

**CALIFORNIA COASTAL COMMISSION**

SOUTH CENTRAL COAST AREA  
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**RECORD PACKET COPY**

Filed: 6/5/00  
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180<sup>th</sup> Day: 11/7/00  
Staff: MEB *for*  
Staff Report: 6/22/00  
Hearing Date: 7/13 - 16/00  
Commission Action:

**STAFF REPORT: CONSENT CALENDAR**

**APPLICATION No.:** 4-00-056

**APPLICANT:** Carol Dee Veitch

**AGENTS:** Barry Azadmard and Martin Selko

**PROJECT LOCATION:** 21324 Pacific Coast Highway, City of Malibu (Los Angeles County)

**PROJECT DESCRIPTION:** Add 482 sq. ft. second story addition, construct 168 sq. ft. foyer addition on caissons and grade beam foundation, and convert existing two unit building to a single family residence. Install new 1500 gallon septic tank with Advanced Environmental Systems treatment system.

<b>Area of Lot:</b>	4,800 sq. ft.
<b>Building Coverage:</b>	1,814 sq. ft.
<b>Paved Area:</b>	592 sq. ft.
<b>Parking Spaces:</b>	2 covered
<b>Height Above Finished Grade:</b>	25.75 ft.

**LOCAL APPROVALS RECEIVED:** City of Malibu Planning Department, Approval-In-Concept, 2/25/2000; City of Malibu Environmental Health Department, In-Concept Approval, March 30, 2000.

**SUMMARY OF STAFF RECOMMENDATION:**

Staff recommends **approval** of the proposed project with special conditions addressing assumption of risk and conformance to geotechnical recommendations. The project site is located in an area identified by the applicant's consultant as subject to wave action and runup, but the septic system is landward of this hazard area. No seaward extension of development onto the beach is proposed. There are no changes to the existing wood pile system, albeit new caissons are proposed for the foyer addition only. The project as conditioned is, therefore, consistent with Chapter 3 policies of the Coastal Act.

**SUBSTANTIVE FILE DOCUMENTS:** Coastal Development Project Review for Additions to Existing Single Family Residence, California State Lands Commission, May 12, 2000; RJR Engineering Group, Geotechnical Engineering Report, August 31, 1999; Pacific Engineering Group, Wave Uprush Study and Coastal Engineering Review for 21324 Pacific Coast Highway, June 15, 1999; Coastal Development Permit No. 4-00-049 (Siemons); Malibu/Santa Monica Mountains Land Use Plan.

## **I. STAFF RECOMMENDATION**

**MOTION:**        *I move that the Commission approve Coastal Development Permit No. 4-00-056 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 (2) years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed within a

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reasonable period of time. Application for an extension of the permit must be made prior to the expiration date.

3. Interpretation. Any questions of intent or interpretation of any term or condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided that the assignee files with the Commission an affidavit accepting all of the terms and conditions of the permit.
5. 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 Recommendations**

- (a) All recommendations contained in the RJR Engineering Group, Geotechnical Engineering Report, August 31, 1999 shall be incorporated into all final design and construction including recommendations concerning earthwork, foundations, concrete slabs, surface drainage, and sewage disposal. All plans must be reviewed and approved by the geotechnical consultants. Prior to the issuance of the coastal development permit, the applicant shall submit, for review and approval of the Executive Director, evidence of the consultants' review and approval of all project plans. Such evidence shall include affixation of the consulting geologists' stamp and signature to the final project plans and designs.
- (b) The final plans approved by the consultants shall be in substantial conformance with the plans approved by the Commission relative to construction, grading and drainage. Any substantial changes in the proposed development approved by the Commission which may be required by the consultants shall require an amendment to the permit or a new coastal permit. The Executive Director shall determine whether required changes are "substantial."

#### **2. Assumption of Risk/Shoreline Protection**

- A. By acceptance of this permit, the applicant acknowledges and agrees to the following:
  - (1) The applicant acknowledges and agrees that the site may be subject to hazards from liquefaction, storm waves, surges, erosion, landslide, flooding, and wildfire.
  - (2) The applicant acknowledges and agrees to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development.

- (3) The applicant unconditionally waives any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards.
  - (4) The applicant agrees to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.
  - (5) No shoreline protective device shall be constructed, now or in the future, for the purpose of protecting the residential development approved pursuant to Coastal Development Permit 4-00-056 including, but not limited to, the residence, foundations, decks, driveway, or the septic system in the event that these structures are threatened with imminent damage or destruction from waves, erosion, storm conditions, or other natural hazards in the future and by acceptance of this permit, the applicant hereby waives, on behalf of itself and all successors and assigns, any rights to construct such devices that may exist under Public Resources Code Section 30235.
- B. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall execute and record a deed restriction, in a form and content acceptable to the Executive Director incorporating all of the above terms of this condition. The deed restriction shall include a legal description of the applicant's entire parcel. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

#### **IV. FINDINGS AND DECLARATIONS**

The Commission hereby finds and declares:

##### **A. Project Description and Background**

The subject site is a beachfront lot located at 21324 Pacific Coast Highway, in the La Costa Beach area of the City of Malibu. The applicant is proposing to add a 482 sq. ft. second story addition, construct 168 sq. ft. foyer addition on caissons and grade beam foundation, and convert existing two unit building to a single family residence.

The proposal includes conversion of the existing building with a main residence and an upstairs apartment to a single family residence. The project includes Installation of a new 1500 gallon septic tank with Advanced Environmental Systems treatment system.

No grading or changes to the existing wooden pile system are proposed. The building footprint and the foundation as altered through the proposed additions will comply with the building and deck stringlines based on adjacent properties. The project will also result in removal of an overhang extending seaward over the deck facing the ocean. Following the proposed additions, the finished structure will not further affect public coastal views, access, environmentally sensitive habitat, or public recreation areas.

There is no record of a coastal development permit on subject site. Assessor's records show that the existing building was constructed in 1952, prior to the Coastal Act. The house rests on wood pilings and the engineering consultant has found that the residence is far enough landward that it would not be affected by wave action or runup, as discussed in greater detail below. There is no revetment on the property and no shoreline protective work is proposed.

As stated above, the project site is located in the La Costa Beach area of Malibu, within the southeast portion of the Santa Monica Mountains, between the sea and the first public road in the area, the Pacific Coast Highway. Topographically, the site consists of a flat front yard along the Highway, a gently descending slope under the residence, and a sandy beach. The site is bounded on the north by Pacific Coast Highway, on the south by the Pacific Ocean, and on the east and west by neighboring residences. The proposed project would be consistent with the general character of the developed neighborhood on La Costa Beach.

## **B. Hazards and Geologic Stability**

The proposed development would be located on the shoreline of the Santa Monica Mountains, an area that 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. Even beachfront properties have been subject to wildfires. Finally, beachfront sites are also subject to flooding and erosion from storm waves.

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.***

### **1. Coastal Erosion and Wave Action**

The applicant has submitted a report by Pacific Engineering Group, Wave Uprush Study and Coastal Engineering Review for 21324 Pacific Coast Highway, June 15, 1999 evaluating the stability of the proposed project in relation to the project setting and wave runup. The report notes that:

... The septic tank and sewage disposal system should be located no further than 17 feet seaward of the Pacific Coast Highway right-of-way line. [Note: the proposed system is less ten feet away from the right-of-way line.] At this location the system would be located a minimum of ten feet from the wave uprush line and no protective structure for the septic system would be required.

... the subject beach is a stable beach that oscillates seasonally between summer and winter profiles with periodic storm scouring of the beach profile during extratropical storm events that are coincidental with high winter tides.

... The construction of the proposed remodel at a location landward of the stringlines and mean high tide lines, and supported on piles would not significantly effect the normal coastal and littoral processes.

... If the recommendations of this wave uprush study are complied with, no bulkhead will be required to protect the septic system. Therefore no further discussion is required regarding bulkhead effects and/or alternative methods for the project design.

Further, the subject proposal has been subject to an engineering geology report in which the geologic consultants report (RJR Engineering Group, Geotechnical Engineering Report, August 31, 1999) that:

Based upon our review of the site and the available data the proposed improvements are feasible from geologic and geotechnical standpoint, and should be free of landslides, slumping and excess settlement as described in this report. This finding assumes the recommendations presented in this report and implemented during the design and construction of the project. In addition, the stability of the site and surrounding areas will not be adversely affected by a proposed residence, ... based upon on [sic] our analysis and proposed design.

The Commission can find that the proposed development, as conditioned herein, minimizes risks to life and property from geologic hazards and assures stability and structural integrity, as required by Section 30253 of the Coastal Act, so long as the recommendations set forth in the RJR Engineering Group report are incorporated into the project plans. Therefore, the Commission finds it necessary to require the applicant to submit project plans that have been certified in writing by the consulting geologist and soils engineer as conforming to their recommendations (Special Condition 1).

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Section 30253 of the Coastal Act requires that new development minimize risk to life and property in areas of high geologic, flood, and fire hazard, and to assure stability and structural integrity. The proposed development is located on a beachfront lot in the City of Malibu and will be subject to hazards posed by wave attack.

The subject site is clearly susceptible to flooding and/or wave damage from storm waves, storm surges and high tides. In the Malibu area alone, past occurrences have caused property damage resulting in public costs through emergency responses and low-interest, publicly subsidized reconstruction loans amounting to millions of dollars. In the winter of 1977-1978, storm-triggered mudslides and landslides caused extensive damage along the Malibu coast. According to the National Research Council, damage to Malibu beaches, seawalls, and other structures during that season caused damage of up to \$5 million to private property alone. The El Nino storms recorded from 1982-1983 caused high tides of over seven feet, which were combined with storm waves of up to 15 feet. These storms caused over \$12.8 million in damage to structures in Los Angeles County, many of which were located in Malibu. The severity of the 1982-1983 El Nino storm events are often used to illustrate the extreme storm event potential of the California coast and the Malibu coast, in particular. The 1998 El Nino storms also resulted in widespread damage to residences, public facilities, and infrastructure along the Malibu coast. Thus, ample evidence exists that all beachfront development in the Malibu area is subject to an unusually high degree of risk due to storm waves and surges, high surf conditions, erosion, and flooding.

To minimize wave hazards, while controlling seaward encroachment of residential structures on a beach to ensure maximum public access, minimize adverse effects to coastal processes, shoreline sand supply, and public views, the Commission has, in past permit actions, developed the "stringline" policy. As applied to beachfront development, the stringline limits the seaward extension of a structure to a line drawn between the nearest corners of adjacent structures and limits decks to a similar line drawn between the nearest corners of the adjacent decks. The Commission has applied this policy to numerous past permits involving infill on sandy beaches and has found it to be an effective policy tool in preventing further encroachments onto sandy beaches.

In the case of this project, the proposed development will be located landward of the building stringlines. The development will not result in the seaward encroachment of residential development on La Costa Beach. As such, the Commission finds that the proposed project will minimize adverse effects to coastal processes.

The Commission recognizes that development, even as designed and constructed to incorporate all recommendations of the consulting geologists and engineers, may still involve the taking of some risk. When development in areas of identified hazards is proposed, the Commission considers the hazard associated with the project site and the potential cost to the public, as well as the individual's right to use the subject property.

Thus, for the reasons discussed above, the Commission finds that due to the possibility of liquefaction, storm waves, surges, erosion, landslide, flooding, tsunami, and bluff failure, the applicant shall assume these risks as conditions of approval. Because this risk of harm cannot be completely eliminated, the Commission requires the applicant to waive any claim of liability against the Commission for damage to life or property, which may occur as a result of the permitted development. The applicant's assumption of risk, as required by Special Condition Number Two, when executed and recorded on the property deed, will show that the applicant is aware of and appreciates the nature of the hazards which exist on the site, and that may adversely affect the stability or safety of the proposed development. Moreover, through acceptance of Special Condition Number Two, the applicants also agree 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.

## **2. Future Shoreline Protective Devices**

In the case of the proposed project, the applicant does not propose the construction of any type of shoreline protective device to protect the proposed development. As previously noted, La Costa Beach has been a stable beach at the project site according to the engineering consultant. However, it is not possible to completely predict what conditions the proposed residence may be subject to in the future. The Commission notes that the construction of a shoreline protective device on the proposed project site would result in potential adverse effects to coastal processes, shoreline sand supply, and public access.

Interference by shoreline protective devices can result in a number of adverse effects on the dynamic shoreline system and the public's beach ownership interests. First, changes in the shoreline profile, particularly changes in the slope of the profile which results from a reduced beach berm width, alter the usable area under public ownership. A beach that rests either temporarily or permanently at a steeper angle than under natural conditions will have less horizontal distance between the mean low water and mean high water lines. This reduces the actual area in which the public can pass on their own property. The second effect on access is through a progressive loss of sand as shore material is not available to nourish the bar. The lack of an effective bar can allow such high wave energy on the shoreline that materials may be lost far offshore where it is no longer available to nourish the beach. This effects public access again through a loss of area between the mean high water line and the actual water. Third, shoreline protective devices such as revetments and bulkheads cumulatively affect shoreline sand supply and public access by causing accelerated and increased erosion on adjacent public beaches. This effect may not become clear until such devices are constructed individually along a shoreline and they reach a public beach. La Costa Beach as noted in the coastal engineer's report is narrow beach which fluctuates seasonally. As such, it may not be sufficiently wide to provide protection for beachfront development during severe storm events. The Commission notes that if a seasonal eroded beach condition occurs with greater frequency due to the placement of a



shoreline protective device on the subject site, then the subject beach would also accrete at a slower rate. Fourth, if not sited landward in a location that ensures that the seawall is only acted upon during severe storm events, beach scour during the winter season will be accelerated because there is less beach area to dissipate the wave's energy. Finally, revetments, bulkheads, and seawalls interfere directly with public access by their occupation of beach area that will not only be unavailable during high tide and severe storm events but also potentially throughout the winter season.

The adverse effects of shoreline protective devices are greater the more frequently that they are subject to wave action. In order to minimize adverse effects from shoreline protective devices, when such devices are found to be necessary to protect existing development, the Commission has required applicants to locate such structures as far landward as is feasible.

In addition, since shoreline protective devices are most often required to protect existing septic systems, the Commission has also required applicants to locate septic systems as far landward as feasible [4-97-191 (Kim)]. The Commission has also required the utilization of alternative technologies for sewage disposal such as bottomless sand filter systems because they are able to be designed to occupy less area on the beach and, therefore, be located further landward than a standard system.

In the case of the proposed project, the proposed septic system will be of a bottomless sand filter design and will be located as landward as feasible. The Commission notes that the applicant is proposing to construct a residence that will extend further seaward than the existing residence. The applicant's coastal engineering consultant has confirmed that no shoreline protective device is required to protect the proposed residence (which will be constructed entirely on an engineered concrete friction pile foundation able to withstand wave action) nor to protect the septic system (which will be located approximately 12 ft. landward of the maximum wave uprush limit).

The Commission notes that Section 30235 of the Coastal Act allows for the construction of a shoreline protective device when necessary to protect existing development or to protect a coastal dependent use. The Commission further notes that the approval of a shoreline protective device to protect new residential development, such as the proposed project, would not be required by Section 30235 of the Coastal Act.

The construction of a shoreline protective device to protect a new residential development would conflict with Section 30253 of the Coastal Act which states that new development shall neither create nor contribute to erosion or geologic instability of the project site or surrounding area. In addition, the construction of a shoreline protective device to protect new residential development would also conflict with Section 30251 of the Coastal Act which states that permitted development shall minimize the alteration of natural land forms, including sandy beach areas which would be subject to increased erosion from such a device.

To ensure that the proposed project is consistent with Sections 30251 and 30253 of the Coastal Act, and to ensure that the proposed project does not result in future adverse effects to coastal processes, Special Condition Two (2) requires the applicant to record a deed restriction that would prohibit the applicant, or future land owner, from constructing a shoreline protective device for the purpose of protecting any of the development proposed as part of this application including the residence, septic system, driveway, etc.

### **3. Wild Fire**

Section 30253 of the Coastal Act also requires that new development minimize the risk to life and property in areas of high fire hazard. The Coastal Act recognizes that new development may involve the taking of some risk. Coastal Act policies require the Commission to establish the appropriate degree of risk acceptable for the proposed development and to establish who should assume the risk. When development in areas of identified hazards is proposed, the Commission considers the hazard associated with the project site and the potential cost to the public, as well as the individual's right to use his property.

Vegetation in the coastal areas of 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 Two, the assumption of risk includes recognition of the wild fire hazard. The applicant will acknowledge 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 Three the applicant agrees to indemnify the Commission, its officers, agents and employees against any and all claims, demands, damages, costs, expenses or 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. The Commission finds that only as conditioned by Special Condition Two (2) is the proposed project consistent with Section 30253 of the Coastal Act applicable to hazards from wildfire.

The Commission finds, for the reasons set forth above, that the proposed development, as conditioned, is consistent with Section 30253 of the Coastal Act.

C. Public Access.

One of the basic mandates of the Coastal Act is to maximize public access and recreational opportunities along the coast. The Coastal Act has several policies, which address the issues of public access and recreation and coastal views along the coast.

Section 30210 of the Coastal Act states that:

***In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.***

Section 30211 of the Coastal Act states that:

***Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.***

Section 30212 of the Coastal Act states, in part, that:

***Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects . . .***

Section 30220 of the Coastal Act states that:

***Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.***

Section 30251 of the Coastal Act states that:

***The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.***

Coastal Act Sections 30210 and 30211 mandate that maximum public access and recreational opportunities be provided and that development not interfere with the public's right to access the coast. Likewise, Section 30212 of the Coastal Act requires that adequate public access to the sea be provided to allow use of dry sand and rocky

coastal beaches. Section 30251 requires that scenic coastal areas be protected and that new development not adversely affect public coastal views.

All beachfront projects requiring a coastal development permit must be reviewed for compliance with the public access provisions of Chapter 3 of the Coastal Act. In past permit actions, the Commission has required public access to and along the shoreline in new development projects and has required design changes in other projects to reduce interference with access to and along the shoreline. The major access issue in such permits is the occupation of sand area by a structure, in contradiction of Coastal Act Sections 30210, 30211, and 30212.

Past Commission review of shoreline residential projects in Malibu has shown that individual and cumulative adverse effects to public access from such projects can include encroachment on lands subject to the public trust (thus physically excluding the public); interference with the natural shoreline processes necessary to maintain publicly-owned tidelands and other public beach areas; overcrowding or congestion of such tideland or beach areas; and visual or psychological interference with the public's access to and the ability to use public tideland areas.

The applicant has submitted a letter from the California State Lands Commission (CSLC) dated May 12, 2000, that indicates that CSLC staff has reviewed the proposed project. Their review further indicates that CSLC staff does not, at this time, have sufficient information to determine whether this project will intrude upon state sovereign lands or interfere with other public rights. They do not think that the expenditure of time, effort, and money necessary to make such a determination is warranted in this case. The letter from the CSLC regarding this project concludes that:

***Accordingly, the CSLC presently asserts no claims that the project intrudes onto sovereign lands or that it would lie in an area that is subject to the public easement in navigable waters. This conclusion is without prejudice to any future assertion of state ownership or public rights, should circumstances change, or should additional information come to our attention.***

As stated previously, the Commission has in past permit actions developed the "stringline" policy as a means of controlling seaward encroachment of residential structures on a beach to ensure maximum public access and public views. As applied to beachfront development, the stringline limits the seaward extension of a structure to a line drawn between the nearest corners of adjacent structures and limits decks to a similar line drawn between the nearest corners of the adjacent decks. The Commission has applied this policy to numerous past permits involving infill on sandy beaches and has found it to be an effective policy tool in preventing further encroachments onto sandy beaches. In the case of this project, the proposed development will be located landward of the appropriate stringlines and will not result in the seaward encroachment of residential development on La Costa Beach. As such, the Commission finds that the proposed project will not result in the seaward encroachment of development on La

Costa Beach and will serve to minimize adverse effects to public access and coastal views.

Thus, the project will not extend development seaward beyond existing development on the site or beyond the stringlines, does not include the construction of any new shoreline protective devices, will not preclude public access to any presently existing vertical or lateral public access easements or rights or adversely affect public coastal views. For all of these reasons, the Commission finds that the proposed project, as conditioned, will have no individual or cumulative adverse effects on public access. Therefore, the Commission finds that the project, as conditioned, is consistent with Coastal Act Sections 30210, 30211, 30212, 30220, 30251.

#### **D.        Septic System**

The Commission recognizes that the potential build-out of lots in the Malibu area 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 application includes a 1500 gallon septic tank with an AES Aerobic Treatment System and two seepage pits. The Commission has found in past permit actions that compliance with the health and safety codes will minimize any potential for wastewater discharge that could adversely impact coastal waters. The City of Malibu Environmental Health Department granted an "Approval in Concept" for the septic system and enlarged residence and thus concluded that the existing septic disposal system is of adequate capacity and condition to serve the proposed additions. Therefore, the Commission finds that the proposed project, as conditioned, is consistent with Section 30231 of the Coastal Act.

#### **E.        Local Coastal Program**

Section 30604(a) of the Coastal Act states that:

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

#### **F. California Environmental Quality Act**

The Coastal Commission's permit process has been designated as the functional equivalent of CEQA. Section 13096(a) of the California Code of Regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of CEQA. Section 21080.5 (d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available that would substantially lessen any significant adverse effects that the activity may have on the environment.

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

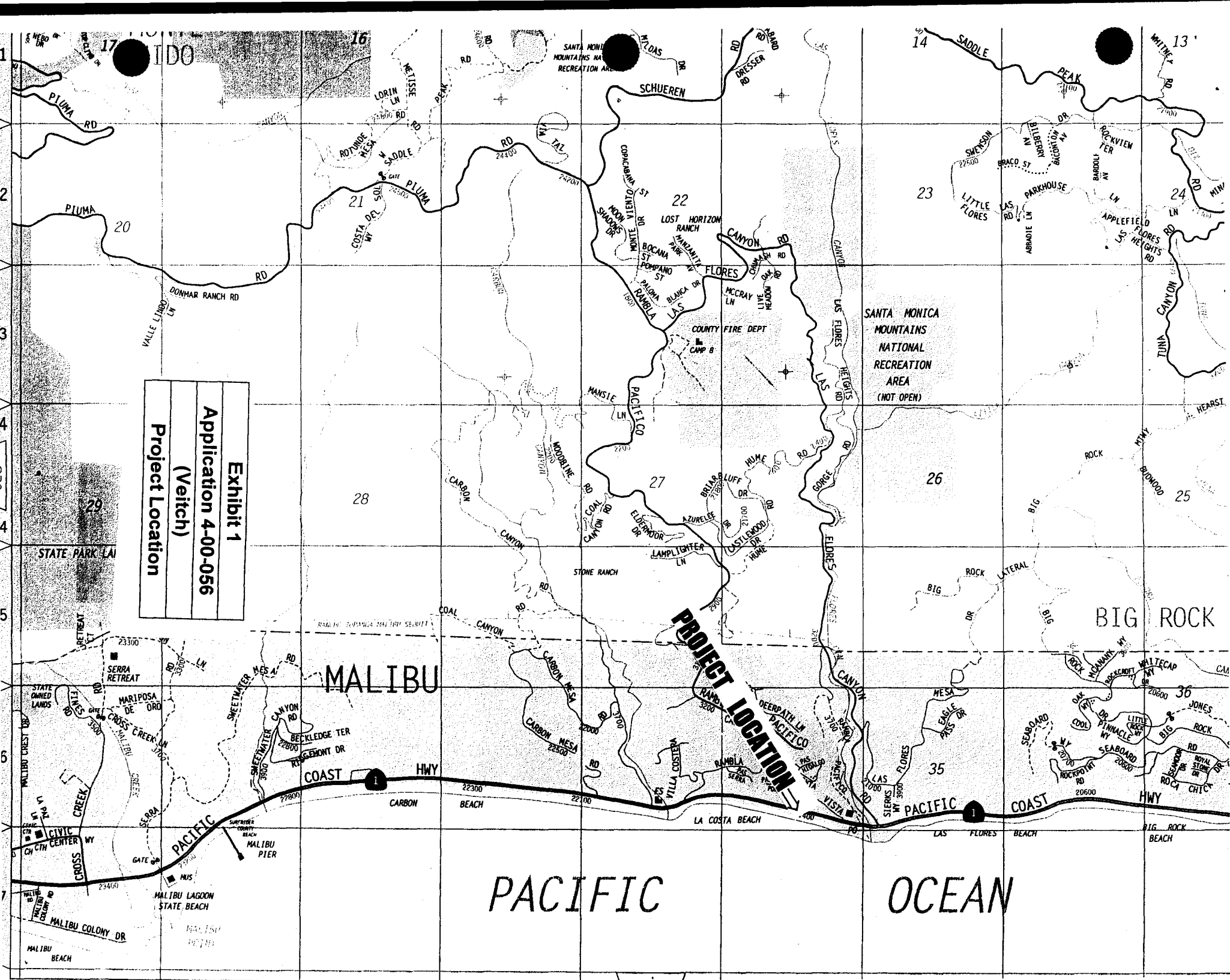
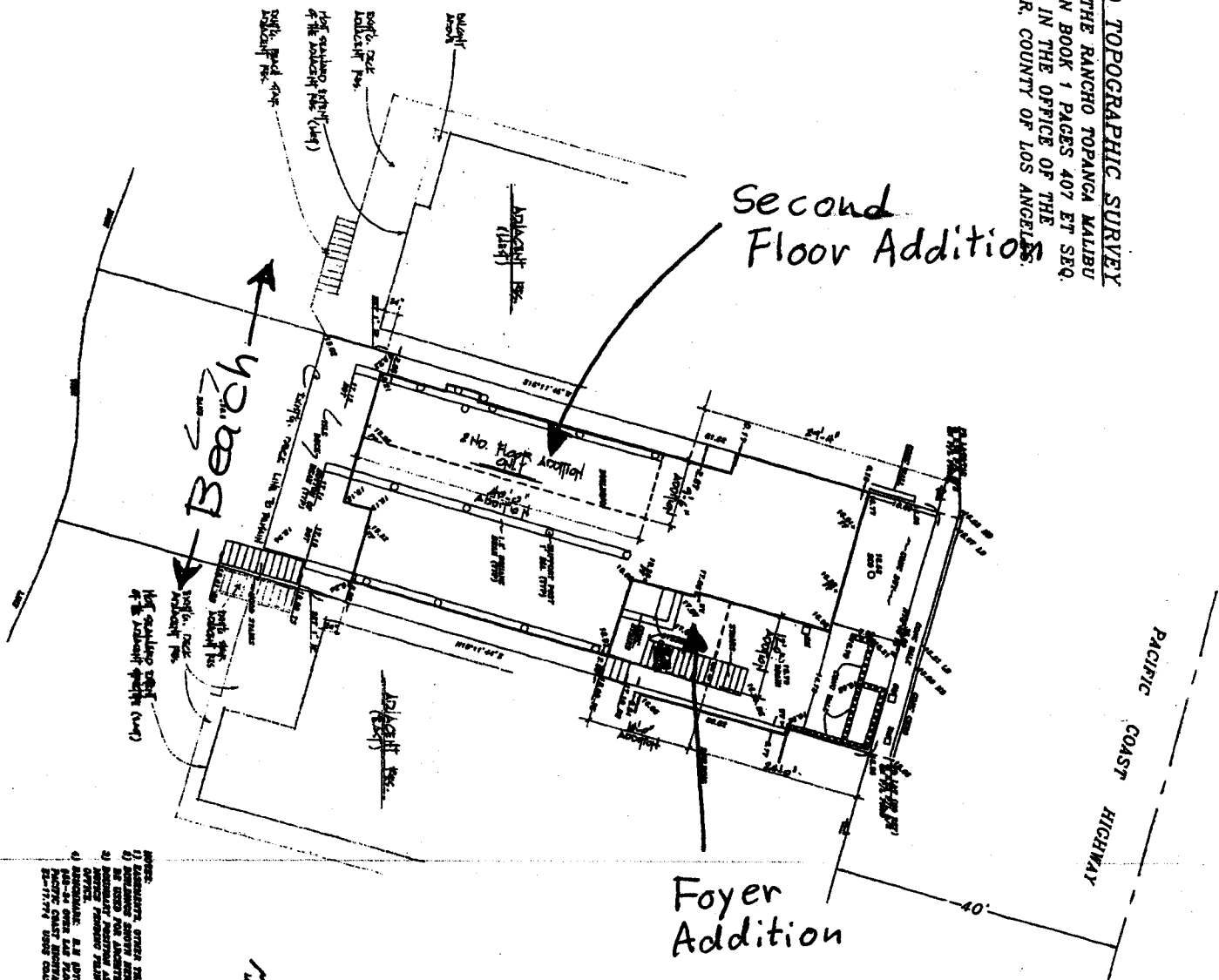


Exhibit 1  
Application 4-00-056  
(Veitch)  
Project Location

PACIFIC

OCEAN

**BOUNDARY AND TOPOGRAPHIC SURVEY  
OF A PORTION OF THE RANCHO TOPANGA MALIBU  
SECUT RECORDED IN BOOK 1 PAGES 407 ET SEQ.  
OF PATENTS, IN THE OFFICE OF THE  
COUNTY RECORDER, COUNTY OF LOS ANGELES.**



SCALES

HORIZONTAL 1" = 40'  
VERTICAL 1" = 20'

SHEET 1

INDEX NUMBER #629F6/3

FOR REFERENCE ONLY A-1

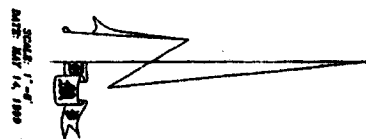
- NOTE:
- 1) ALL DIMENSIONS SHOWN ARE THE LOCATION DIMENSIONS ONLY AND NOT THE DIMENSIONS OF THE BUILDING.
  - 2) THE BUILDING DIMENSIONS ARE THE DIMENSIONS OF THE BUILDING AS SHOWN ON THE ARCHITECTURAL DRAWINGS.
  - 3) THE BUILDING DIMENSIONS ARE THE DIMENSIONS OF THE BUILDING AS SHOWN ON THE ARCHITECTURAL DRAWINGS.
  - 4) THE BUILDING DIMENSIONS ARE THE DIMENSIONS OF THE BUILDING AS SHOWN ON THE ARCHITECTURAL DRAWINGS.



Exhibit 2
Application 4-00-056
(Veitch)
Site Plan

NOTE:

Grading is shown at 1000 cubic yard is provided for the entire site. The grading is shown at 1000 cubic yard is provided for the entire site. The grading is shown at 1000 cubic yard is provided for the entire site.



**Daniel P. Mac Neil, Inc.**  
PROFESSIONAL LAND SURVEYING  
20931 DUMETZ ROAD  
WOODLAND HILLS, CA. 91364  
(818) 713-0685

NO.	REVISION DESCRIPTION	DATE

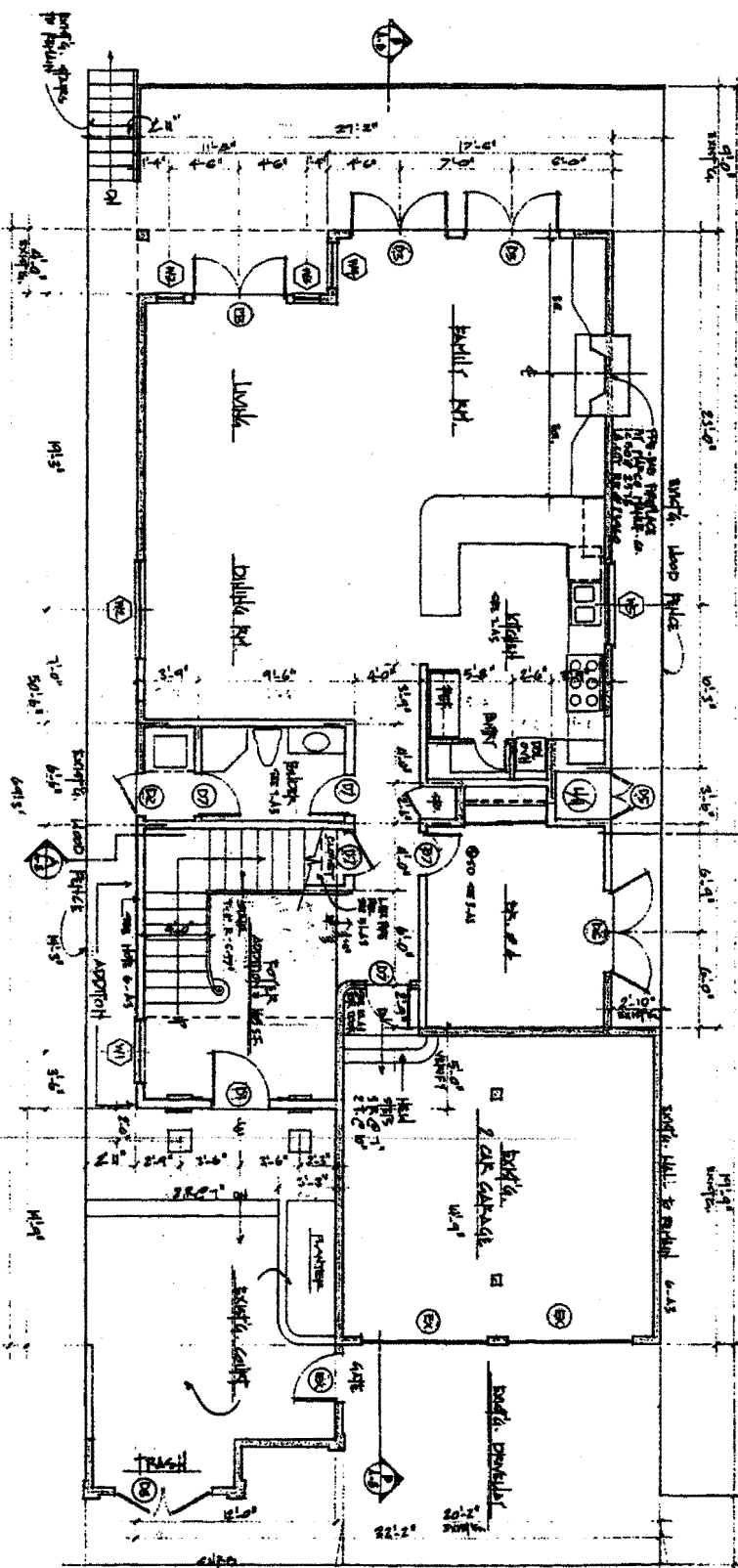
**BOUNDARY AND TOPOGRAPHIC SURVEY**  
OF A PORTION OF THE RANCHO TOPANGA MALIBU  
SECUT RECORDED IN BOOK 1 PAGES 407 ET SEQ.  
OF PATENTS, IN THE OFFICE OF THE  
COUNTY RECORDER, COUNTY OF LOS ANGELES.

SURVEYOR	DANIEL P. MAC NEIL	L.S. NO. 0981
DATE	5/14/79	
JOB NUMBER	629F6/3	
ACAD FILE	629F6.3 21534 PCH.dwg	





BEACH →



Blank	Blank
Extinction	1.225 S.F.
Absorption	16.8 S.F.
Total	1.396 S.F.

WALL GREEN  
100-101-102  
103-104-105  
106-107-108  
109-110-111  
112-113-114  
115-116-117  
118-119-120  
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1033-1034-103

<b>Exhibit 4a</b>
<b>Application 4-00-056</b>
<b>(Veitch)</b>
<b>Proposed Floor Plan</b>

下

- [illegible]

# DESIGNER

**VEITCH RESIDENCE  
ADDITION & REMODELING**

21124 PACIFIC COAST HIGHWAY, CA 90262

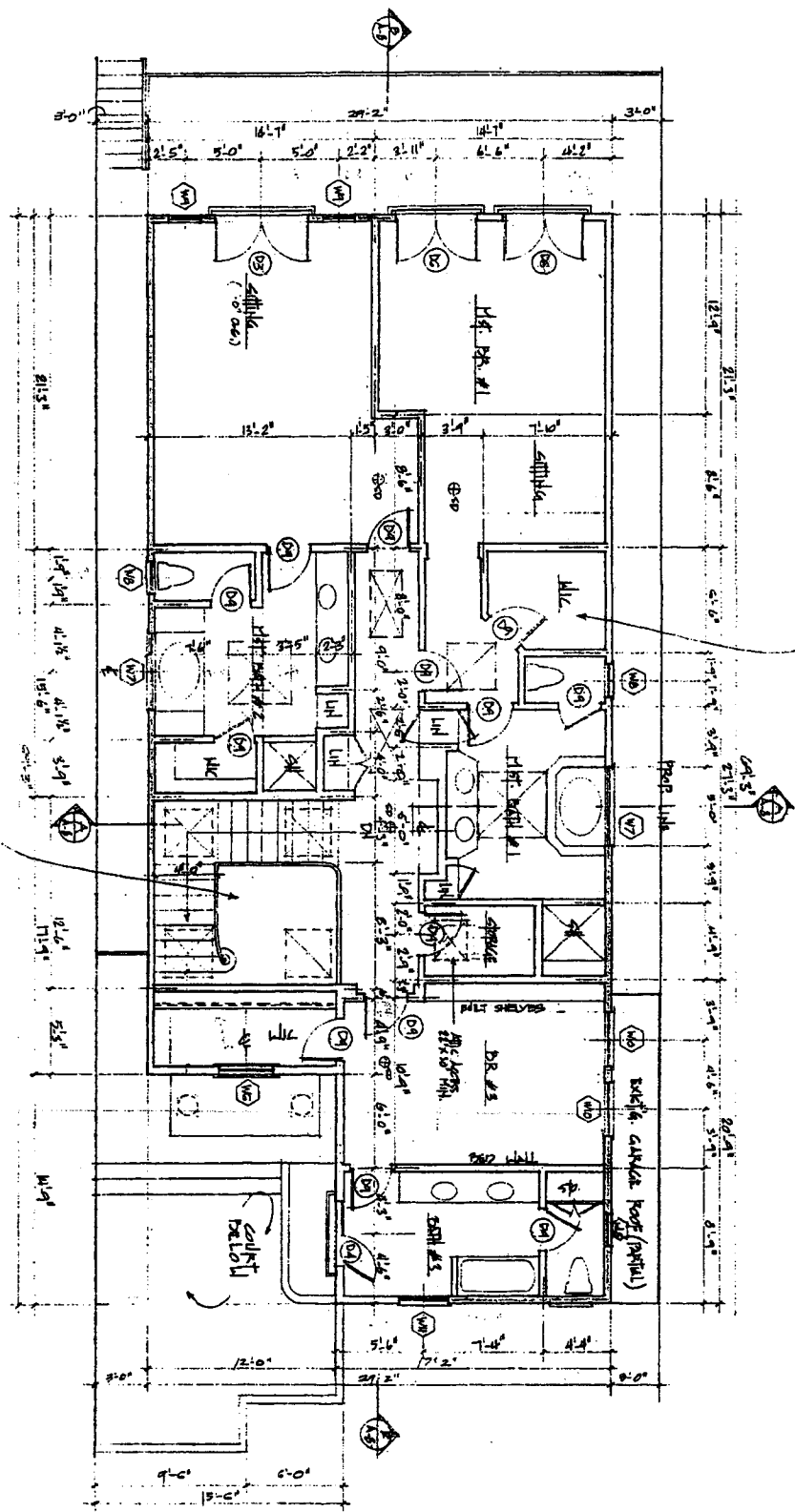


# SELKO

**Master Home Builder**

Send to:  
Los Angeles, CA 90001  
CEN 654-1165  
Fax (213) 460-1771

[illegible]



SHADED AREA  
INDICATES ADDITION

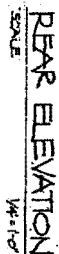
**Exhibit 4b**  
**Application 4-00-056**  
**(Veitch)**  
**Proposed Floor Plan**

DOOR & WINDOW SCHEDULE		WINDOWS	
DOORS		WINDOWS	
01 6'0" x 8'0" SLIDING GLASS DOOR	ENTRY - REARDOOR	01 6'0" x 8'0" SLIDING GLASS DOOR	REAR PORCH - REAR DOOR
02 6'0" x 8'0" SLIDING GLASS DOOR	ENTRY - REARDOOR	02 6'0" x 8'0" SLIDING GLASS DOOR	REAR PORCH - REAR DOOR
03 6'0" x 8'0" SLIDING GLASS DOOR	ENTRY - REARDOOR	03 6'0" x 8'0" SLIDING GLASS DOOR	REAR PORCH - REAR DOOR
04 6'0" x 8'0" SLIDING GLASS DOOR	ENTRY - REARDOOR	04 6'0" x 8'0" SLIDING GLASS DOOR	REAR PORCH - REAR DOOR
05 6'0" x 8'0" SLIDING GLASS DOOR	ENTRY - REARDOOR	05 6'0" x 8'0" SLIDING GLASS DOOR	REAR PORCH - REAR DOOR
06 6'0" x 8'0" SLIDING GLASS DOOR	ENTRY - REARDOOR	06 6'0" x 8'0" SLIDING GLASS DOOR	REAR PORCH - REAR DOOR
07 6'0" x 8'0" SLIDING GLASS DOOR	ENTRY - REARDOOR	07 6'0" x 8'0" SLIDING GLASS DOOR	REAR PORCH - REAR DOOR
08 6'0" x 8'0" SLIDING GLASS DOOR	ENTRY - REARDOOR	08 6'0" x 8'0" SLIDING GLASS DOOR	REAR PORCH - REAR DOOR
09 6'0" x 8'0" SLIDING GLASS DOOR	ENTRY - REARDOOR	09 6'0" x 8'0" SLIDING GLASS DOOR	REAR PORCH - REAR DOOR
10 6'0" x 8'0" SLIDING GLASS DOOR	ENTRY - REARDOOR	10 6'0" x 8'0" SLIDING GLASS DOOR	REAR PORCH - REAR DOOR
11 6'0" x 8'0" SLIDING GLASS DOOR	ENTRY - REARDOOR	11 6'0" x 8'0" SLIDING GLASS DOOR	REAR PORCH - REAR DOOR
12 6'0" x 8'0" SLIDING GLASS DOOR	ENTRY - REARDOOR	12 6'0" x 8'0" SLIDING GLASS DOOR	REAR PORCH - REAR DOOR
13 6'0" x 8'0" SLIDING GLASS DOOR	ENTRY - REARDOOR	13 6'0" x 8'0" SLIDING GLASS DOOR	REAR PORCH - REAR DOOR
14 6'0" x 8'0" SLIDING GLASS DOOR	ENTRY - REARDOOR	14 6'0" x 8'0" SLIDING GLASS DOOR	REAR PORCH - REAR DOOR
15 6'0" x 8'0" SLIDING GLASS DOOR	ENTRY - REARDOOR	15 6'0" x 8'0" SLIDING GLASS DOOR	REAR PORCH - REAR DOOR
16 6'0" x 8'0" SLIDING GLASS DOOR	ENTRY - REARDOOR	16 6'0" x 8'0" SLIDING GLASS DOOR	REAR PORCH - REAR DOOR
17 6'0" x 8'0" SLIDING GLASS DOOR	ENTRY - REARDOOR	17 6'0" x 8'0" SLIDING GLASS DOOR	REAR PORCH - REAR DOOR
18 6'0" x 8'0" SLIDING GLASS DOOR	ENTRY - REARDOOR	18 6'0" x 8'0" SLIDING GLASS DOOR	REAR PORCH - REAR DOOR
19 6'0" x 8'0" SLIDING GLASS DOOR	ENTRY - REARDOOR	19 6'0" x 8'0" SLIDING GLASS DOOR	REAR PORCH - REAR DOOR
20 6'0" x 8'0" SLIDING GLASS DOOR	ENTRY - REARDOOR	20 6'0" x 8'0" SLIDING GLASS DOOR	REAR PORCH - REAR DOOR

SECOND FLOOR  
EXTRA 1,321 S.F.  
ADDITION 546 S.F.  
TOTAL 1,867 S.F.

WALL LEGEND  
EXTRA  
NEW





PEAR ELEVATION  
SCALE 1/4"=1'-0"

$$1/4 = 1 - 3/4$$

### Elevation

RIGHT SIDE ELEVATION  
SCALE 1/4" = 1'-0"

44-38861-101

# DESIGNER

21324 PACIFIC COAST HIGHWAY, CA 90265



6000 Sunset Blvd.  
Suite 701  
Los Angeles, CA 90028  
(313) 654-1005  
Fax (313) 450-1772

REVISIONS	BY

