

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
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Hearing Date: 11/17/00
Commission Action:

**RECORD PACKET COPY****STAFF REPORT: REGULAR CALENDAR****APPLICATION NO.:** 4-99-192**APPLICANT:** Mariposa Land Company Ltd.**AGENTS:** Grant Adamson and Steve Hunter**PROJECT LOCATION:** 3728 Cross Creek Road, Malibu; Los Angeles County.

PROJECT DESCRIPTION: The proposed project is for construction of a 56,440 sq. ft. self-storage facility (including 6 storage structures and 1 residential/office structure); 27,200 cu. yds. of grading (13,600 cu. yds. of cut and 13,600 cu. yds. of fill); a sewage disposal system; landscaping/revegetation; and placement of 420 linear ft. of rock rip rap and 270 linear ft. of concrete lining along a drainage/stream channel bank.

Lot area:	7.1	acres
Building coverage:	41,200	sq. ft.
Pavement coverage:	46,800	sq. ft.
Landscaped Area:	195,000	sq. ft.
Ht. abv. ext. grade:	28	ft.

SUBSTANTIVE FILE DOCUMENTS: Wetland Delineation Study by Rachel Tierney Consulting dated 8/6/00; Wetland Delineation Study Addendum by Rachel Tierney Consulting dated 8/27/00; Wetland Areas Response Letter by Rachel Tierney Consulting dated 1/27/00; Biological Resource Analysis by Rachel Tierney Consulting dated 6/6/96; Wetlands Report by Huffman & Associates dated June 1999; Final Environmental Impact Report for Malibu Self Storage Development Project by Rincon Consultants dated May 1999; Tree Survey Report by Land Design Consultants dated 5/30/96; Drainage and Hydrology Study by Land Design Consultants dated 6/11/96; 100-Year Storm Flood Plain Analysis by Land Design Consultants dated 12/15/99; Limited Geologic and Soils Investigation by GeoConcepts dated 5/9/96; and Update Report to Limited Geologic and Soils Investigation by GeoConcepts dated 7/30/99.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends **denial** of the proposed project. The project is for construction of a 56,440 sq. ft. self-storage facility (including 6 storage structures and 1 residential/office structure); 27,200 cu. yds. of grading (13,600 cu. yds. of cut and 13,600 cu. yds. of fill); a sewage disposal system, landscaping/revegetation; and placement of 420 linear ft. of rock rip rap and 270 linear ft. of concrete lining along a drainage/stream channel bank.

The project would include the removal of approximately 0.16 acres of the 0.29 acres of identified wetlands on the eastern portion of the site in contradiction to Section 30233 of the Coastal Act, which limits the types of development for which grading within a wetland area may be allowed. In addition, six existing mature sycamore trees (approximately 40-60 ft. in height) on the northern portion of the site will also be removed (four of the sycamores to be removed are proposed to be replanted on site).

In addition, the project does not provide for an adequate buffer area between the existing riparian habitat and wetlands located on site and new development. Therefore, it is inconsistent with Section 30240 of the Coastal Act, which requires that new development be sited and designed in a manner that minimizes adverse effects to adjacent sensitive habitat areas. The proposed grading will occur immediately adjacent to and within riparian habitat and wetland areas and three of the new structures would be located less than 100 ft. in distance from the delineated limit of the riparian habitat and wetland areas on site (the closest structure will be located less than 60 ft. in distance from riparian habitat and wetland areas).

Further, the proposal is inconsistent with Section 30236 of the Coastal Act, which limits the types of development for which channelization or alteration of a stream may be allowed because the project also includes the placement of 420 linear ft. of rock rip rap and 270 linear ft. of concrete lining along a drainage/stream channel bank.

More than half of the site is designated by the previously certified Los Angeles County Malibu/Santa Monica Mountains Land Use Plan (LUP) as *Recreation-serving commercial*. The proposed project would result in the use of land previously determined by the Commission to be suitable for visitor or recreation-serving commercial use by a non-visitor/recreation-serving commercial use in contradiction to Sections 30213, 30222, and 30223 of the Coastal Act, which require that areas suitable for the provision of coastal recreational opportunities (including recreation oriented commercial development) be protected and reserved for such.

In addition, during the course of processing this application, staff has discovered development on the subject site which has occurred without the required coastal development permit including the placement of 95 storage containers (each container approximately 120 sq. ft. in size and 8 ft. in height) and at least one mobile home/trailer. Approval of the existing unpermitted development is not included as part of this application. Construction of the proposed project, if approved, would necessitate removal of the existing unpermitted structures. However, in the event that a permit authorizing the development proposed as part of this application is not issued by the Commission, the applicant will be required to apply for a follow-up coastal permit to either retain or remove the unpermitted structures.

Five letters in support and one letter in objection to the proposed project have been received and are included as Exhibits 12 and 13a-e.

I. STAFF RECOMMENDATION

MOTION: *I move that the Commission approve Coastal Development Permit 4-99-192 for the development proposed by the applicant.*

STAFF RECOMMENDATION OF DENIAL:

Staff recommends a **NO** vote. Failure of this motion will result in denial of the permit and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

RESOLUTION TO DENY THE PERMIT:

The Commission hereby denies a coastal development permit for the proposed development on the ground that the development will not conform with the policies of Chapter 3 of the Coastal Act and will 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. Approval of the permit would not comply with the California Environmental Quality Act because there are feasible mitigation measures or alternatives that would substantially lessen the significant adverse impacts of the development on the environment.

II. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description and Background

The proposed project is for construction of a 56,440 sq. ft. self-storage facility (including 6 storage structures and 1 residential/office structure); 27,200 cu. yds. of grading (13,600 cu. yds. of cut and 13,600 cu. yds. of fill); a sewage disposal system; landscaping/revegetation; and placement of 420 linear ft. of rock rip rap and 270 linear ft. of concrete lining along a drainage/stream channel bank. Individual structures would range in size between 4,045 sq. ft. to 21,112 sq. ft. in area and 17 ft. to 26 ft. in height above existing grade.

The project site is two separate parcels (APNs: 4452-011-037 & 4452-012-024) approximately 7.1 acres in combined size. It is located 1,250 ft. north of Pacific Coast Highway between Cross Creek Road to the west and Malibu Creek to the east (Exhibits 1 & 2). All proposed structures would be located on the largest of the two parcels (APN 4452-012-024). New development on the second smaller parcel would be limited to the construction of approximately 150 linear ft. of concrete lining along the stream bank and related grading. Twenty-seven thousand two hundred (27,200) cubic yards of grading

is proposed to create a raised pad area, approximately 3.5 feet higher than the existing grade, to prevent flooding of the proposed storage facility.

The project site is generally located in the Malibu Civic Center, a primary commercial district in the Malibu area. Commercial businesses including shopping centers, retail stores, and restaurants are generally located south of the site near the highway. The temporary Malibu skateboard park is located immediately west of the site on the opposite side of Cross Creek Road and the Malibu City Hall is located approximately 750 ft. west of the site on the north side of Civic Center Drive. Topography on site is generally flat and gently slopes to the east toward Malibu Creek. The southern portion of the project site where the proposed self-storage facility structures would be located is designated by the previously certified Los Angeles County Malibu/Santa Monica Mountains Land Use Plan (LUP) as *Recreation-serving commercial* (approximately 3.92 acres), the remaining portion of the site is designated as *residential* (approximately 3.22 acres). The proposed project would result in the use of land previously determined by the Commission to be suitable for visitor or recreation-serving commercial use by a non-visitor/recreation-serving commercial use.

A seasonal channel of Malibu Creek is located on the eastern portion of the subject site (the main perennial channel of the creek is located further east). Malibu Creek, including the seasonal channel and riparian vegetation on site, is designated as an environmentally sensitive habitat area (ESHA) by the certified LUP and as a blueline stream by the United States Geologic Service. The riparian habitat on site has also been identified as a wetland by the applicant's consultant. The Commission's biologist, Dr. John Dixon, has visited the site and agrees that these areas are wetlands. The proposed project includes the removal of approximately 0.16 acres of the 0.29 acres of identified wetlands on the eastern portion of the site. In addition, six existing mature sycamore trees (approximately 40-60 ft. in height) on the northern portion of the site will also be removed to allow for grading (four of the sycamores to be removed are proposed to be replanted on site).

Currently, the majority of the project site is used as a storage yard for construction equipment and materials. Existing development on site consists of one large metal building, one travel trailer, two mobile home/trailers used as office space, and 95 metal storage containers (approximately 120 sq. ft. in size and 8 ft. in height). Historic aerial photographs indicate that the large metal building and at least three or more smaller structures were present on the southern portion of the site prior to the implementation of the Coastal Act in 1977. However, historic aerial photographs also indicate, and the applicant has confirmed in conversation with staff, that the 95 storage containers and at least one of the two mobile home/trailers were placed on the subject site within the past four years without the required coastal development permits. The applicant has further indicated that the 95 storage containers are currently rented as self-storage units. Approval of the existing unpermitted development is not included as part of this application. Construction of the proposed project, if approved, would necessitate removal of the existing unpermitted structures. However, in the event that a permit authorizing the development proposed as part of this application is not issued by the Commission, the applicant will be required to apply for a follow-up coastal permit to either retain or remove the existing unpermitted structures.

B. Environmentally Sensitive Resources

Section 30230 of the Coastal Act states that:

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 states:

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

Section 30233(a) states in part:

The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

- (1) New or expanded port, energy, and coastal dependent industrial facilities...*
- (2) Maintaining existing...navigational channels...*
- (3) In wetland areas only, entrance channels for new or expanded boating facilities...*
- (4) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities...that provide for public access and recreational opportunities.*
- (5) Incidental public service purposes...*
- (6) Mineral extraction...except in environmentally sensitive areas.*
- (7) Restoration purposes.*
- (8) Nature study, aquaculture, or similar resource dependent activities.*

Section 30236 states:

Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects, (2) flood control projects where no other method for protecting existing structures in the floodplain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.

In addition, Section 30240 of the Coastal Act states:

(a) 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.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

Sections 30230 and 30231 of the Coastal Act require that the biological productivity and the quality of coastal waters and streams be maintained and, where feasible, restored through among other means, minimizing adverse effects of waste water discharge and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flows, maintaining natural buffer areas that protect riparian habitats, and minimizing alteration of natural streams. Section 30233 of the Coastal Act states, in part, that the diking, filling, or dredging of wetland areas shall not be allowed with the exception of development for boating facilities, incidental public services, restoration purposes, and nature study or aquaculture. In addition, Section 30240 of the Coastal Act states that environmentally sensitive habitat areas must be protected against disruption of habitat values.

To assist in the determination of whether a project is consistent with the Chapter 3 policies of the Coastal Act, the Commission has, in past coastal development permit actions for new development in the Malibu area, looked to the previously certified Los Angeles County Malibu/Santa Monica Mountains Land Use Plan (LUP) for guidance. The Malibu LUP has been found to be consistent with the Coastal Act and provides specific standards for development along the Malibu coast and within the Santa Monica Mountains. In its findings regarding the certification of the Malibu/Santa Monica Mountains LUP, the Commission emphasized the importance placed by the Coastal Act on protection of sensitive environmental resources. Specifically, Table 1 of the certified LUP provides that new structures shall be located at least 100 ft. from the outer limit of the riparian tree canopy. In addition, Policy 82 of the LUP, in concert with the Coastal Act, provides that grading shall be minimized to ensure that the potential negative effects of runoff and erosion on watershed and streams is minimized.

A seasonal channel for Malibu Creek is located on the eastern portion of the subject site (the main perennial channel of the creek is located further east). Malibu Creek, including the seasonal channel and riparian vegetation on site, is designated as an environmentally sensitive habitat area (ESHA) by the certified LUP and as a blue line stream by the United States Geologic Service. In addition, wetlands are also located on the eastern portion of the project site. The definition of wetlands in the Commission's regulations includes any area where any one or more of the following indicators are present: wetland plant species, wetland hydrology, or hydric soils. Section 13577 of the California Code of Regulations states in part that:

Wetlands are lands where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is lacking and soil is

poorly developed or absent as a result of frequent or drastic fluctuations of surface water levels...

The applicant has submitted a Wetland Delineation Report by Rachel Tierney Consulting dated 8/6/00 which indicates that 0.29 acres of riparian habitat located on the subject site (delineated on Exhibit 3) contain wetland vegetation (primarily willow trees) and are, therefore, classified as wetlands pursuant to the above definition. Although the subject site is relatively flat, the proposed project involves 27,200 cu. yds. of grading in order to create a raised pad area (approximately 3.5 ft. higher than the existing grade on site) to prevent flooding of the proposed storage facility. The proposed grading would involve the excavation and removal of approximately 0.16 acres of the existing 0.29 acres of wetland and riparian habitat which have been identified on the eastern portion of the site in order to obtain fill material for the proposed pad and redirect drainage on site. In addition to the 0.16 acres of wetlands to be removed, the project also includes the removal of six existing mature sycamore trees (approximately 40-60 ft. in height) on the northern portion of the site to allow for grading (four of the sycamores to be removed are proposed to be replanted on site).

All coastal wetlands are extremely valuable, even if degraded, because of the dramatic loss in wetlands throughout the state and the unique habitats wetlands provide. The proposed development will be located immediately adjacent to, and partly within, the sensitive riparian habitat and wetland areas on site. New development adjacent to riparian habitat or wetland areas must be set back from the outer limit of the riparian vegetation canopy or wetland areas in order to provide for an adequate buffer area to prevent significant degradation of the sensitive habitat. Buffer areas are undeveloped lands surrounding resource areas to be protected. These areas act to protect the wetland or ESHA resource from the direct effects of nearby disturbance and provide the necessary habitat for organisms that spend only a portion of their life in an aquatic or wetland environment such as amphibians, reptiles, birds, and mammals. In past permit actions, the Commission has required a buffer of 100 feet between new development and riparian areas or wetlands.

However, in this case, the proposed project does not provide for any buffer area between the existing riparian habitat and wetlands located on site and new development. A portion of the proposed grading will occur directly within identified riparian habitat and wetland areas. Grading will also occur immediately adjacent to the identified riparian habitat and wetlands without any buffer. Three of the proposed new structures will be located less than 100 ft. in distance from the delineated limit of riparian habitat and wetland areas on site (the closest structure will be located less than 60 ft. in distance from identified riparian habitat and wetland areas). Section 30240 of the Coastal Act allows for new development adjacent to environmentally sensitive habitat areas only when such development is sited and designed to minimize impacts. The Commission notes that unless adequate buffer areas are provided for, new development will result in adverse effects from contaminated and increased runoff, increased erosion, displacement of habitat, and disturbance to wildlife dependent upon

such resources. In this case, the proposed development would be located immediately adjacent to (and partially within) identified sensitive habitat areas without any buffer area. As such, the Commission notes that the proposed project has not been sited or designed in a manner that would ensure that adverse impacts to environmentally sensitive habitat areas would be minimized as required by Section 30240 of the Coastal Act.

In addition to the lack of a buffer area between the proposed development and identified sensitive habitat areas, the proposed project also includes grading directly within an identified wetland (excavation will occur on approximately 0.16 acres of identified riparian habitat and wetland area). Section 30240 of the Coastal Act allows for new development within identified ESHA only when such development is dependent upon the resources within such areas. In this case, the Commission notes a self-storage facility does not constitute a resource dependent use and that the proposed grading within the identified environmentally sensitive habitat areas on site for the construction of the proposed self-storage facility would be in contradiction with Section 30240 of the Coastal Act.

Further, Section 30233 of the Coastal Act specifically prohibits grading within wetland areas with the exception of development for certain coastal dependent industries, boating facilities, incidental public services, restoration purposes, mineral extraction (including beach nourishment), and nature study or aquaculture. In this case, the proposed project includes the excavation of approximately 0.16 acres (6,970 sq. ft.) of wetlands on site in order to obtain fill material to construct a raised pad area for a private self-storage facility. The Commission notes that the proposed project does not meet any of the above criteria regarding when grading of a wetland area is allowable and that the proposed project is, therefore, not consistent with Section 30233 of the Coastal Act. Furthermore, the applicant has not demonstrated that it is necessary to use fill material from the wetlands on site to create the raised pad, rather than using fill from an offsite location that is not a wetland or environmentally sensitive habitat.

In addition, the proposed project also includes the placement of 420 linear ft. of rock rip rap and 270 linear ft. of concrete lining along a drainage/stream channel bank. In order to obtain fill material to raise the elevation of the building pad for the structures above the flood zone, the project includes excavation of approximately 13,600 cu. yds. of material from the remaining portion of the site. The excavation would result in a significantly deeper drainage or stream channel on site that connects to Malibu Creek than naturally exists. The 690 linear feet of rock rip rap and concrete lining would be constructed along the west bank of the deepened drainage/stream channel in order to protect the new self-storage complex. Channelization of streams and drainages result in potential adverse effects to riparian areas resulting from downstream erosion, changes to stream flow velocities, and direct loss of natural riparian habitat.

Section 30236 of the Coastal Act allows for the channelization or other substantial alterations of streams only when necessary for (1) water supply projects, (2) flood

control projects where no other method for protecting existing structures in the floodplain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat. In this case, the proposed placement of rip rap and concrete lining within a drainage/stream channel is not necessary for water supply or habitat restoration. Although the project includes revegetation of all areas of the site where grading and placement of rip rap and concrete lining will occur (including covering the concrete lining and rocks with a layer of soil and planting riparian vegetation on top of the covered hardscape) the Commission notes that the proposed rip rap and concrete lining is not necessary for such revegetation to occur and will not serve to improve fish and wildlife habitat on site. Further, the Commission also notes that the proposed rip rap and concrete lining is intended to protect the new proposed self-storage facilities and is not necessary to protect any existing development on site. As such, the Commission notes that the proposed project does not meet any of the above criteria regarding when the placement of rip rap, concrete lining, or other channelization or protective devices may be allowed within a stream and that the proposed project is, therefore, not consistent with Section 30236 of the Coastal act.

The applicant has asserted that the drainage that would be created or deepened as a result of the proposed grading should not be considered an existing stream and therefore, the provisions of section 30236 do not apply. However, the Commission notes that the proposed deepened channel would connect to the primary and secondary channels of Malibu Creek at the southern end of the subject site (as well as the northern end of the subject site during high-flow events) and that the entire project site is currently subject to stream flow during high-flow events. As such, the Commission finds that the existing drainage on the site is subject to periodic stream flow and therefore is a stream covered by Section 30236.

The applicant has indicated that the proposed project will utilize stormdrain filters in order to reduce adverse effects to the quality of stormwater runoff and utilize a "fixed activated sludge treatment septic system" rather than a standard septic system to reduce impacts from sewage disposal. However, the Commission notes that the proposed project will still result in the above mentioned adverse effects to the riparian and wetland habitat on site, including direct impacts due to the loss of such habitat from grading and indirect impacts resulting from the lack of an adequate buffer between new development and ESHA. Therefore, for the reasons discussed above, the Commission finds that the proposed project is not consistent with Sections 30230, 302321, 30233, 30236, and 30240 of the Coastal Act.

C. Public Recreational Opportunities and Cumulative Impacts

One of the basic mandates of the Coastal Act is to maximize public access and recreational opportunities within coastal areas and to reserve lands suitable for coastal recreation for that purpose. The Coastal Act has several policies that address the issues of public recreational opportunities within coastal areas.

Section 30213 of the Coastal Act states:

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

Section 30222 of the Coastal Act states:

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 of the Coastal Act states:

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

Coastal Act Sections 30213 and 30223 mandate that lower cost visitor and recreational facilities and land suitable for such uses, shall be protected, encouraged, and where feasible provided. Coastal Act Section 30222 mandates that visitor-serving commercial recreational facilities shall have priority over residential, general industrial, and general commercial development. In addition, to assist in the determination of whether a project is consistent with Sections 30213, 30222, and 30223 of the Coastal Act, the Commission has, in past Malibu coastal development permit actions, looked to the certified Malibu/Santa Monica Mountains Land Use Plan (LUP) for guidance. The Malibu LUP has been found to be consistent with the Coastal Act and provides specific standards for development along the Malibu coast and the Santa Monica Mountains. In its findings regarding the certification of the Malibu LUP, the Commission emphasized the importance placed by the Coastal Act on protection of recreational and visitor-serving opportunities in coastal communities. For instance, in concert with Sections 30213, 30222, and 30223 of the Coastal Act, Policy 18b of the LUP provides that new lower cost recreation and visitor-serving facilities shall be protected, expanded and where feasible provided. In addition, Policy 18c of the LUP provides that visitor-serving facilities shall have priority over private residential, general industrial, or general commercial development on land suitable for visitor-serving commercial recreational facilities.

The project site is located on two separate parcels approximately 7.1 acres in combined size and 1,250 ft. north of Pacific Coast Highway between Cross Creek Road to the

west and Malibu Creek to the east (Exhibits 1 & 2). All proposed structures would be located on the largest of the two parcels (APN 4452-012-024). New development on the second smaller parcel would be limited to the construction of approximately 150 linear ft. of concrete lining along the stream bank and related grading. The site is generally located in the Malibu Civic Center, a primary commercial district in the Malibu area. Commercial land-uses, including shopping centers, retail stores, and restaurants are located near the highway south of the site. The temporary Malibu skateboard park is located immediately west of the site on the opposite side of Cross Creek Road, and Malibu City Hall is located approximately 750 ft. west of the site on the north side of Civic Center Drive.

More than half of the subject site is designated for "recreation-serving commercial use" development by the previously certified Los Angeles County Malibu/Santa Monica Mountains Land Use Plan and is located in close proximity to several other visitor-serving commercial uses (including several shops and restaurants within the Malibu Civic Center). In its previous certification of the LUP, the Commission found that the majority of the subject site is suitable for the provision of visitor serving and recreational commercial services. The southern portion of the project site where the proposed self-storage facility structures would be located is designated by the previously certified Los Angeles County Malibu/Santa Monica Mountains Land Use Plan as *Recreation-serving commercial* (approximately 3.92 acres), the remaining portion of the site is designated as *residential* (approximately 3.22 acres).

The proposed project is for the construction of a self-storage facility. The Commission finds that a self-storage facility does not constitute a recreation-serving commercial use because it does not provide for any recreational activity. In past permit actions, the Commission has found that the construction of new non-visitor serving, non-recreational commercial facilities in locations that are suitable for visitor-serving or recreational development would result in cumulative adverse effects to public recreational opportunities by using land that could otherwise be more properly developed with recreation-oriented uses. Such development results in the cumulative displacement of recreational uses when viewed on a regional basis. The Commission notes that there is a need for recreational commercial uses in the Malibu area to serve both visitors and residents. The Commission also notes that approval of the proposed project would result in the loss of land suitable for the provision of visitor-serving and recreation-serving commercial development in contradiction with Sections 30213, 30222, and 30223 of the Coastal Act.

The Commission notes that the proposed project would be consistent with the City of Malibu's Land Use Plan which designates the subject site as *Community Commercial*. However, the Commission also notes that the City's Land Use Plan has not been certified by the Commission as consistent with the Chapter Three policies of the Coastal Act (nor has the City submitted a request for such certification). In contrast to the previously certified Los Angeles County Malibu/Santa Monica Mountains Land-use Plan, which designated approximately 32 acres (1,400,000 sq. ft.) of the Civic Center

area for *Recreation-serving commercial* use, the City's new Land Use Plan has eliminated all areas of the Civic Center which were designated for such use and redesignated the entire Civic Center for *community commercial* use (*local community oriented commerce*). As noted above, the Commission has not had the opportunity to evaluate whether eliminating the recreation-serving commercial designation for 32 acres in the Civic Center is consistent with the policies of the Coastal Act. Such an evaluation would include analysis of whether other areas that the City proposes to reserve for recreational use are adequate to meet the recreational needs of Malibu's visitors and residents. The proposed project would eliminate a significant portion of the area in the Civic Center that was previously designated as Recreation-serving commercial from that use. As such, the Commission notes that approval of the proposed non-visitor serving or recreation-serving development on a site previously determined by the Commission to be suitable for such use, prior to the certification of a new Land Use Plan for the City of Malibu, would prejudice the ability of the City to prepare a Local Coastal Program which is consistent with the recreation policies of the Coastal Act

Therefore, the Commission finds that the proposed project is not consistent with Sections 30213, 30222, and 30223 of the Coastal Act.

D. Hazards

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

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

Section 30233(a) states in part:

The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

- (9) *New or expanded port, energy, and coastal dependent industrial facilities...*
- (10) *Maintaining existing...navigational channels...*
- (11) *In wetland areas only, entrance channels for new or expanded boating facilities...*
- (12) *In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities...that provide for public access and recreational opportunities.*
- (13) *Incidental public service purposes...*
- (14) *Mineral extraction...except in environmentally sensitive areas.*

(15) Restoration purposes.

(16) Nature study, aquaculture, or similar resource dependent activities.

In addition, Section 30236 of the Coastal Act states:

Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects, (2) flood control projects where no other method for protecting existing structures in the floodplain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.

The proposed development is located in the Malibu/Santa Monica Mountains area, a region which is generally considered to be subject to an unusually high amount of natural hazards. Geologic hazards common to the Santa Monica Mountains 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.

The applicant is proposing the construction of a 56,440 sq. ft. self-storage facility (including 6 storage structures and 1 residential/office structure). The project will also include approximately 27,200 cu. yds. of grading (13,600 cu. yds. of cut and 13,600 cu. yds. of fill) and placement of 420 linear ft. of rock rip rap and 270 linear ft. of concrete lining along the stream channel.

The applicant has submitted an Environmental Impact Report prepared by Rincon Consultants dated May 1999, a Drainage and Hydrology Study by Land Design Consultants dated 6/11/96, and a 100-Year Storm Flood Plain Analysis by Land Design Consultants dated 12/15/99 which indicate that the entire project site is located within the Malibu Creek floodplain and, therefore, subject to hazards from flooding. The reports indicate that a 50-year or 100-year flood event would flood the entire project site under existing conditions. A 100 year-flood event would result in a water surface depth on site of about 2 feet. To prevent flooding of the proposed self-storage facility, the proposed project includes approximately 27,200 cu. yds. of grading (13,600 cu. yds. of cut and 13,600 cu. yds. of fill) in order to raise the southern portion of the site approximately 3.5 ft. in elevation. This would be accomplished by moving earth from the northern and eastern portions of the site to the southern portion of the site where the proposed structures will be located.

Section 30233 of the Coastal Act specifically prohibits grading within wetland areas with the exception of development for certain coastal dependent industries, boating facilities, incidental public services, restoration purposes, mineral extraction (including beach nourishment), and nature study or aquaculture. In this case, the proposed project includes the excavation of approximately 0.16 acres (6,970 sq. ft.) of wetlands on site in order to obtain fill material to construct a raised pad area for a private self-storage

facility. The Commission notes that the proposed project does not meet any of the above criteria regarding when grading of a wetland area is allowable and that the proposed project is, therefore, not consistent with Section 30233 of the Coastal act.

In addition, the proposed project also includes the placement of 420 linear ft. of rock rip rap and 270 linear ft. of concrete lining along a drainage/stream channel bank. In order to obtain fill material to raise the elevation of the building pad for the structures above the flood zone, the project includes excavation of approximately 13,600 cu. yds. of material from the remaining portion of the site. The excavation would result in a significantly deeper drainage or stream channel on site that connects to Malibu Creek than naturally occurs. The 690 linear feet of rock rip rap and concrete lining would be constructed along the west bank of the deepened drainage/stream channel in order to protect the new self-storage complex. Channelization of streams and drainages result in potential adverse effects to riparian areas resulting from downstream erosion, changes to stream flow velocities, and direct loss of natural riparian habitat. The applicant has asserted that the drainage/stream on site would be created or deepened as a result of the proposed grading, and therefore it should not be considered a stream. However, the Commission notes that the proposed deepened channel would connect to the primary and secondary channels of Malibu Creek at the southern end of the subject site (as well as the northern end of the subject site during high-flow events) and that the entire project site is currently subject to stream flow during high-flow events. As such, the Commission finds that the drainage on the site is subject to periodic stream flow and is a stream covered by Section 30236.

Section 30236 of the Coastal Act allows for the channelization or other substantial alterations of streams only when necessary for (1) water supply projects, (2) flood control projects where no other method for protecting existing structures in the floodplain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat. In this case, the proposed placement of rip rap and concrete lining within a drainage/stream channel is not necessary for water supply or habitat restoration. Although the project includes revegetation of all areas of the site where grading and placement of rip rap and concrete lining will occur (including covering the concrete lining and rocks with a layer of soil and planting riparian vegetation on top of the covered hardscape) the Commission notes that the proposed rip rap and concrete lining is not necessary for such revegetation to occur and will not serve to improve fish and wildlife habitat on site. Further, the Commission also notes that the proposed rip rap and concrete lining is intended to protect the new proposed self-storage facilities and is not necessary to protect any existing development on site. As such, the Commission notes that the proposed project does not meet any of the above criteria regarding when the placement of rip rap, concrete lining, or other channelization or protective devices may be allowed within a stream and that the proposed project is, therefore, not consistent with Section 30236 of the Coastal act.

Section 30253 of the Coastal Act requires that new development minimize risks to life and property in areas of high flood hazard and assure stability and structural integrity. As discussed above, the entire project site is located within the identified 50-year flood plain for Malibu Creek and is, therefore, subject to periodic flooding. In the case of this project, the applicant is proposing to construct a raised fill pad to elevate the proposed structures above the expected water level during a flood event. In addition, the proposed project also includes the placement of rip rap and concrete lining protection devices within the drainage/stream channel in order to protect the new development on site from flooding. The applicant has also submitted a Drainage and Hydrology Study by Land Design Consultants dated 6/11/96 which indicates that the proposed project is not expected to result in adverse hydrological impacts to downstream areas from increased flooding. As such, the proposed project would serve to minimize potential hazards as required by Section 30253 of the Coastal Act. However, the Commission notes that the proposed development will still be subject to some inherent potential hazards from flood events. The Commission further notes, as discussed above in detail, that the proposed grading within wetland areas and the construction of rip rap and concrete lining within the drainage/stream channel, which the applicant asserts are necessary to protect the proposed development and ensure structural stability, are not consistent with Sections 30233 and 30236 of the Coastal Act.

Therefore, for the reasons discussed above, the Commission finds that the proposed project is not consistent with Sections 30233 and 30236 of the Coastal Act.

E. Violations

During the course of processing this application, staff has discovered development on the subject site which has occurred without the required coastal development permit including the placement of 95 storage containers (approximately 120 sq. ft. in size and 8 ft. in height) and at least one mobile home/trailer. Approval of the existing unpermitted development is not included as part of this application. Construction of the proposed project, if approved, would necessitate removal of the existing unpermitted structures. However, in the event that a permit for the development proposed as part of this application is not issued by the Commission, the applicant will be required to apply for a follow-up coastal permit to either retain or remove the unpermitted structures.

Consideration of this application by the Commission has been based solely upon the Chapter 3 policies of the Coastal Act. Review of this permit does not constitute a waiver of any legal action with regard to the alleged violation nor does it constitute an admission as to the legality of any development undertaken on the subject site without a coastal permit.

F. 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 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 would not be in conformity with the provisions of Chapter 3 of the Coastal Act. The proposed development would result in adverse impacts and is found to be not consistent with the applicable policies contained in Chapter 3.

In addition, the Commission notes that in its previous certification of the Los Angeles County Malibu/Santa Monica Mountains Land Use Plan, the Commission found that the majority of the subject site is suitable for the provision of recreational commercial services. The southern portion of the project site where the proposed self-storage facility structures would be located is designated by the previously certified Los Angeles County Malibu/Santa Monica Mountains Land Use Plan as *Recreation-serving commercial* (approximately 3.92 acres), the remaining portion of the site is designated as *residential* (approximately 3.22 acres). The Commission also notes that although the proposed project would be consistent with the City of Malibu's Land Use Plan, which designates the subject site as *Community Commercial*, the City's Land Use Plan has not been certified by the Commission as consistent with the Chapter 3 policies of the Coastal Act (nor has the City submitted a request for such certification).

In contrast to the previously certified Los Angeles County Malibu/Santa Monica Mountains Land-use Plan, which designated approximately 32 acres (1,400,000 sq. ft.) of the Civic Center area for *Recreation-serving commercial* use, the City's new Land Use Plan has eliminated all areas of the Civic Center which were designated for such use and redesignated the entire Civic Center for *community commercial* use (*local community oriented commerce*). As noted above, the Commission has not had the opportunity to evaluate whether eliminating the recreation-serving commercial designation for 32 acres in the Civic Center is consistent with the policies of the Coastal Act. Such an evaluation would include analysis of whether other areas that the City proposes to reserve for recreational use are adequate to meet the recreational needs of Malibu's visitors and residents. The proposed project would eliminate a significant portion of the area in the Civic Center that was previously designated as *Recreation-serving commercial* from that use. As such, the Commission notes that approval of the proposed non-visitor serving or recreation-serving development on a site previously

determined by the Commission to be suitable for such use, prior to the certification of a new Land Use Plan for the City of Malibu, would prejudice the ability of the City to prepare a Local Coastal Program which is consistent with the recreation policies of the Coastal Act

Therefore, the Commission finds that approval of the proposed development would prejudice the City of Malibu's ability to prepare a Local Coastal Program which is also consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

G. CEQA

Section 13096(a) of the Commission's administrative regulations requires Commission action on 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 effects which the activity may have on the environment.

The proposed project would result in significant adverse effects on the environment, within the meaning of the California Environmental Quality Act of 1970. There are feasible alternatives and/or mitigation measures that would substantially lessen any significant adverse effects which the proposed project would have on the environment. Therefore, the proposed project is determined to be inconsistent with CEQA and the policies of the Coastal Act.

SMH-VNT

File:smh/permits/regular/4-99-192 mariposa

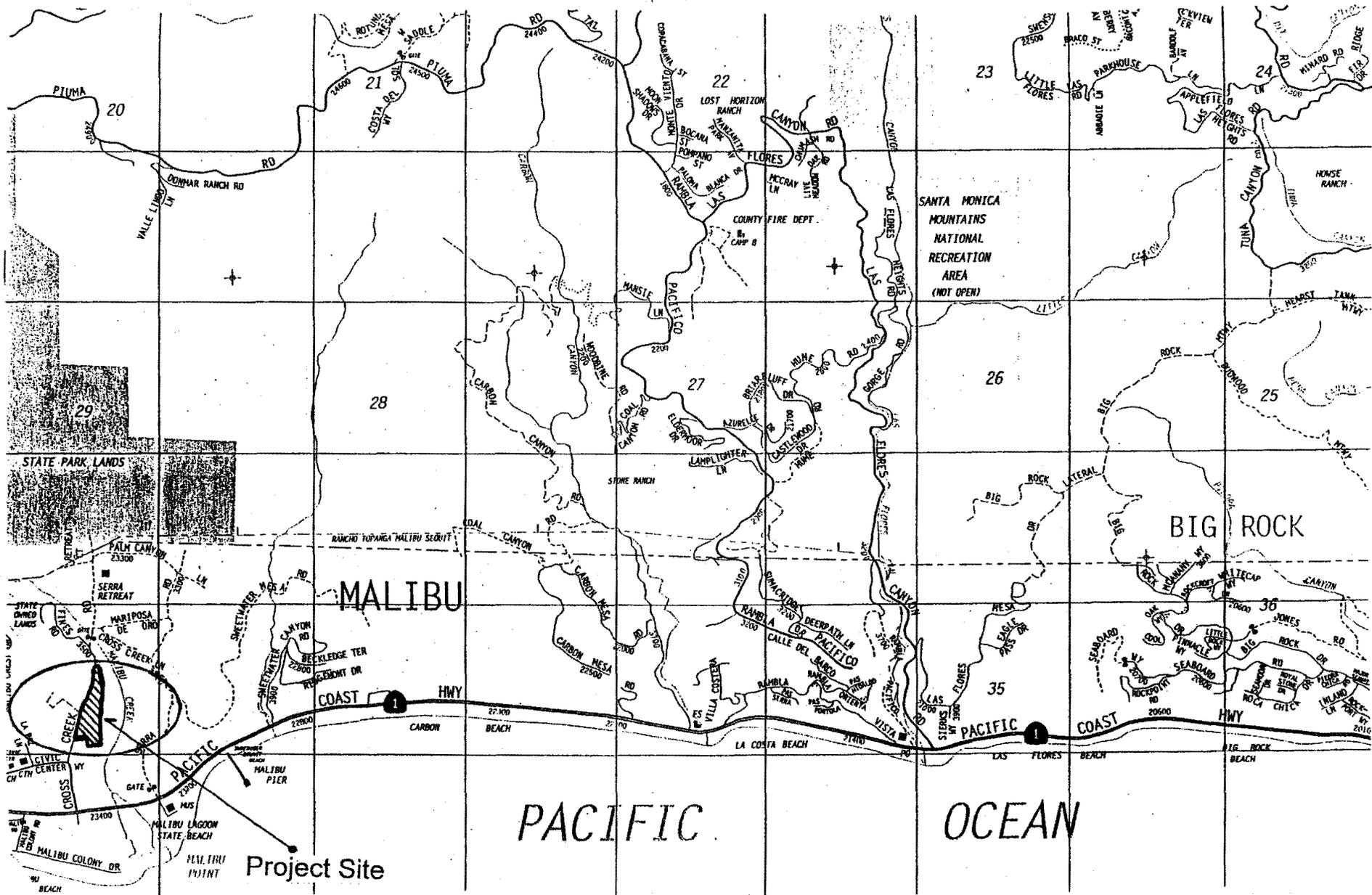
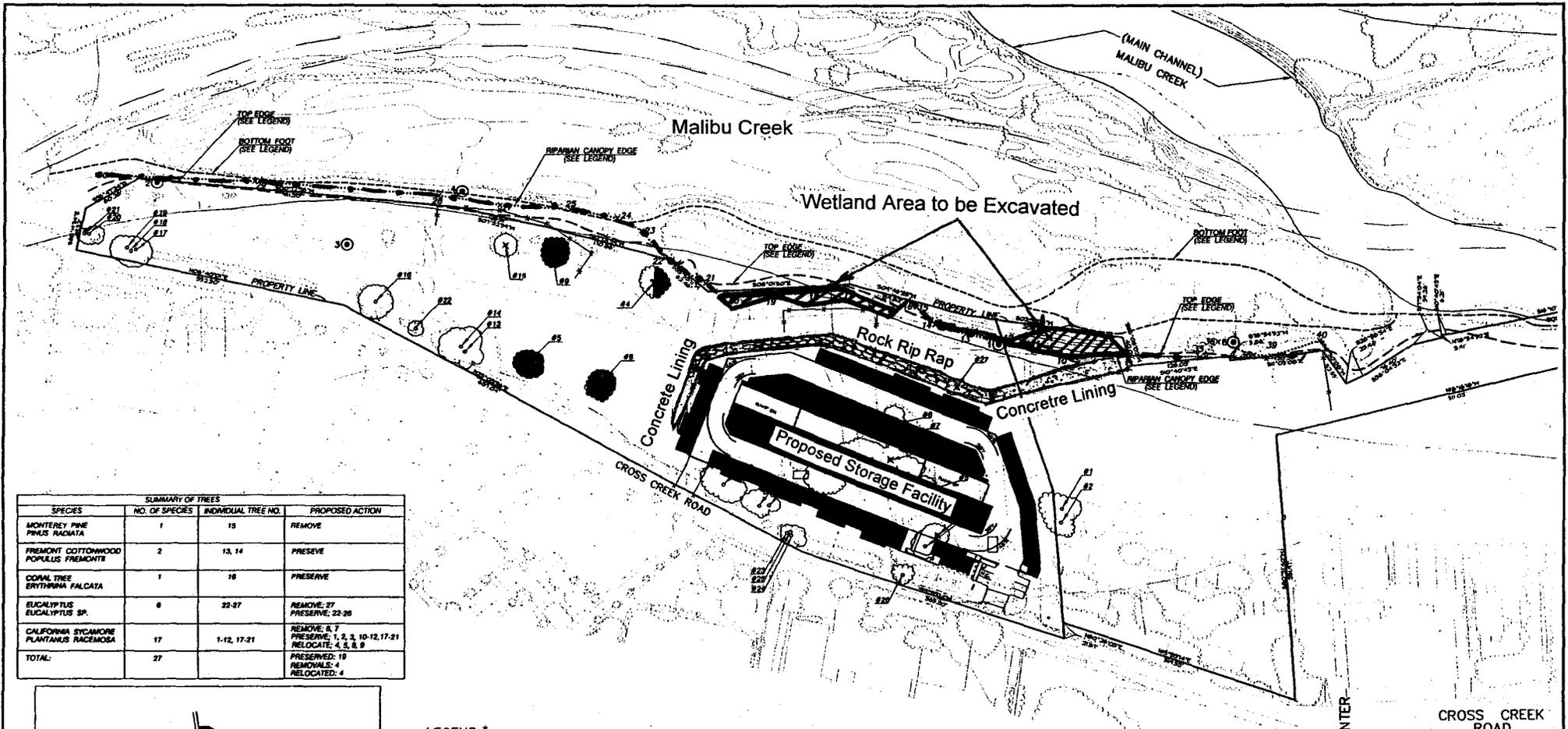
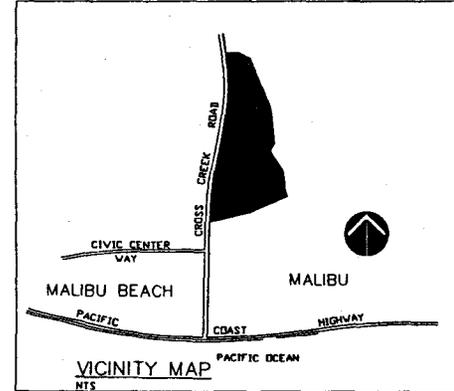


EXHIBIT 1
CDP 4-99-192 (Mariposa Land Co.)
Area Map



SUMMARY OF TREES			
SPECIES	NO. OF SPECIES	INDIVIDUAL TREE NO.	PROPOSED ACTION
MONTEREY PINE PINUS RADATA	1	15	REMOVE
FREMONT COTTONWOOD POPULUS FREMONTE	2	13, 14	PRESERVE
COYAL TREE ERYTHRINA FALCATA	1	18	PRESERVE
EUCALYPTUS EUCALYPTUS SP.	6	22-27	REMOVE: 27 PRESERVE: 22-26
CALIFORNIA SYCAMORE PLATANUS RACEMOSA	17	1-12, 17-21	REMOVE: 8, 7 PRESERVE: 1, 2, 3, 10-12, 17-21 RELOCATE: 4, 5, 6, 9
TOTAL:	27		PRESERVED: 19 REMOVALS: 4 RELOCATED: 4



LEGEND.*

- TREES TO REMAIN
- TREES TO BE REMOVED (TREES 4,5,8,9, TO BE RELOCATED)
- NEW LOCATION FOR TREES TO BE RELOCATED
- RIPARIAN CANOPY TO BE IMPACTED (CCC WETLAND-NO FEDERAL WETLANDS ON-SITE)
- RIPARIAN CANOPY EDGE (CCC "WETLAND" & ESHA BOUNDARY - TOTAL CCC "WETLAND" ACRES ON SITE: 0.29 ACRES.)
- TOP EDGE & BOTTOM FOOT OF EXISTING WESTERLY BANK OF THE HIGH FLOW CHANNEL OF MALIBU CREEK
- EXISTING FENCE
- SURVEY POINT NUMBER
- WETLAND DELINEATION OBSERVATION POINT



jordan
ARCHITECTS, INC.
348 Calle Mariposa
Suite 200
San Clemente, CA 92673
Telephone 949/492-7887
Facsimile 949/492-7887

LDC LAND DESIGN CONSULTANTS INC.
229 South Lake Avenue, Suite 500, Pasadena, CA 91101
Ph.: (626) 378-7000 Fax: (626) 378-7373

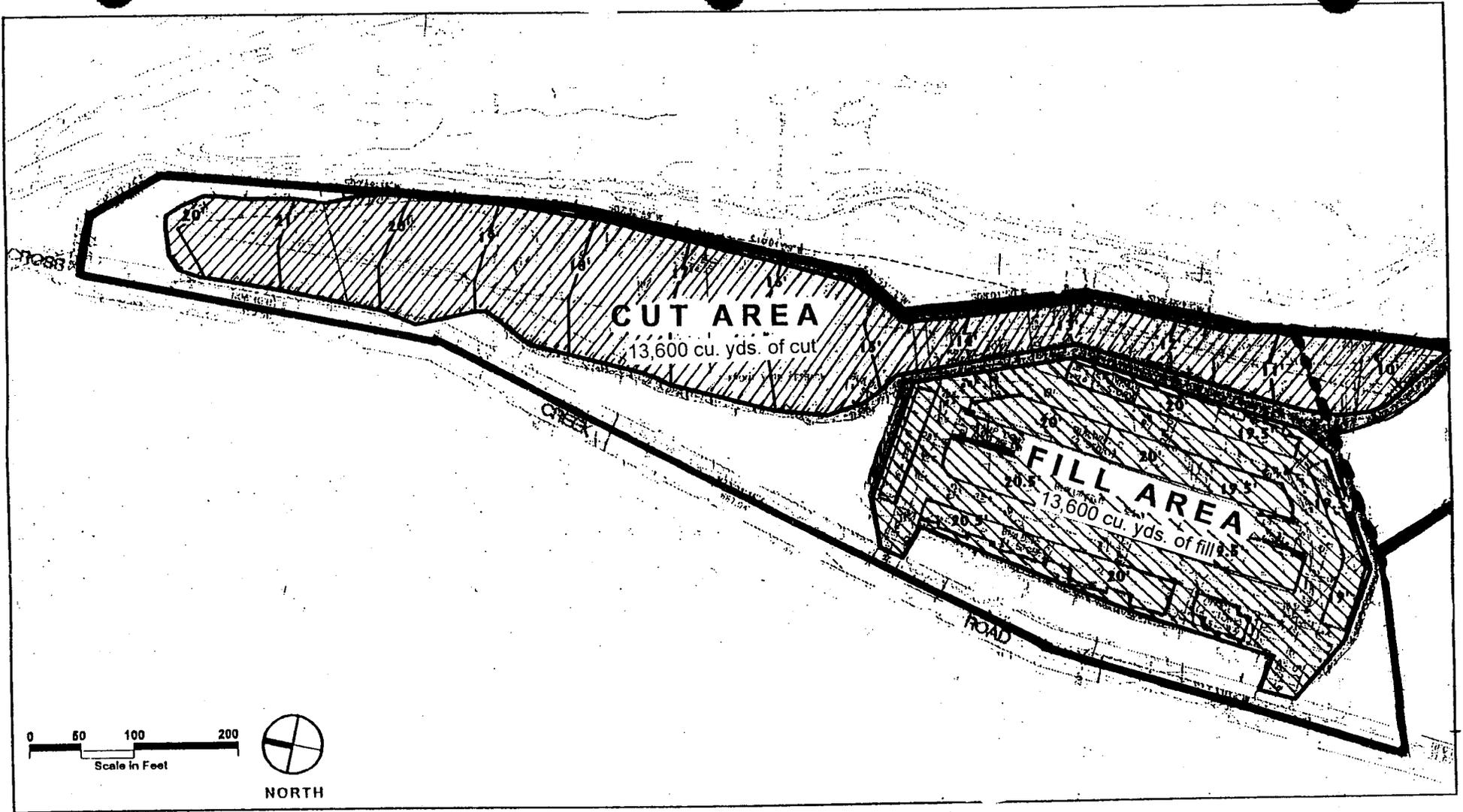
R.C.E. _____ DATE _____

COASTAL COMMISSION
SITE PLAN

OWNER:
MARIPOSA LAND COMPANY, LTD.
P.O. BOX 2485
MALIBU, CALIFORNIA 90263

DESIGNED BY:	DATE:	SCALE:	REVIEWED BY:	Proj No. 83012-002
K.G.	8/01/2000	1"=80'	C.C.	SHT 1 OF 1

EXHIBIT 3
CDP 4-99-192 (Mariposa Land Co.)
Site Plan



Proposed Grading Plan

EXHIBIT 4
CDP 4-99-192 (Mariposa Land Co.)
Grading Plan

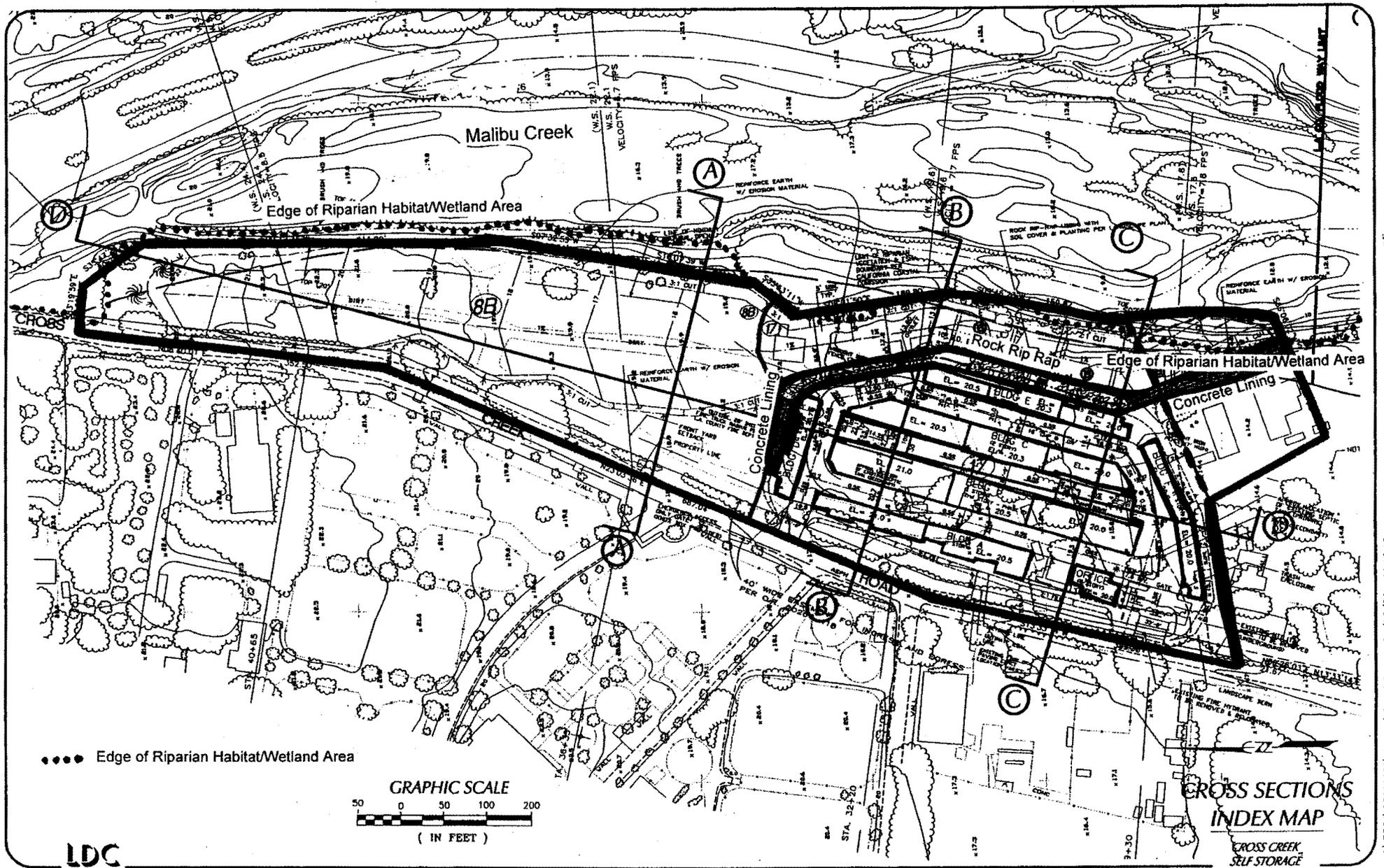
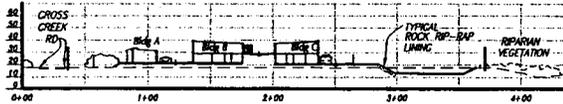


EXHIBIT 5
CDP 4-99-192 (Mariposa Land Co.)
Grading Plan/Section Index

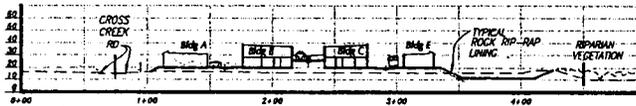
SECTION A - A



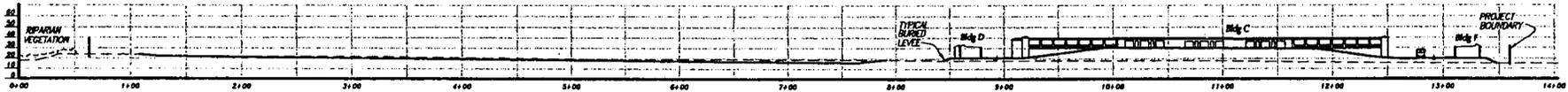
SECTION B - B



SECTION C - C

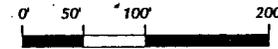


SECTION D - D



SCALE:

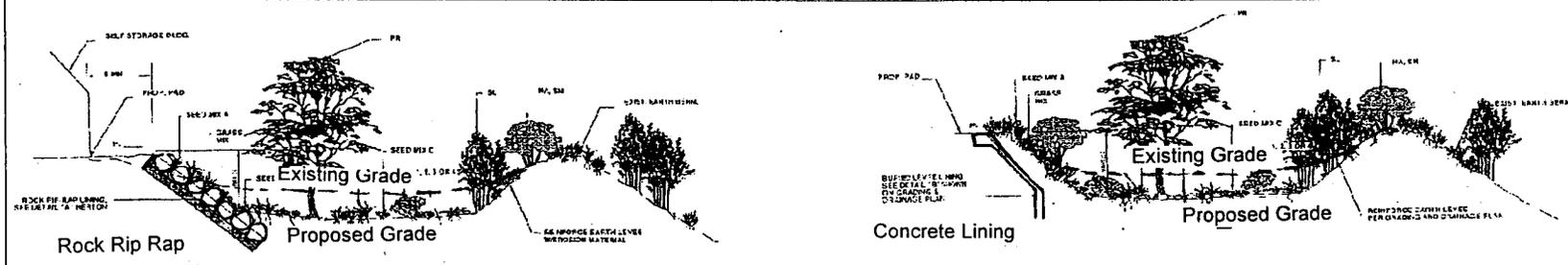
HORIZONTAL=VERTICAL



LEGEND:

- - - EXISTING GRADE
- PROPOSED GRADE
- PROPERTY LINE

TYPICAL PLANT REVEGETATION PER CONCEPTUAL LANDSCAPE PLAN

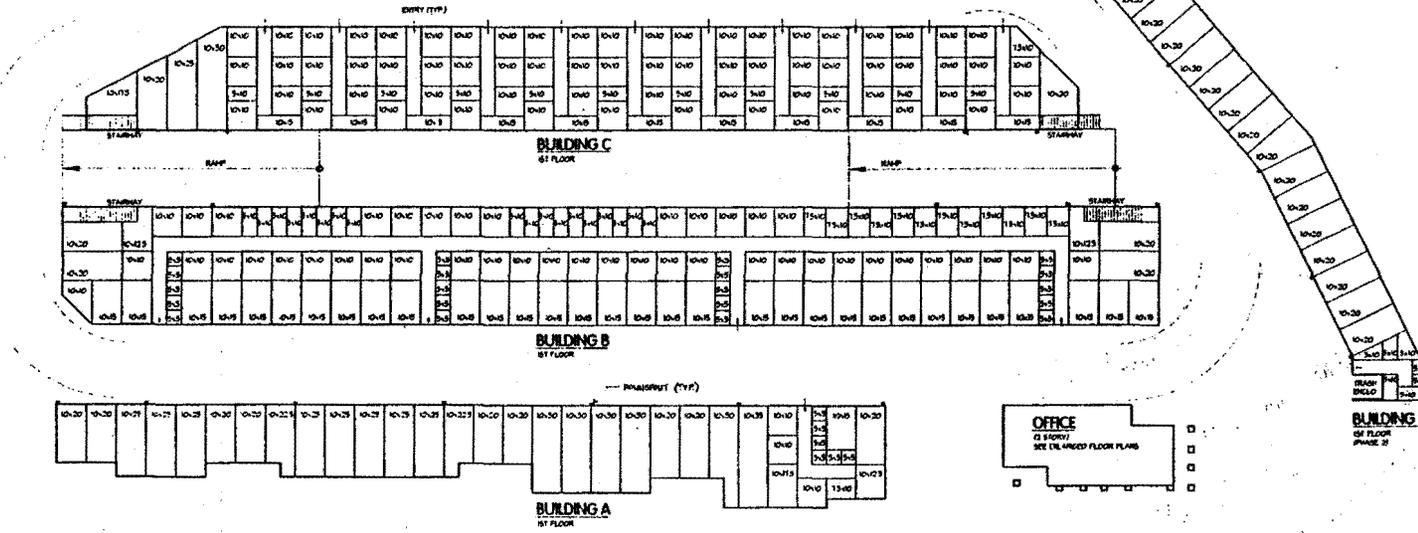
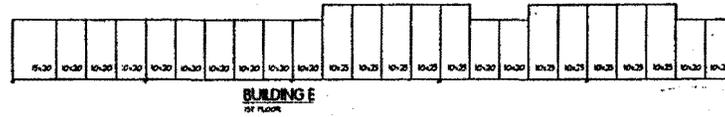
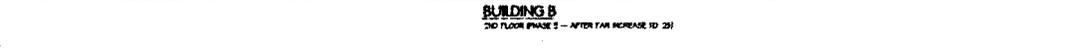
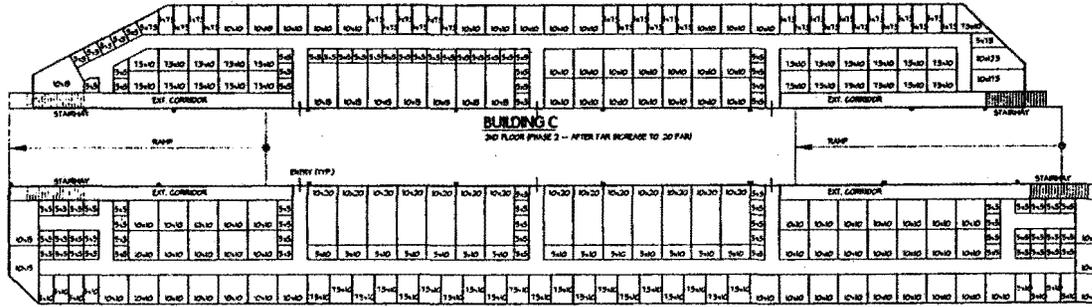


COASTAL COMMISSION EXHIBIT

CROSS CREEK SELF STORAGE

LDC

EXHIBIT 6
CDP 4-99-192 (Mariposa Land Co.)
Grading Cross Sections



MALIBU SELF STORAGE
MALIBU, CALIFORNIA

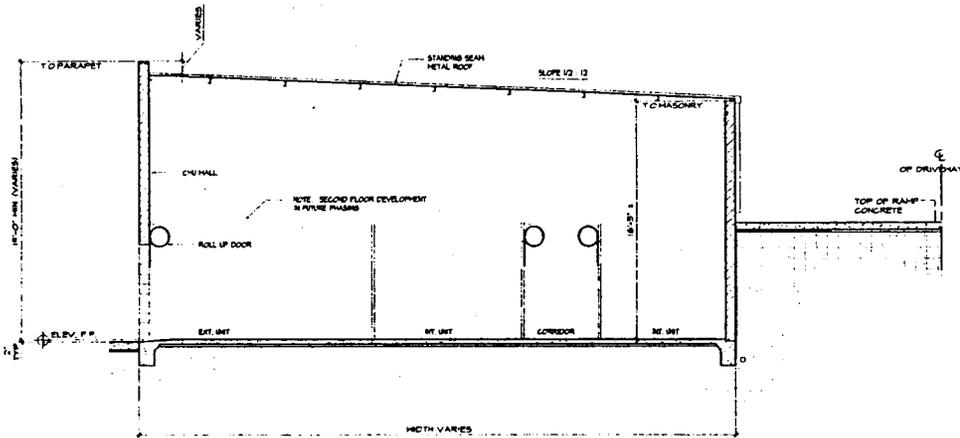
UNITMIX

SCALE: 1/4" = 10'-0"
JOB NUMBER: 98-000
DATE: 11/2/98

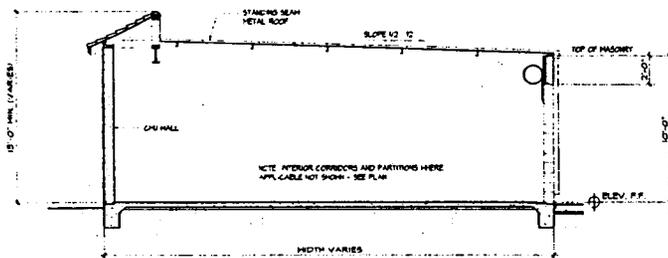
jordan
ARCHITECTS, INC.
10220 Pacific Coast Hwy.
Suite 102
Culver City, CA 90230
Telephone: 310-550-0000
Facsimile: 310-550-0000

EXHIBIT 7
CDP 4-99-192 (Mariposa Land Co.)
Floor Plans (Storage Units)

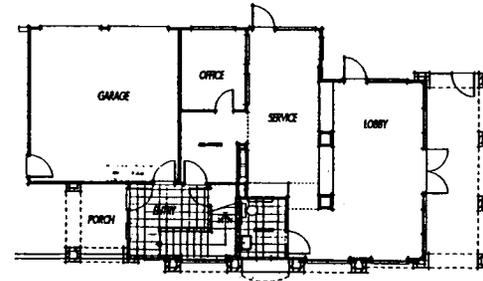
NOV 02 1998



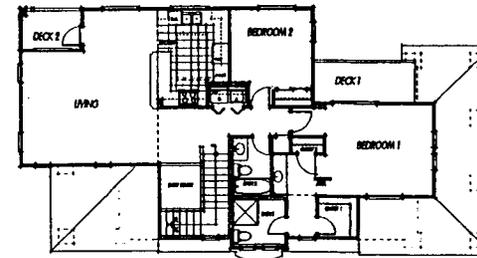
(A) TYPICAL TWO STORY BUILDING B & C SECTION
SCALE 1/4" = 1'-0"



(B) TYPICAL ONE STORY BUILDING A, D, E, & F
SCALE 1/4" = 1'-0"



(C) MANAGER'S UNIT FIRST FLOOR -- OFFICE
SCALE 1/8" = 1'-0"



(D) MANAGER'S UNIT SECOND FLOOR -- RESIDENCE
SCALE 1/8" = 1'-0"

MALIBU SELF STORAGE
MALIBU, CALIFORNIA

SECTION & MNGR'S UNIT FLOOR PLANS

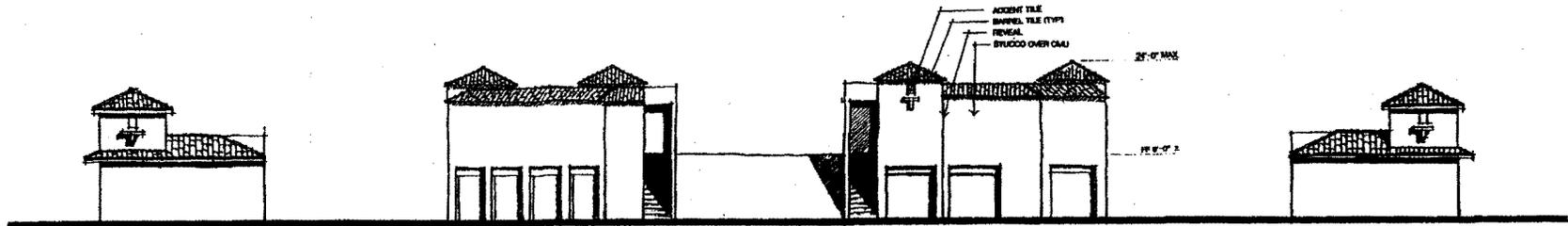
SCALE:
JOB NUMBER 95-090
DATE 11/2/99

EXHIBIT 8

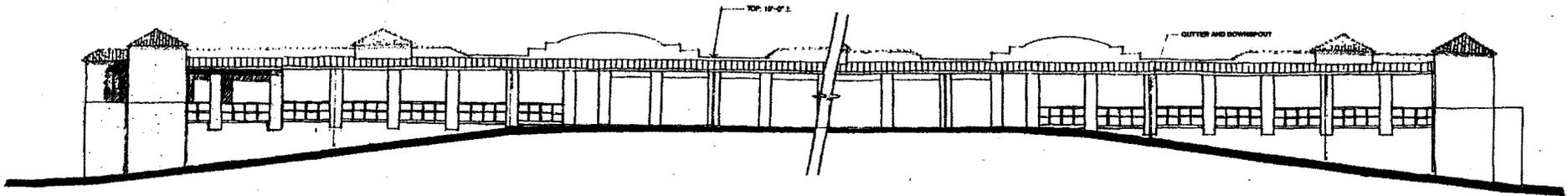
CDP 4-99-192 (Mariposa Land Co.)
Floor Plans (Residence/Office)

jordan
ARCHITECTS, INC.
54765 Pacific Coast Hwy.
Suite 202
Culver City, CA 90230
Telephone 766-455-0200
Facsimile 766-455-0202

NOV 2 1999



NORTH ELEVATION - BLDGS E, C, B, A



WEST ELEVATION - BUILDING C



SITE SECTION

MALIBU SELF STORAGE
MALIBU, CALIFORNIA

PRELIMINARY ELEVATIONS

SCALE: 1/8" = 1'-0"
JOB NUMBER: 06-090
DATE: 12/22/98

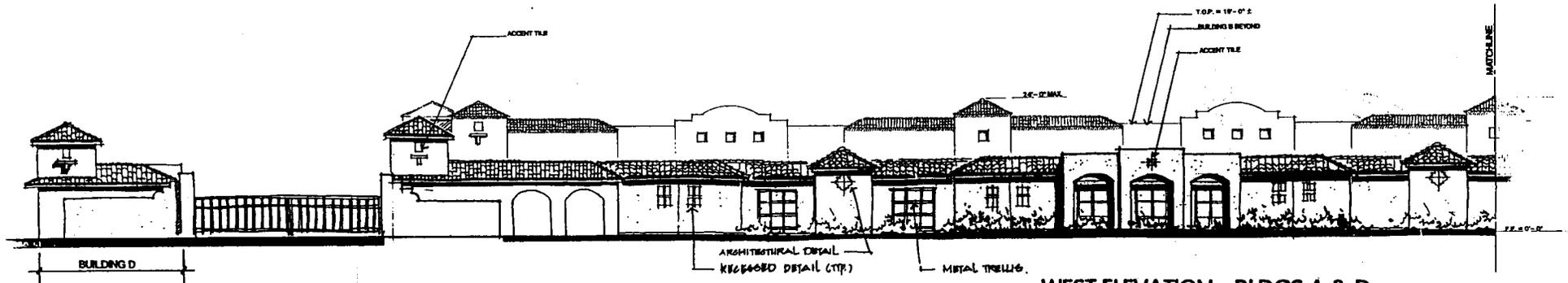


EXHIBIT 9
CDP 4-99-192 (Mariposa Land Co.)
North/West Elevations

3A
NOV 02 1999



WEST ELEVATION - OFFICE, BLDGS A & F



WEST ELEVATION - BLDGS A & D

MALIBU SELF STORAGE
MALIBU, CALIFORNIA

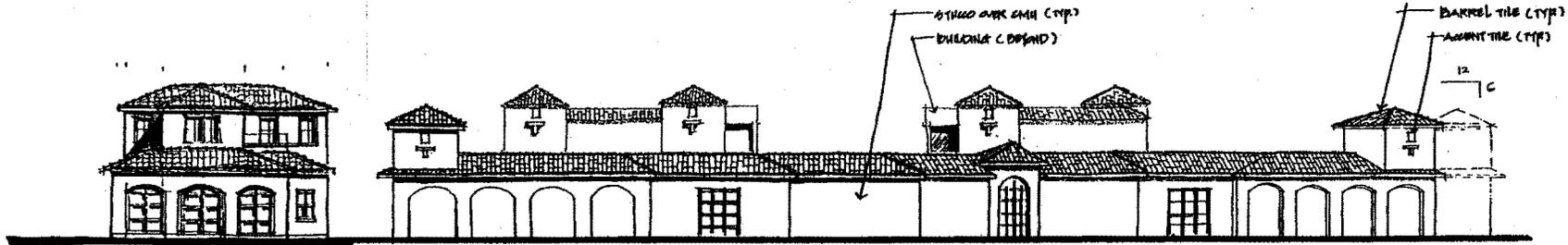
PRELIMINARY ELEVATIONS

APPROVED BY THE
PLANNING COMMISSION
5/25/99

SCALE: 1/8" = 1'-0"
 JOB NUMBER: 98-080
 DATE: 12/22/88
 12/91 (45)
 5/18/99
 5/25/99
 5/12/99

jordan
 ARCHITECTS, INC.
 2440 Pacific Coast Hwy.
 Suite 202
 Oceanside, CA 92054
 Telephone: 619/438-0888
 Facsimile: 619/438-0882

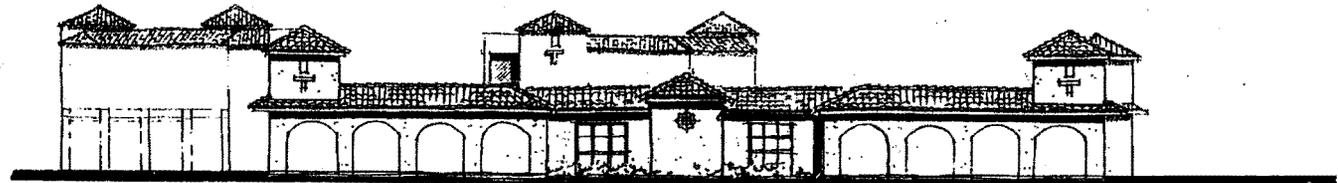
EXHIBIT 10
CDP 4-99-192 (Mariposa Land Co.)
West Elevations



SOUTH ELEVATION - OFFICE, BUILDING F



EAST ELEVATION - BUILDING E



NORTH ELEVATION - BUILDING D

MALIBU SELF STORAGE
MALIBU, CALIFORNIA

PRELIMINARY ELEVATIONS

SCALE: 1/8" = 1'-0"
JOB NUMBER: 06-080
DATE: 10/25/04
2/01/15
01/08/08
01/27/08

jordan
ARCHITECTS, INC.
10000 Pacific Street, Suite 100
Culver City, CA 90230
Phone: 310-206-0000
Fax: 310-206-0001

EXHIBIT 11
CDP 4-99-192 (Mariposa Land Co.)
South/East Elevations

NOV 2 1999



SANTA MONICA
BAYKEEPER

Protecting Our Bay
in cooperation with
The Frank G. Wells
Environmental Law Clinic &
the Water Keeper Alliance

January 31, 2000

Peter Douglas
California Coastal Commission
45 Fremont Street #2000
San Francisco, CA 94105-2219

RECEIVED

FEB - 8 2000

RECEIVED
CALIFORNIA
COASTAL COMMISSION
FEB 9 2000

Dear Mr. Douglas:

This letter is to express the Santa Monica BayKeeper's concerns regarding recent developments in the Malibu Creek and Lagoon area. In particular, we have serious concerns about the proposed Civic Center Storm Detention and Wetlands Project, as well as the pending Adamson Self Storage Project.

CALIFORNIA
COASTAL COMMISSION

BayKeeper believes that the problems in Malibu Creek and Lagoon must be remedied by the most natural solutions available. This should not include the artificial pumping and channeling of any portion of Malibu Creek. Indeed, it is our past variance from natural processes which has resulted in the present problems within the watershed. What is needed is the restoration of the historic range of the Malibu Lagoon wetland habitat. Hard piping and creating unnatural ecological systems seems to be a waste of the enormous ecological potential of this area.

In addition, the Adamson Self-Storage proposal seems in direct conflict with ongoing efforts to restore the Creek and Lagoon. The severe effects of urbanization have already taken their toll on this important area. The addition of another commercial development project adjacent to the creek can only serve to further degrade this environment.

The solution is not to protect existing (and future) development by destroying the already sensitive riparian habitat of Malibu Creek. It is time that we start moving toward long-term, sustainable solutions for this important ecosystem. We hope you agree.

Sincerely,

Steve Fleischli
Executive Director

EXHIBIT 12
CDP 4-99-192 (Mariposa Land Co.)
Letter In Opposition to Project

Gregg Ruth
3868 Cross Creek Road
Malibu, Ca 90265
310-456-1888

October 16, 2000

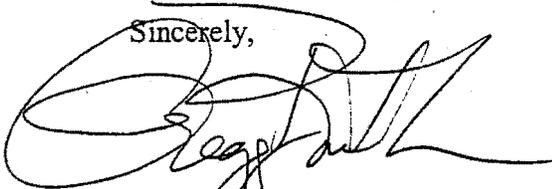
Mr. Steve Hudson
California Coastal Commission
89 South California Street, 2nd Fl.
Ventura, Ca 93001

Re: Malibu Self Storage
Application No. 4-99-192

Dear Mr. Hudson:

I support the efforts of the Mariposa Land Company to build a beautiful Mission style self-storage facility on Cross Creek Road. As the owner of a retail business in the Cross Creek Plaza Shopping Center, I currently use the storage containers at the referenced site and find that a storage facility here in Malibu is a great benefit to our retail business. Please approve the new facility.

Sincerely,



Gregg Ruth

RECEIVED

OCT 19 2000

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

EXHIBIT 13a

CDP 4-99-192 (Mariposa Land Co.)

Letter In Support of Project



Malibu Beach RV Park • 25801 PACIFIC COAST HIGHWAY • MALIBU, CA 90265 • (310) 456-6052
FAX (310) 456-2532

RECEIVED
OCT 23 2000

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

October 19, 2000

Mr. Steve Hudson
California Coastal Commission
89 South California Street, 2nd Floor
Ventura, Ca 93001

Re: Application No. 4-99-192
Mariposa Land Company

Dear Mr. Hudson:

The Malibu Beach RV Park and its customers have used the applicant's Cross Creek Yard for storage for many years. We currently store records, equipment and supplies for our convenience store at this location. Our customers, who are visitors from all over the United States, have from time to time stored their recreational vehicles at this location. We welcome the proposed facility as it will improve the aesthetics of the site, provide a greater variety of size of storage units, provide better security for our goods and allow access to our storage on weekends and holidays which are our busiest days. The proposed facility will allow us to better serve our customers.

Sincerely,
Malibu Beach RV Park

Joe Dawkins
Manager

EXHIBIT 13b

CDP 4-99-192 (Mariposa Land Co.)

Letter In Support of Project

Guido's Malibu
3874 S. Cross Creek Road
Malibu, Ca 90265
310 456-1979

RECEIVED
OCT 23 2000
CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

October 20, 2000

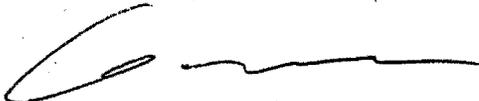
Mr. Steve Hudson
California Coastal Commission
89 South California Street, 2nd Floor
Ventura, Ca 93001

Re: Malibu Self Storage
Application CDP 4-99-192

Dear Mr. Hudson:

The Mariposa Land Company has always been very cooperative in maintaining their land that is adjacent to our restaurant. This has been important to us since our restaurant has a nice view of Malibu Lagoon. We have seen renderings of the beautiful self storage buildings proposed by the Mariposa Land Company on their land, which is North of us along Cross Creek Road. We would like the opportunity to have such a special storage business nearby for our future use. Please allow them to build these beautiful buildings.

Sincerely yours,
Guido's Malibu



Vassil Pertchinkov
Owner

EXHIBIT 13c
CDP 4-99-192 (Mariposa Land Co.)
Letter In Support of Project



National Government Properties, LLC.

New York • Washington, D.C. • Los Angeles

Mr. Steve Hudson
California Coastal Commission
89 South California Street, 2nd Fl.
Ventura, Ca 93001

Re: Application No. 4-99-192
Mariposa Land Company

Dear Mr. Hudson:

Since we have been in the business of providing office space to governmental agencies, we have seen a significant increase in demand for self-storage space. It is often more economical for a tenant to utilize an available self-storage facility than to lease more office space. Currently, there are no modern self-storage facilities in the Malibu area. We support the proposed project since it will provide more opportunity to governmental agencies such as the City of Malibu, the Santa Monica Mountains Conservancy and the State Park Service for document and other storage.

Sincerely

Richard Mark
Executive Vice President

RECEIVED
OCT 25 2003
CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

EXHIBIT 13d

CDP 4-99-192 (Mariposa Land Co.)

Letter In Support of Project

33572 Pacific Coast Highway • Malibu, California 90265

Phone : 310.589.3344 • Fax : 310.774.1150 • Email : ngp@gte.net



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OCT 25 2000

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

October 20, 2000

Mr. Steve Hudson
California Coastal Commission
89 South California Street, 2nd Floor
Ventura, Calif. 93001

Re: Malibu Self Storage
Application CDP 4-99-192

Dear Mr. Hudson,

The Malibu Beach Inn provides accommodations to visitors in the Malibu area. We very much appreciate having storage containers at the Mariposa Land Company's Cross Creek Yard. We do not have the room at our inn to store all of the supplies we need to run our business. Therefore, we support the proposed application to build a new self-storage facility. This type of building built in the Mission style of architecture is very much needed. We urge your approval of this very appropriate project in Malibu. Thank you.

Sincerely,
Malibu Beach Inn

Marlin Miser

EXHIBIT 13e

CDP 4-99-192 (Mariposa Land Co.)

Letter In Support of Project