

CALIFORNIA COASTAL COMMISSION

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

RECORD PACKET COPY

Filed: 01/03/2000
49th Day: 02/21/2000
180th Day: 07/01/2000
Staff: A. Verbanack
Staff Report: 01/20/2000
Hearing Date: 02/17/2000
Commission Action:

**STAFF REPORT: CONSENT CALENDAR**

APPLICATION NO.: 4-99-197

APPLICANT: P. Koral

AGENT: Tom Torres

PROJECT LOCATION: 22516 Carbon Mesa Road, Malibu, Los Angeles County

PROJECT DESCRIPTION: Construction of a one-story, 18 ft. high, 6,346 sq. ft. single family residence with basement, including an attached 2-car garage, new septic system, pool/spa, and 425 cu. yds. of excavation to replace a 2,200 sq. ft. single family residence destroyed by the 1993 Topanga/Malibu Fire.

Lot area:	1.05 acres
Building coverage:	6,532 sq. ft.
Pavement coverage:	1,626 sq. ft.
Landscape coverage:	34,716 sq. ft.
Parking spaces:	4

LOCAL APPROVALS RECEIVED: City of Malibu Planning Department Approval In Concept 7/30/99, City of Malibu Environmental Health In-Concept Approval 6/17/99 (septic).

SUBSTANTIVE FILE DOCUMENTS: Prepared by Pacific Geology; Supplemental Engineering Geologic Report (proposed pool) 6/09/99, Clarification Letter (installation of a dewatering well) 12/7/99, Update Engineering Geologic Report 5/5/99, Response to City of Malibu Geologic Review Sheet 5/1/95, Report of Engineering Geologic Investigation 2/20/95. Prepared by Coastline Geotechnical Consultants, Inc.; Supplemental Geotechnical Engineering Report 7/01/99 (proposed pool), Geotechnical Engineering Update Report 5/24/99, Supplemental Geotechnical Engineering Report 6/29/95, Geotechnical Engineering Investigation Update Report 3/4/95, Geotechnical Investigation 11/29/90. Prepared by Donald B. Kowalewsky of Environmental & Engineering Geology, Engineering Geologic Report 11/5/90. City of Malibu Geology and Geotechnical Engineering Review Sheets 7/21/99 and 4/25/95.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends approval of the proposed project with (5) **Special Conditions** regarding conformance to geologic recommendations for design and construction, drainage and maintenance responsibilities, landscaping and erosion control, removal of excavated material, and wildfire waiver of liability.

STAFF RECOMMENDATION:

MOTION: *I move that the Commission approve Coastal Development Permit No. 4-99-197 pursuant to the staff recommendation.*

STAFF RECOMMENDATION OF APPROVAL:

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

RESOLUTION TO APPROVE THE PERMIT:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

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 geologic reports, supplemental reports, and update reports prepared for the subject property by Coastline Geotechnical Consultants, Inc. dated 11/29/90, 3/04/95, 6/29/95, 5/24/99 and 7/01/99, and those reports prepared by Pacific Geology Consultants, Inc. dated 2/20/95, 5/05/99, and 6/09/99, 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, drainage, and sewage disposal. 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 geologic engineer 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) 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.
- (4) 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.
- (5) 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 Excavated Material

The applicant shall remove all excavated material from the site and shall provide evidence to the Executive Director of the location of the disposal site prior to the issuance of the permit.

5. 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 is proposing the construction of a one-story, 18 ft. high, 6,346 sq. ft. single family residence with attached 2-car garage, new septic system, pool/spa, and 425 cu. yds. of excavation, to replace a 2,200 sq. ft. single family residence destroyed by the 1993 Topanga/Malibu Firestorm. The previously existing residence was completely burned out by the 1993 firestorm leaving only the foundation and fireplace remaining at the subject site. Pursuant to Coastal Act Section 30610(g)(1) a Coastal Permit is not required for the replacement of a structure destroyed by disaster, if the structure(s) does not exceed either floor area, height, or bulk of the destroyed structure by 10%. The proposed fire rebuild of 6,346 sq. ft. exceeds the floor area of the previously existing structure by more than 10% and therefore requires a Coastal Development Permit.

The proposed project is located in a built out area of Malibu developed with numerous single family residences. The project site is situated on the crest of a northwest-southeast trending ridge along the north side of Carbon Mesa Road. The site is a 1.05 acre parcel consisting of a relatively level building pad, old foundations and fireplace from the previously existing residence, and is vegetated with weeds, wild grasses, and a few small shrubs. From the existing building pad, the subject property predominantly descends northeasterly 40-50 feet, at slope ratios ranging from 3:1 to 2:1, to a ravine which drains directly to Carbon Canyon Creek.

The new single family residence will be constructed in the general location of the previously existing residence. The existing building pad will be utilized for construction of the new residence limiting necessary grading to 425 cu. yds. of excavation for the basement and pool area only. All remnants of the burned-out residence including foundations and the fireplace will be demolished and exported, along with all excavated earth material, to an appropriate place for disposal as required by **Special Condition 4**. The proposed project is consistent with the character of surrounding development, will not be visible from Pacific Coast Highway or from any other public view areas, and therefore will not result in a significant adverse impact to visual resources.

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.**

Section 30253 of the Coastal Act mandates that new development shall be sited and designed to provide geologic stability and structural integrity, and minimize risks to life and property in areas of high geologic, flood, and fire hazard. The applicant has submitted consulting geotechnical and engineering geologic reports, including many supplemental and updated reports, in reference to development at the subject property.

Geologic investigations of the subject property primarily began in 1990, at which time the owners of the residence intended to construct a 5,000 sq. ft. addition to the previously existing 2,200 sq. ft. residence. The Engineering Geologic Report prepared by Donald B. Kowalewsky for the subject property dated 11/05/90 reported that landslide debris and a slide plane were located along the northeasterly descending slope of the property. In response to the reported landslide, the report included recommendations for remediation of the landslide by removal and recompaction and/or delineating a restricted use zone in that portion of the property containing the landslide. Additionally, the 1990 Engineering Geologic Report recommended that a dewatering well be installed at the subject site to reduce the potential of sewage effluent significantly increasing the groundwater level and adversely impacting site stability. The proposed addition was never constructed, however, and the recommendations of the 1990 report by Kowalewsky were never implemented.

The previously existing residence was completely burned out by the 1993 Topanga/Malibu Fire disaster leaving only the residence foundation and fireplace at the project site. In 1995 Coastline Geotechnical Consultants, Inc. and Pacific Geology Consultants, Inc. prepared update geotechnical and engineering geologic investigations for reconstruction of the burned down residence. Further geologic investigation of the subject site by Pacific Geology Consultants, Inc. resulted in a Report of Engineering Geologic Investigation dated 2/20/95 and a supplement to the report dated 5/01/95 which concluded that the mapped landslide along the northeast slope of the property defined by Kowalewsky in 1990 does not exist. The Supplemental Geologic Report prepared by Pacific Geology dated 2/20/95 states:

The contact between the "landslide debris" and sandstone in Kowalewsky's trench...exhibits a similar trend as the intrusive contact mapped by this office... By exposing a greater length of the contact, as was conducted by this office..., it is obvious that the contact is an intrusive one, not a landslide plane.

Upon examination and detailed geologic mapping by this office, it is concluded that the large-scale landslide reported by Mr. Kowalewsky in 1990 is not present along the northeast descending slope area.

The Update Engineering Geologic Report by Pacific Geology dated 5/05/99 further concludes that there is no landslide debris or slide plane located at the subject property. Additionally, a letter received by staff dated 12/07/99 from Pacific Geology addressing the 1990 recommendation for a dewatering well at the subject site states:

According to stability analyses performed by Coastline, the northeast descending slope possesses a factor-of-safety in excess of 1.5, the minimum requirement set forth by the building code.

It is the opinion of this office that the installation of a 200-foot deep dewatering well is not necessary, as the north-descending slope possesses a factor-of-safety in excess of 1.5. The subject property possesses favorable geologic and soils conditions, which will insure the long-term stability of the site.

Based on the information and conclusions of the 1995 Engineering Geologic Report, and consequent reports and conclusions prepared by Pacific Geology thereafter, the 1990 Kowalewsky report recommendations regarding remediation and delineation of a restricted use zone for the reported landslide, and the recommendation for a dewatering well, will not affect development of the project site.

Reflecting the conclusion that the landslide reported in 1990 is not present at the project site, updated geotechnical and engineering geologic reports as of 1999 do not reference the need for further study or recommendations regarding a landslide and conclude that the proposed development will be geologically stable. The Update Engineering Geologic Report dated 5/05/99 prepared by Pacific Geology states:

Providing the recommendations contained in this report, in addition to those of the Geotechnical Engineer are followed, the residence and pool will be safe from landslide hazard, settlement, and slippage. In addition, the proposed construction will not adversely affect off-site properties from a geologic standpoint.

Furthermore, the Geotechnical Engineering Update Report dated 5/24/99 states:

Based on the findings summarized in this report and our prior reports, and provided the recommendations of this report are followed, and the designs, grading, construction are properly and adequately executed, it is our opinion that construction within the building site, including grading, will not be subject to geotechnical hazards from landslide, slippage, or excessive settlement. Further, it is our opinion that the proposed building and

anticipated site grading will not adversely effect the stability of the site, or adjacent properties, with the same provisos listed above.

The Engineering Geologic Reports prepared by Pacific Geology dated 5/05/99 and 6/09/99, and the Geotechnical Engineering Reports prepared by Coastline Geotechnical dated 11/29/90, 3/04/95, 6/29/95, 5/24/99, and 7/01/99, include several 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, 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 landscaping plans certified by the consulting geotechnical and geologic engineer as in conformance with their recommendations for landscaping of the project site. Special Condition 3 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/foilage weight. The Commission finds that non-native and invasive plant species with high surface/foilage 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.

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 5**, 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 5, 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 geologic engineering consultants for construction, design, drainage, erosion control, and landscaping, and inclusion of the wildfire waiver of liability, the proposed project will be sited and designed to provide geologic stability and minimize risks to life and property, and therefore, 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 1500-gallon septic tank and disposal system as shown on plans approved "In-Concept" by the City of Malibu Department Environmental Health. The conceptual approval by the City indicates that the sewage disposal system for the project in this application complies with all minimum requirements of the City'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. 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).***

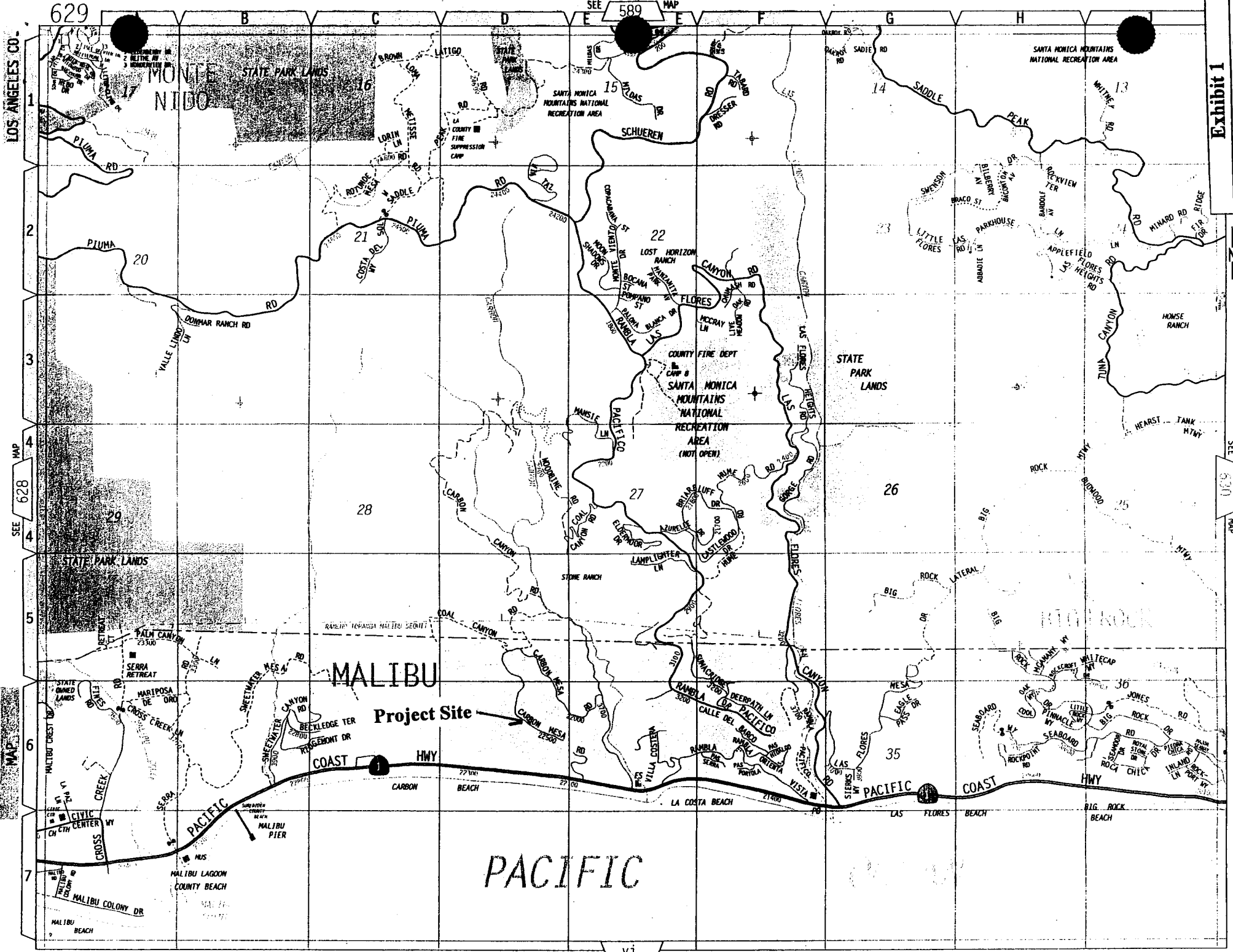
Section 30604(a) of the Coastal Act provides that the Commission shall issue a Coastal Permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act. The preceding sections 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 City of Malibu's ability to prepare a Local Coastal Program for the area of Malibu and the Santa Monica Mountains which is also consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

E. CALIFORNIA ENVIRONMENTAL QUALITY ACT

Section 13096(a) of the Commission's administrative regulations requires Commission approval of a Coastal Development Permit application to be supported by a finding

showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmentally 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.



LOS ANGELES CO.

MAP 628

MAP

SEE 589 MAP

SEE vi MAP

Exhibit 1
CDP 4-99-197
Vicinity Map

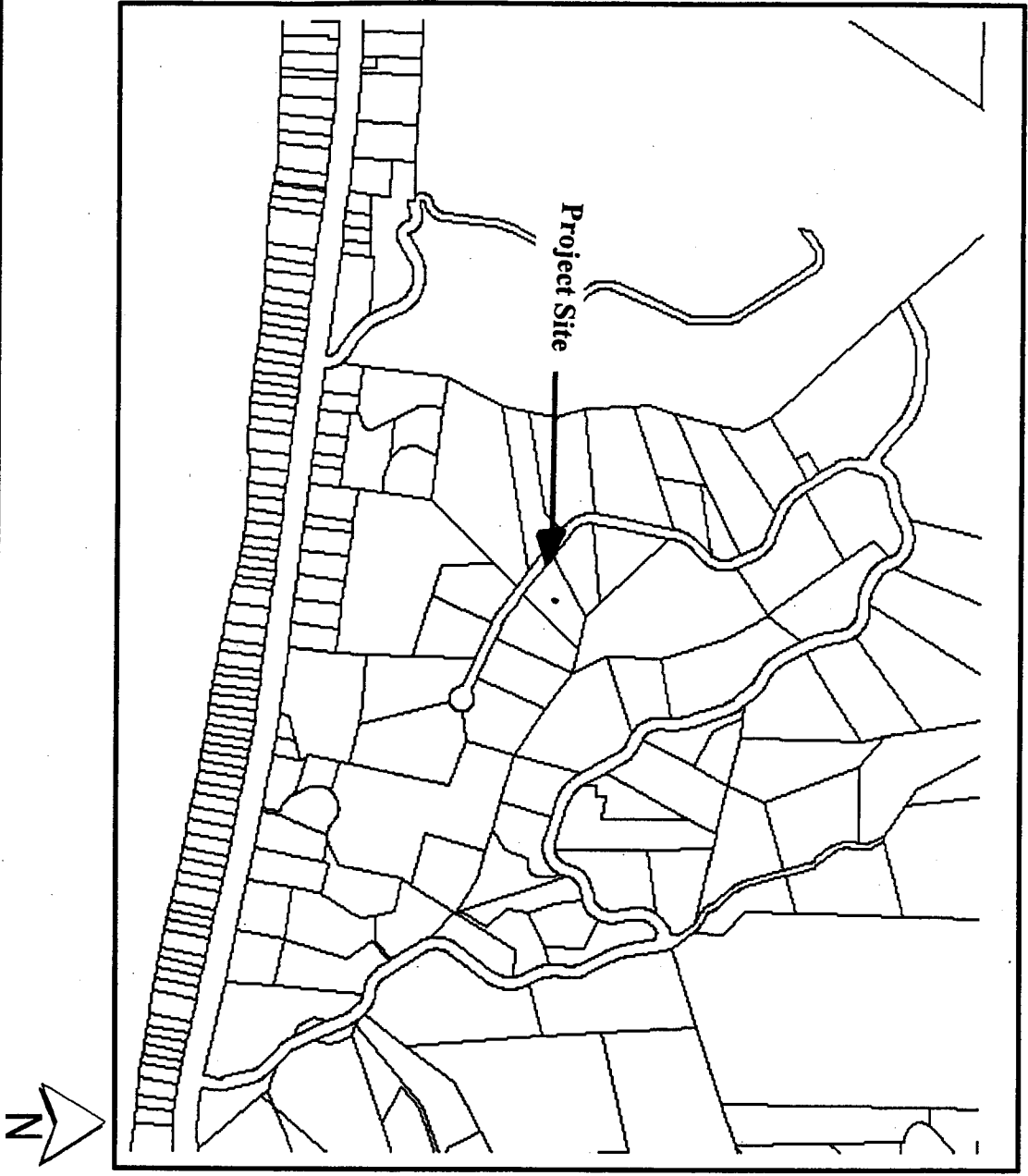
SEE 630 MAP



Project Site

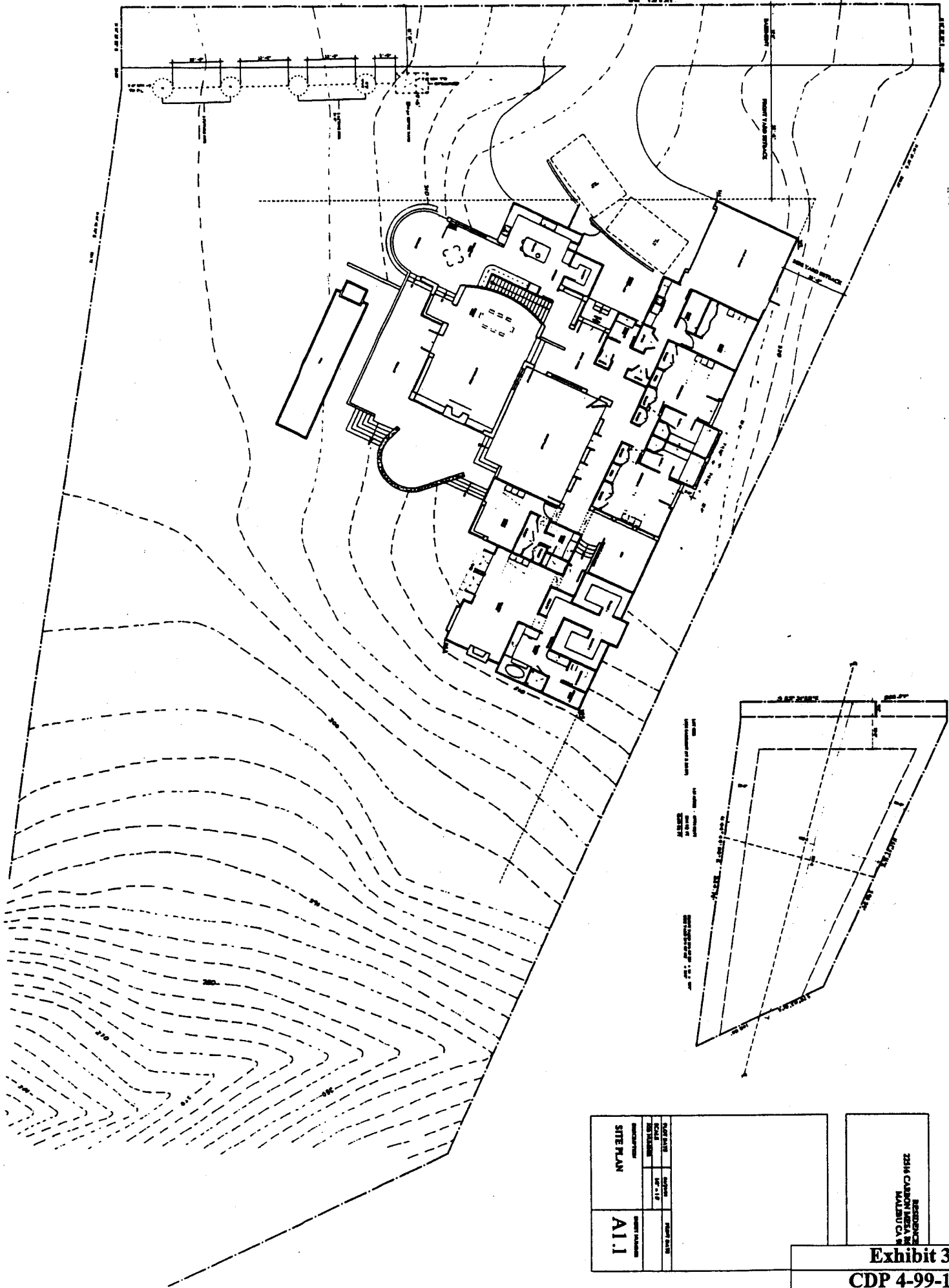
PACIFIC

22516 Carbon Mesa Road, Malibu



□ parcels

CARBON MESA ROAD

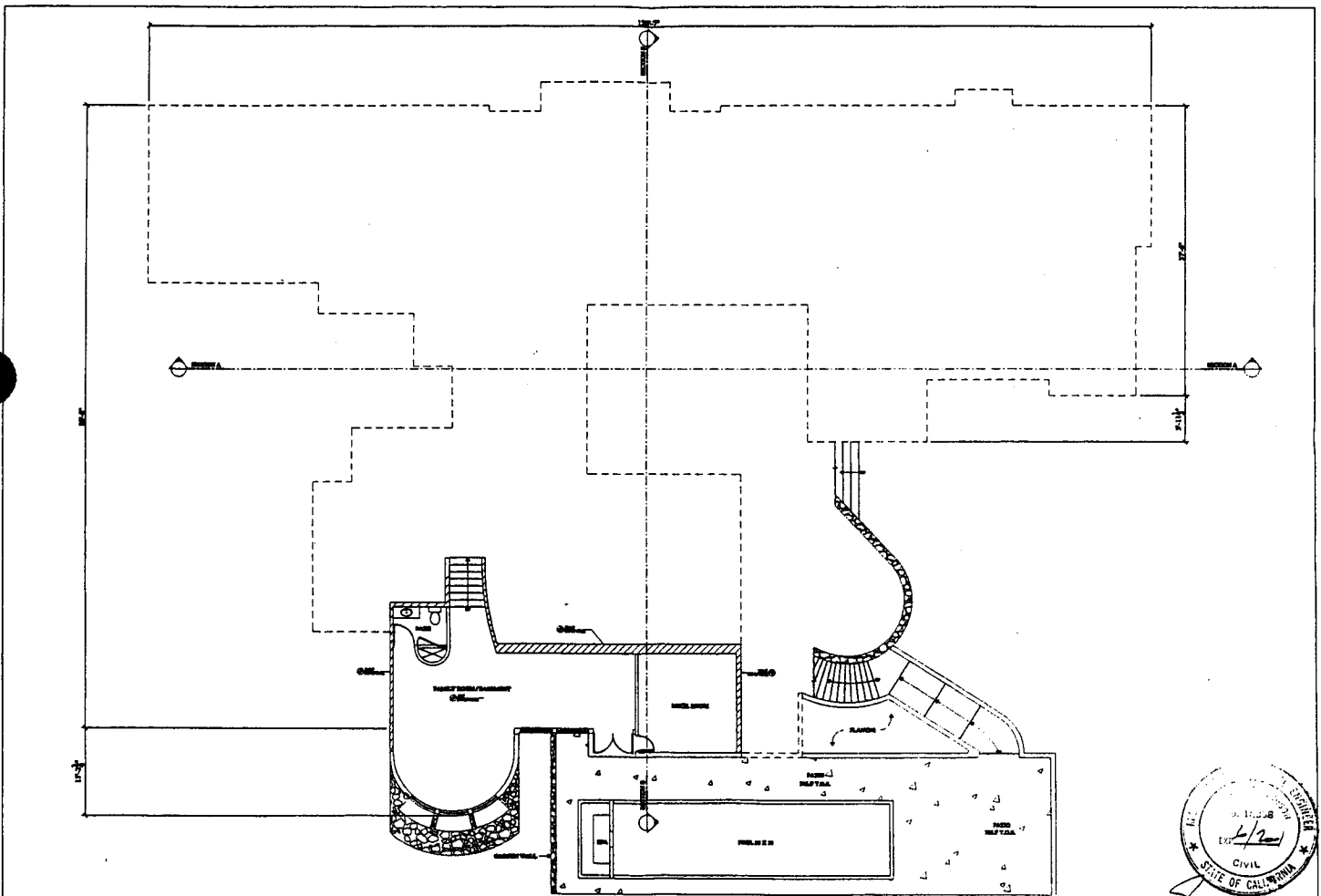


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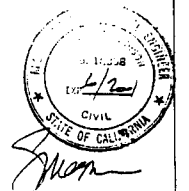
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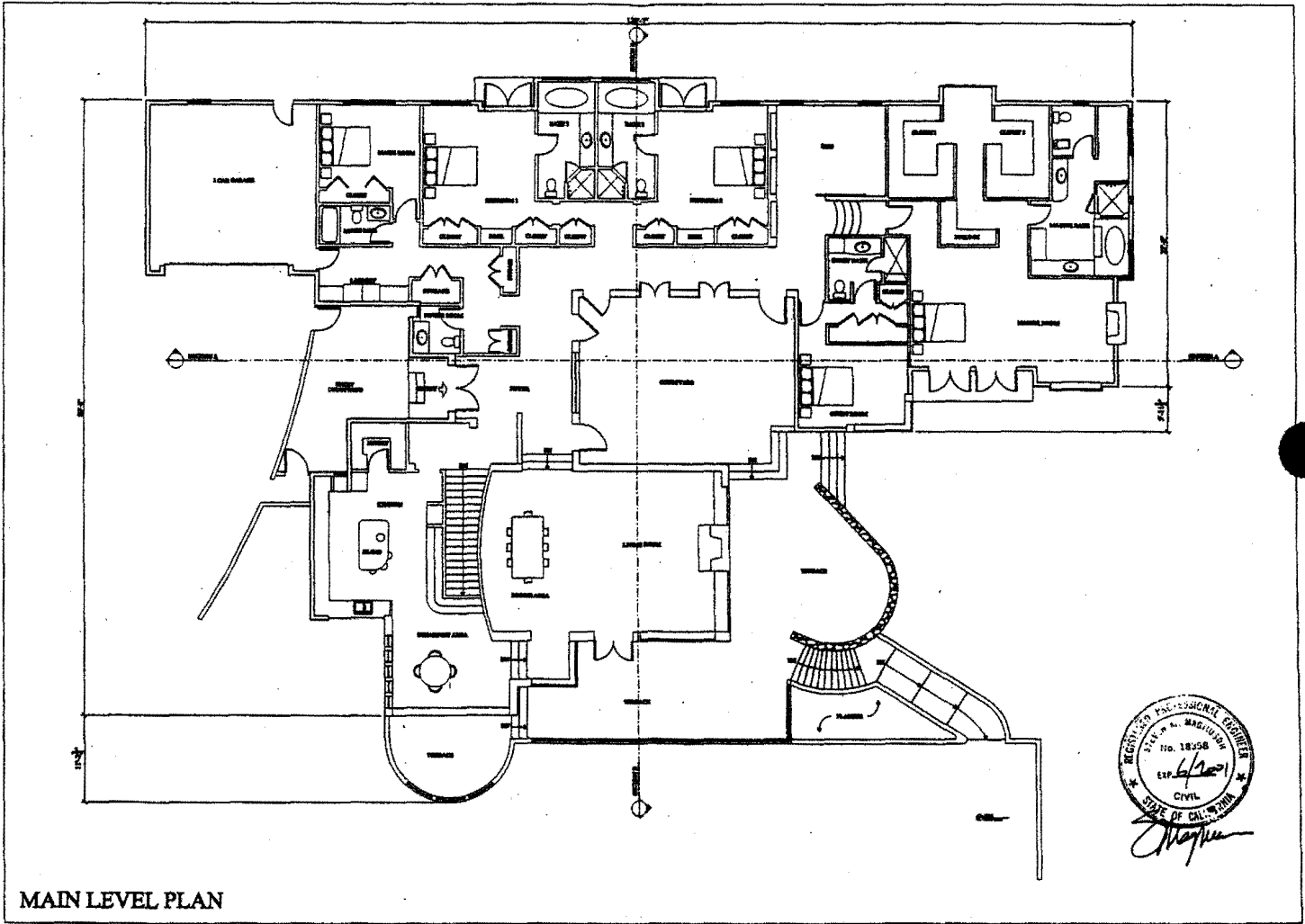
RESIDENCE
 2214 CARBON MESA RD
 MALIBU, CA

Exhibit 3
CDP 4-99-197



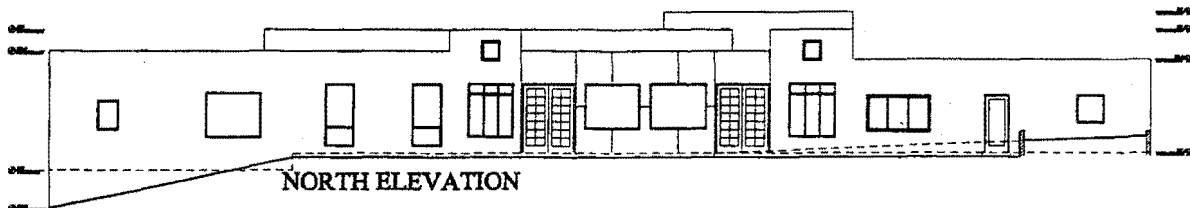
LOWER LEVEL PLAN (BASEMENT)



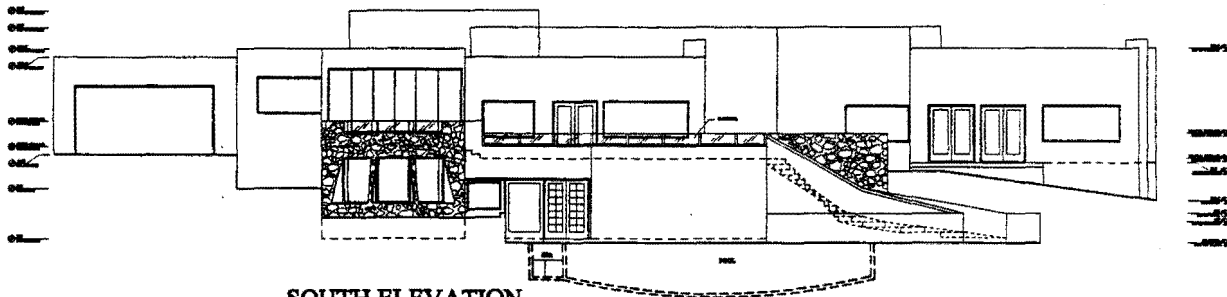


REGISTERED PROFESSIONAL ENGINEER
STATE OF CALIFORNIA
NO. 18458
EXP. 4/2001
CIVIL
Magnum

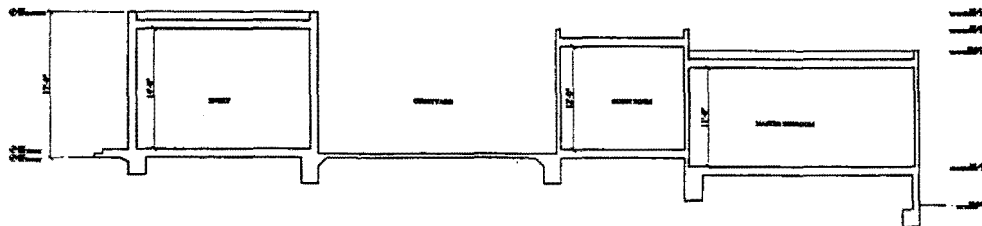
MAIN LEVEL PLAN



NORTH ELEVATION

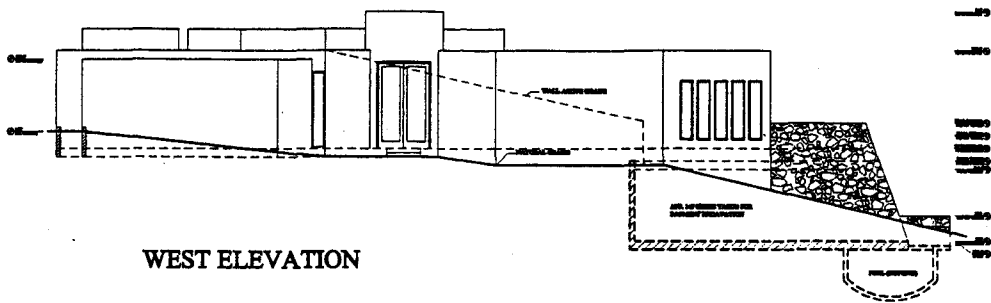


SOUTH ELEVATION

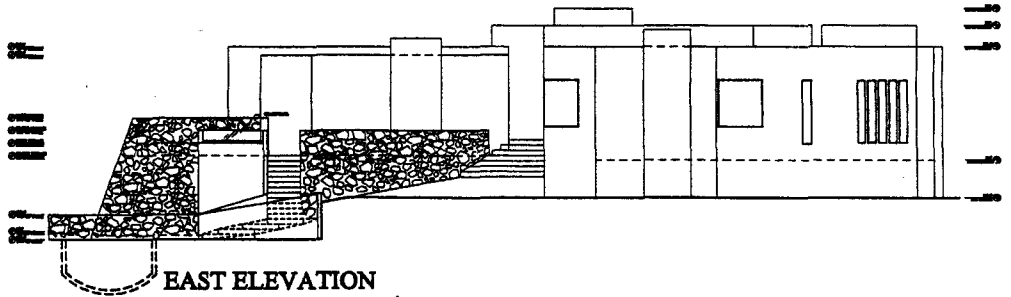


SECTION A-A

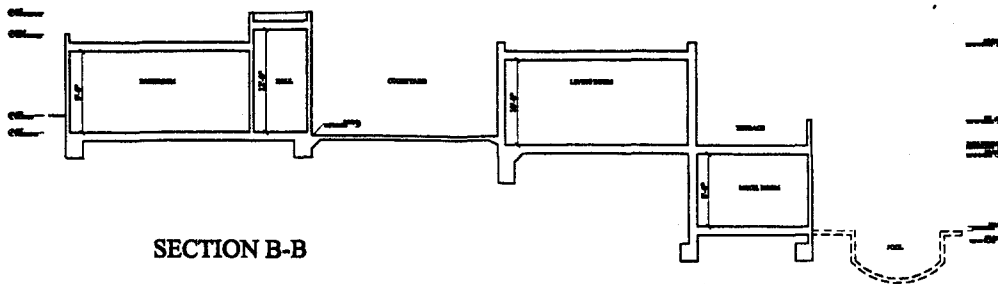




WEST ELEVATION



EAST ELEVATION



SECTION B-B

