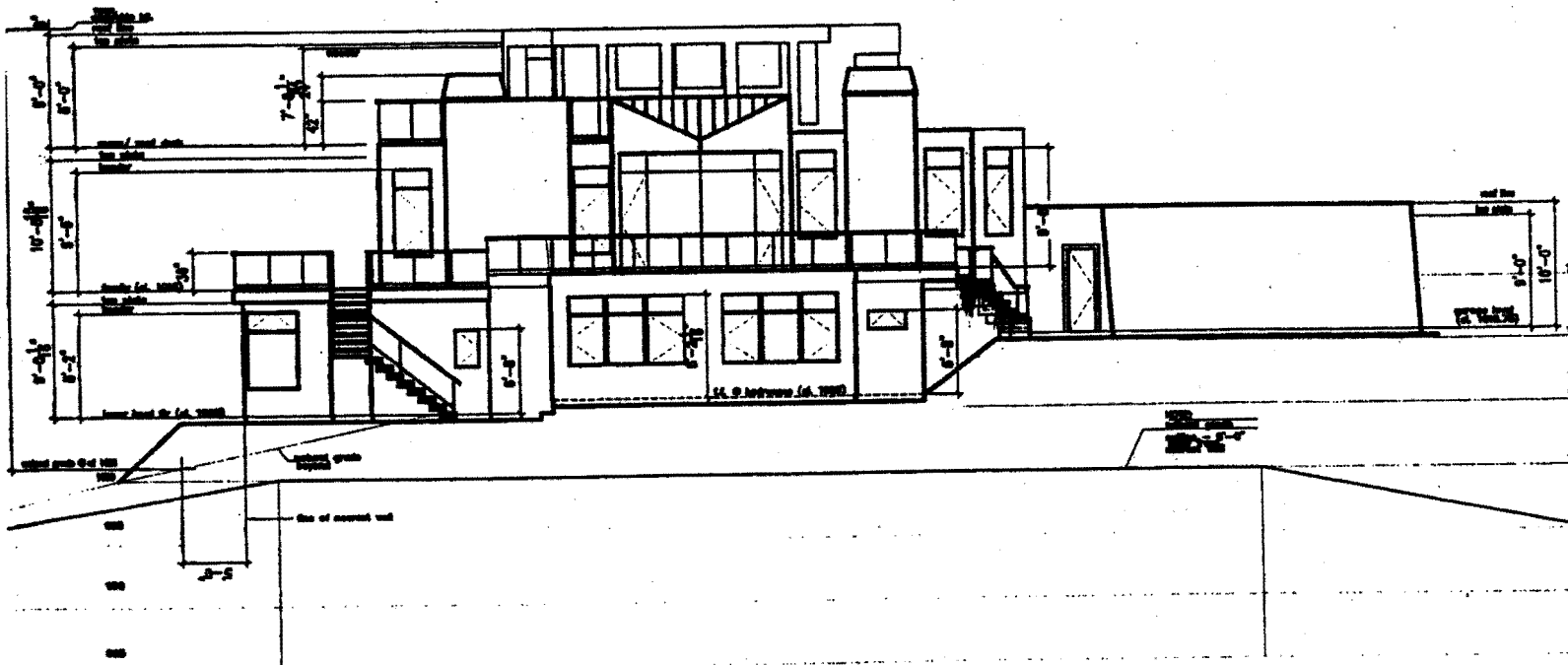
PARCEL 4



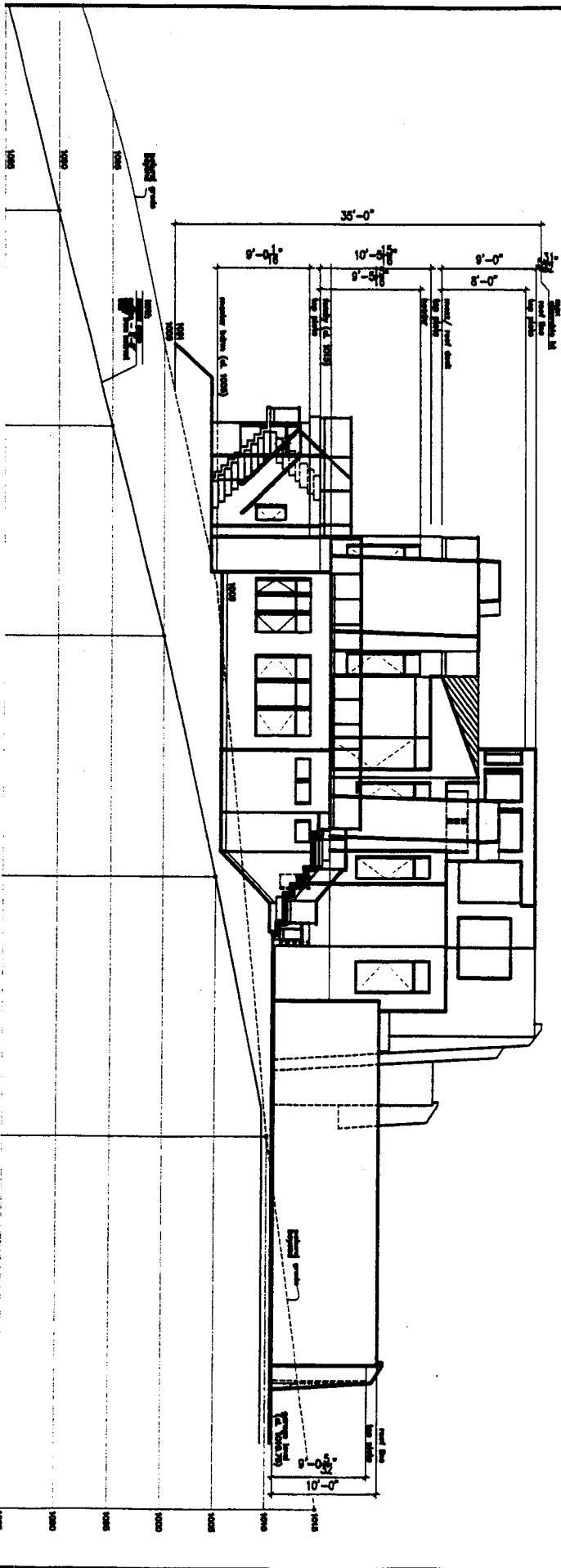
SITE PLAN
 SCALE 1/16" = 1'-0"



FRONT ELEVATION
SCALE: 1/4" = 1'-0"

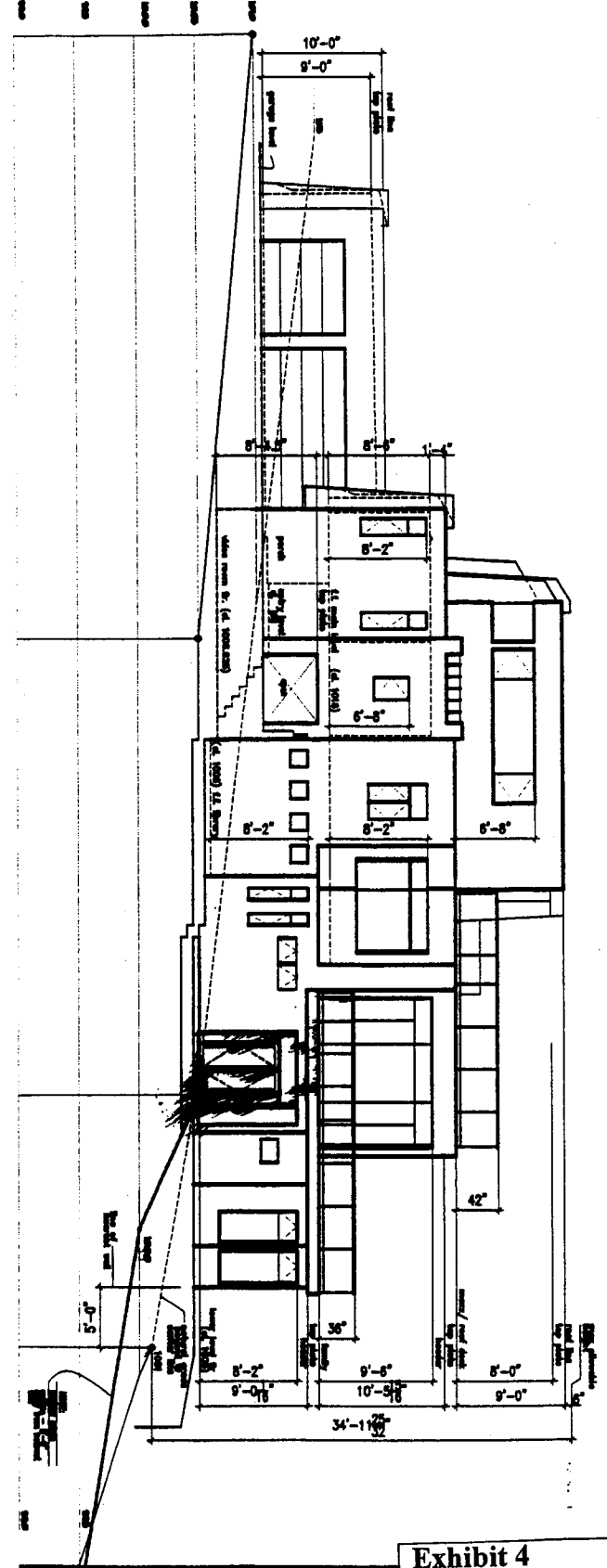


REAR ELEVATION
SCALE: 1/4" = 1'-0"



LEFT SIDE ELEVATION

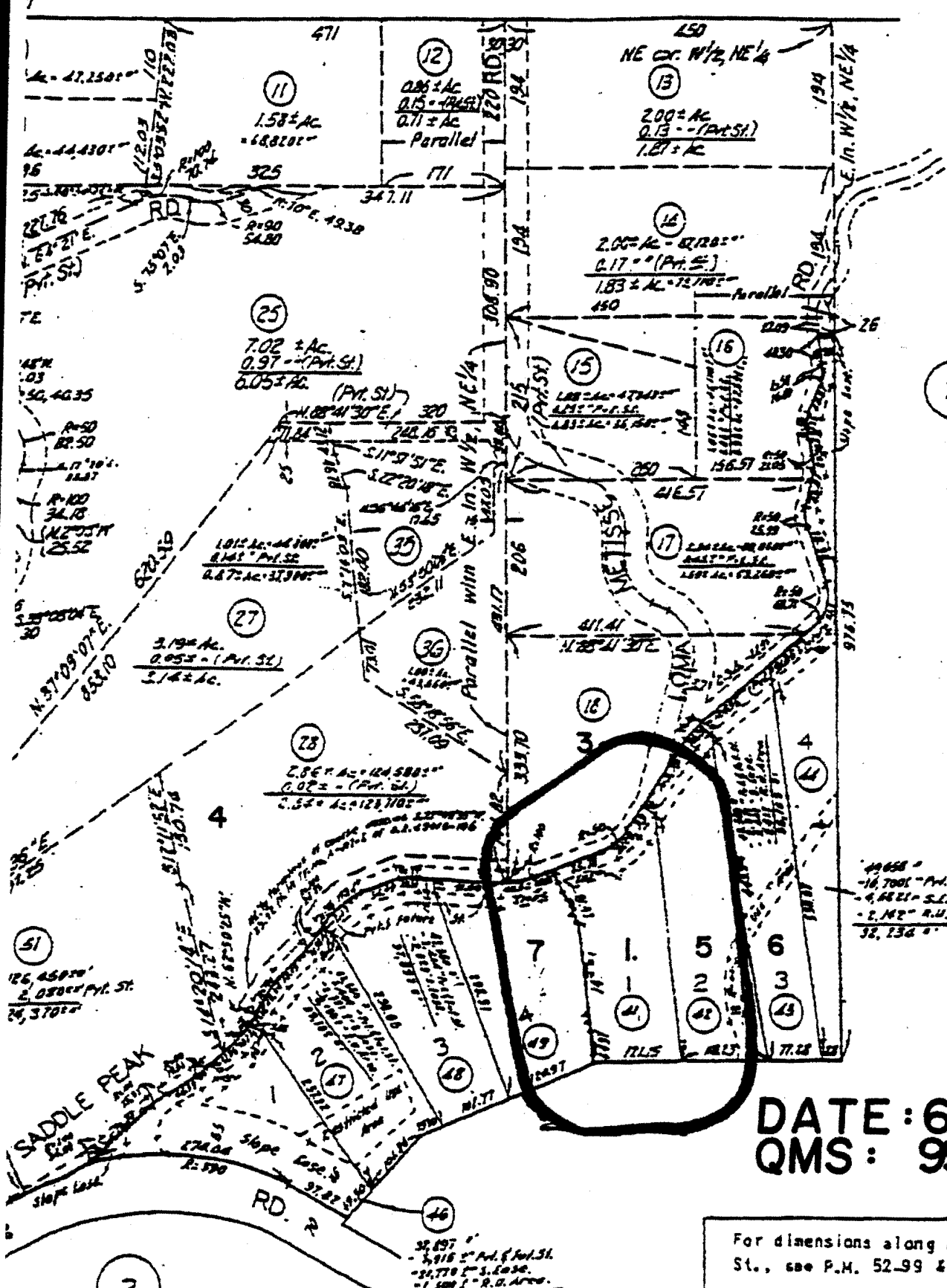
SCALE: 1/8" = 1'-0"



RIGHT SIDE ELEVATION

SCALE: 1/8" = 1'-0"

01/11/10
670672507
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7307132
7312103
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780301
790530



DATE : 6-1-99
QMS : 99-134

For dimensions along Pvt. & Future
St., see P.M. 52-99 & p.m. 52-100.

Sheet : 3 of 3

Middle Leaf Trail
(also called Coastal Slope
Trail on the proposed Co.
map)

Section Line

Project Site

2.3500

Exhibit 6
CDP 4-99-214
Saddle Peak Trail, Historic



COUNTY OF LOS ANGELES

DEPARTMENT OF PARKS AND RECREATION

433 South Vermont Avenue - Los Angeles, California 90020-1975 - (213) 738-2961

Rodney E. Cooper Director

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November 14, 1989

RECEIVED
NOV 16 1989

Peter Douglas, Executive Director
California Coastal Commission
P.O. Box 1450
Long Beach, California 90801

CALIFORNIA
COASTAL COMMISSION
SOUTH COAST DISTRICT

Attention: Gary Timm

SADDLE PEAK TRAIL ALTERNATIVE ALIGNMENT

As we discussed, the County of Los Angeles, Department of Parks and Recreation has been evaluating alternative right of way to realign the Saddle Peak Trail. As we committed to the Coastal Commission, a new trail alignment has been mapped and we are now ready to begin acquisition activities.

As indicated on the attached plan, the new alignment will now travel along Piuma Road to reach the Saddle Peak connecting trail and National Park Services property. We have identified initial funding to identify affected property owners and acquisition costs. We are optimistic that this acquisition can be completed this fiscal year. I will provide you with an update in March, 1990.

If you have any questions, please call me at (213) 738-2965.

Sincerely,

Jim Park

Jim Park
Head Park Planner

cc: Dorothy Hurd



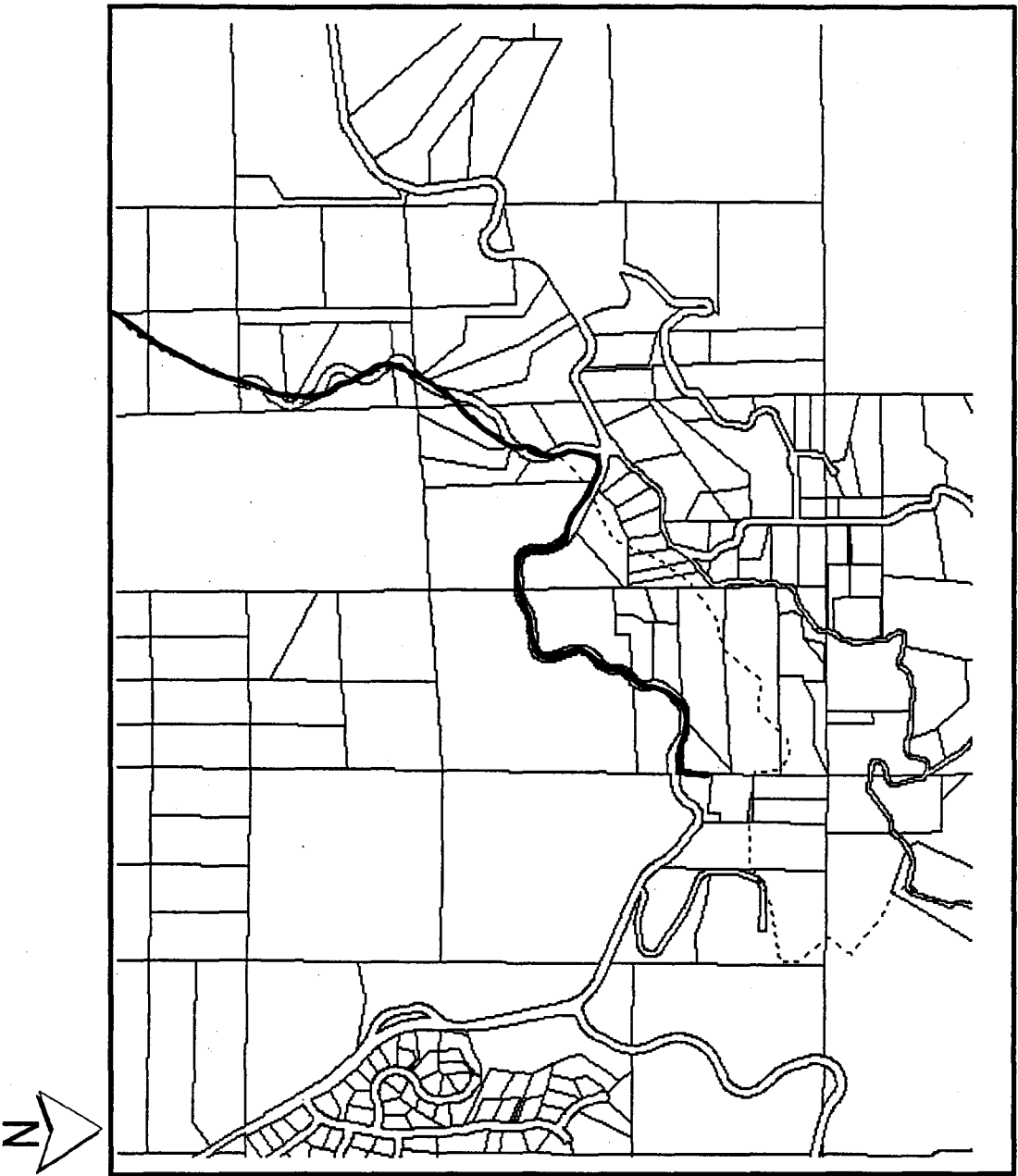
PARKS ARE FOR
PEOPLE

Exhibit 7

CDP 4-99-214

L.A. County Department
Parks and Recreation,
Letter 11/14/89

Saddle Peak Trail Alignment



Old Trail Alignment

New Trail Alignment

Exhibit 8

CDP 4-99-214

Saddle Peak Trail, Alternative
Trail Alignment

