

## CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA  
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## RECORD PACKET COPY

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 Hearing Date: 1/8-12/00  
 Commission Action:

STAFF REPORT: REGULAR CALENDAR

APPLICATION NO. 4-00-122

APPLICANT: John Bell AGENT: Lynn Heacox

PROJECT LOCATION: 5941 &amp; 5943 Kanan Dume Road, Malibu, Los Angeles County

**PROJECT DESCRIPTION:** Construct two 28 foot high two story 7,737 (lot 1) & 7,409 (lot 2) sq. ft. residences each with a 875 sq. ft. garage, septic system, pool and spa, retaining walls, common driveway and 7,100 cubic yards of grading for both lots (6,900 cu. yds. cut, 200 cu. yds. fill). The project also includes a lot line adjustment between a 1.77 acre lot (lot 1) and a 2.51 acre lot (lot 2) resulting in a 2.11 acre lot (lot 1) and a 2.17 acre lot (lot 2).

<b>Lot Area:</b>	Lot 1 - 1.77 ac. (before adjustment); Lot 1 - 2.11 ac. (after adjustment) Lot 2 - 2.51 ac. (before adjustment) Lot 2 - 2.17 ac. (after adjustment)
<b>Building Coverage:</b>	Lot 1 - 3,704 sq. ft. Lot 2 - 4,602 sq. ft.
<b>Pavement Coverage:</b>	Lot 1 - 13,955 sq. ft. Lot 2 - 12,650 sq. ft.
<b>Landscaped Area:</b>	Lot 1 - 5,000 sq. ft. Lot 2 - 5,000 sq. ft.
<b>Parking Spaces:</b>	4
<b>Plan Designation:</b>	Residential II, Two du/1 acre & Rural Land III, 1du/2 acres
<b>Height above existing grade:</b>	28 feet (both structures)

**LOCAL APPROVALS RECEIVED:** Approval in Concept. City of Malibu Planning Department, dated 5/18/00; Approval in Concept (Septic System). City of Malibu Department of Environmental Health dated 7/20/2000.

**Staff Note:** Due to Permit Streamlining Act requirements the Commission must act on this permit application at the January Commission meeting.

**SUMMARY OF STAFF RECOMMENDATION:**

Staff recommends approval of the proposed project with special conditions regarding plans conforming to geologic recommendations, landscape and erosion control plans, removal of natural vegetation, wild fire waiver of liability, drainage and polluted runoff control plan, color restriction, future development restriction, archaeological resources and removal of excavated material.

**SUBSTANTIVE FILE DOCUMENTS:** Certified Malibu/Santa Monica Mountains Land Use Plan (1986); Coastal Development Permits 5-90-1136 (Ricciardone); 4-99-051 (Maron); & 4-99-052 (Maron). Soils and Engineering Geologic Investigation prepared by California Geosystems dated April 7, 1997; Response to City of Malibu Geology and Geotechnical Engineering Review Sheet prepared by California Geosystems dated July 16, 1998; Response to City of Malibu Geology and Geotechnical Engineering Review Sheet prepared by California Geosystems dated August 31 1998. Archaeological Reconnaissance and Recommendations for Mitigation at 5941 Kanan Dume Road Malibu, California, By Chester King, dated December 27, 1998.

**I. STAFF RECOMMENDATION**

**MOTION:** I move that the Commission approve Coastal Development Permit No. 4-00-122 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. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. 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.
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 Soils and Engineering Geologic Investigation, dated April 7, 1997, prepared by California Geosystems and Response to City of Malibu Geologic and Geotechnical Engineering review sheets, dated July 16, 1998 & August 31, 1998 shall be incorporated into all final design and construction including recommendations concerning foundations, grading and drainage. 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. Landscape and Erosion Control Plan and Fuel Modification

A) Landscaping

Prior to the issuance of the coastal development permit, the applicant shall submit landscaping and fuel modification plans prepared by a licensed landscape architect for review and approval by the Executive Director. The plans shall incorporate the following criteria:

1. All disturbed areas on the subject site shall be planted and maintained for erosion control and visual enhancement purposes within sixty (60) days of receipt of the Certificate of Occupancy from City of Malibu. To minimize the need for irrigation and to screen or soften the visual impact of development, all landscaping shall consist primarily of native/drought resistant plants as listed by the California Native Plant Society, Santa Monica Mountains Chapter, in their document entitled Recommended List of Plants for Landscaping in the Santa Monica Mountains, dated February 5, 1996. Invasive, non-indigenous plant species that tend to supplant native species shall not be used. Such planting shall be adequate to provide ninety (90) percent coverage within two (2) years, shall be repeated, if necessary, to provide the required coverage.
2. Plantings shall include vertical elements to screen and soften the visual impact of the residence, driveway and retaining walls from Kanan Dume Road.
3. All plantings shall be maintained in good growing condition throughout the life of the project and, whenever necessary, shall be replaced with new plant materials to ensure continued compliance with applicable landscape requirements.
4. Vegetation within fifty feet (50') of the proposed house may be removed, and vegetation within a two-hundred foot (200') radius of the main structure may be selectively thinned in order to reduce fire hazard. However, such removal and 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 Fire Department of Los Angeles County. Irrigated lawn, turf, or groundcover planted within a fifty foot (50') radius (fuel modification zone) of the proposed residence shall be selected from the most drought tolerant species, subspecies, or varieties suited to the Mediterranean climate of the Santa Monica Mountains.
5. Fencing within 80 feet of the western or rear property boundary, as shown on Exhibit 3 shall be of a design that is permeable to wildlife.

**b) Erosion Control**

The landscaping / erosion control plans shall delineate areas to be disturbed by grading or construction activities and shall include any temporary access roads, staging areas, and/or stockpile areas. Natural areas to be left undisturbed such as native trees and vegetation shall be clearly delineated on the project site with fencing or survey flags.

The plans shall specify that should grading take place during the rainy season (November 1 – March 31), the applicant shall construct or install temporary sediment basins (including debris basins, desilting basins, and/or silt traps), temporary swales, sandbag barriers, silt fencing, and geofabric or other appropriate cover (including stabilizing any stockpiled fill cover and installing geotextiles or mats on all cut or fill slopes) on the project site. The applicant shall also close and stabilize open trenches as soon as possible. These erosion control measures shall be required on the project site prior to or concurrent with the initial grading operations and shall be maintained throughout the development process to minimize erosion and sediment from runoff waters during construction. All sediment shall 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.

The plans 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 swales, and sediment basins. The plans shall also specify that all disturbed areas 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 (5) years from the date of 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 plans 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 plans must be prepared by a licensed Landscape Architect or a qualified Resource Specialist and shall specify measures to remediate those portions of the original plans that have failed or are not in conformance with the original approved plans.

**3. Removal of Natural Vegetation**

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

**4. Wild Fire Waiver of Liability**

Prior to the issuance of the 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.

**5. Drainage and Polluted Runoff Control Plan**

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for the review and approval of the Executive Director, final drainage and runoff control plans, including supporting calculations. The plan shall be prepared by a licensed engineer and shall incorporate structural and non-structural Best Management Practices (BMPs) designed to control the volume, velocity and pollutant load of stormwater leaving the developed site. The plan shall be reviewed and approved by the consulting engineering geologist to ensure the plan is in conformance with geologist's recommendations. In addition to the specifications above, the plan shall be in substantial conformance with the following requirements:

- a) Selected BMPs (or suites of BMPs) shall be designed to treat, infiltrate or filter stormwater from each runoff event, up to and including the 85<sup>th</sup> percentile, 24-hour runoff event for volume-based BMPs, and/or the 85th percentile, 1-hour runoff event, with an appropriate safety factor, for flow-based BMPs.
- b) Runoff shall be conveyed off site in a non-erosive manner.
- c) Energy dissipating measures shall be installed at the terminus of outflow drains.

- d) The plan shall include provisions for maintaining the drainage system, including structural BMPs, in a functional condition throughout the life of the approved development. Such maintenance shall include the following: (1) BMPs shall be inspected, cleaned and repaired when necessary prior to the onset of the storm season, no later than September 30<sup>th</sup> each year and (2) should any of the project's surface or subsurface drainage/filtration structures or other BMPs fail or result in increased erosion, the applicant/landowner or successor-in-interest shall be responsible for any necessary repairs to the drainage/filtration system or BMPs 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.

**6. Color Restriction**

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

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

**7. Future Improvements**

This permit is only for the development described in coastal development permit No. 4-00-122. Pursuant to Title 14 California Code of Regulations Sections 13250 (b)(6), the exemptions otherwise provided in Public Resources Code Section 30610 (a) shall not apply to the entire parcel. Accordingly, any future improvements to the permitted structures, including but not limited to clearing of vegetation or grading, other than as provided for in the approved fuel modification, landscape and erosion control plan prepared pursuant to Special Condition 2, shall require an amendment to Permit No. 4-00-122 from the Commission or shall require an additional coastal development.

PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall execute and record a deed restriction in a form and content acceptable to the Executive Director, reflecting the above restrictions on development in the restricted area. The deed restriction shall include legal descriptions of both the applicant's entire parcel and the restricted area. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may

affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

#### **8. Archaeological Resources**

(a) By acceptance of this permit the applicant agrees to have a qualified archaeologist(s) and Chumash cultural resource monitor present on-site during all grading, excavation and site preparation that involve earth moving operations. The number of monitors shall be adequate to observe the earth moving activities of each piece of active earth moving equipment. Specifically, the earth moving operations on the project site shall be controlled and monitored by the archaeologist(s) with the purpose of locating, recording and collecting any archaeological materials. In the event that any significant archaeological resources are discovered during earth moving operations, grading and/or excavation in this area shall be halted and an appropriate data recovery strategy or archaeological resource preservation plan shall be developed, by the applicant's archaeologist and the native Chumash cultural resource monitor, consistent with CEQA guidelines and shall be reviewed and approved by the City of Malibu Archaeologist. The final data recovery strategy or archaeological resource preservation plan shall be subject to review and approval of the Executive Director.

(b) All recommendations contained in the Archaeology Reconnaissance and Recommendations for Mitigation at 5941 Kanan Dume Road, by Chester King, dated December 27, 1998, as well as any additional recommendations developed by the archaeologist(s) during project monitoring, shall be incorporated into all final design and construction. If the consulting archaeologist or Chumash cultural resource monitor recommends a substantial modification or redesign of the project plans, as a result of the discovery of significant archaeological resources on the site, an amendment to this permit is required.

#### **9. Removal of Excavated Material**

Prior to the issuance of the coastal development permit, the applicant shall provide evidence to the Executive Director of the location of the disposal site for all excess excavated material from the site. Should the disposal site be located in the Coastal Zone, a coastal development permit shall be required.

#### **IV. Findings and Declarations.**

The Commission hereby finds and declares:

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

The applicant proposes to construct two 28 foot high two story 7,737 (lot 1) and 7,409 (lot 2) sq. ft. residences each with a 875 sq. ft. garage, septic system, pool and spa, common driveway for both residences and 7, 100 cubic yards of total grading for both lots (6,900 cu. yds. cut, 200 cu. yds. fill). The project also includes a lot line adjustment



between a 1.77 acre lot (lot 1) and a 2.51 acre lot (lot 2) resulting in a 2.11 acre lot (lot 1) and a 2.17 acre lot (lot 2).

The two subject lots are located west of Kanan Dume Road approximately ½ mile north of Pacific Coast Highway. Kanan Dume Road is a designated scenic roadway in the certified Malibu/Santa Monica Mountains Land Use Plan (LUP). The two building sites are located on the crest of a south trending ridge, which crosses the central portion of the site. Kanan Dume Road borders the eastern side of the properties and is separated from the building sites by a minor south trending drainage course. The drainage course is not a United States Geologic Survey (USGS) blueline stream and does not contain riparian vegetation. The western property boundaries are within 50 feet of a larger drainage course that is a USGS designated blueline stream. This drainage is not designated in the Santa Monica Mountains Land Use Plan as an environmentally sensitive habitat area (ESHA). The stream course is highly disturbed by development, invasive exotic vegetation and fuel modification from surrounding homes. In addition, the construction of Kanan Dume Road has modified this stream course upstream and downstream. The proposed building sites are located approximately 250 feet west of the stream channel. Vegetation on the two properties consists of primarily exotic grasses that have been previously disked. The western slope of the central ridge does contain some coastal sage scrub vegetation. There are no environmentally sensitive habitat areas or public trails on project site.

#### B. Visual Resources

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. ...***

The applicant proposes to construct two 28 foot high two story 7,737 (lot 1) & 7,409 (lot 2) sq. ft. residences each with a 875 sq. ft. garage, septic system, pool and spa, retaining walls, common driveway and 7,100 cubic yards of total grading for both lots (6,900 cu. yds. cut, 200 cu. yds. fill. To assess any potential visual impacts of this project to the public, the Commission reviews the publicly accessible locations from which the proposed development is visible, such as scenic highways, beaches, parks and trails. The Commission typically also examines the building site, building design and size of the structure.

The two subject lots are located west of Kanan Dume Road approximately ½ mile north of Pacific Coast Highway. Kanan Dume Road is a designated scenic roadway in the certified Malibu/Santa Monica Mountains Land Use Plan (LUP). The two building sites are located on the crest of a south trending ridge that crosses the central portion of the

site. Kanan Dume Road borders the eastern side of the properties and is separated from the building sites by a minor south trending drainage course. The drainage course is not a United States Geologic Survey (USGS) blueline stream and does not contain riparian vegetation. The western property boundaries are within 50 feet of a larger drainage course that is a USGS designated blueline stream. This drainage is not designated in the Santa Monica Mountains Land Use Plan as an ESHA. The stream course is highly disturbed by development, invasive exotic vegetation and fuel modification from surrounding homes. In addition, the construction Kanan Dume Road has modified this stream course upstream and downstream. The proposed building sites are located approximately 250 feet west of the stream channel. Vegetation on the two properties consists of primarily exotic grasses that have been previously disked. The western slope of the central ridge does contain some coastal sage scrub vegetation.

The proposed residences are located on the crest and western slope of the central ridge on the site and will be accessed by a 20-foot wide 580-foot long common driveway from Kanan Dume Road. The driveway crosses the minor drainage that is adjacent to Kanan Dume Road and ascends the eastern slope of the central ridge to the building sites. The access driveway requires 5,700 cubic yards of grading (5,500 cu. yds. cut, 200 cu. yds. fill) to construct. The applicant originally was proposing 6,200 cubic yards of grading (6,000 cu. yds. cut, 200 cu. yds. fill) to construct the driveway. This grading design required a significant amount of landform alteration with cut slopes of up to 30 feet in height. In response to staffs concerns regarding the amount of landform alteration and grading proposed for the driveway the applicant has modified the grading plan by utilizing a small retaining wall (3 ft. max.) along the length of the driveway. This modification reduced the width of the cut slopes to less 20 feet in width and reduced total grading for the driveway by 500 cu. yds.

The proposed 580-foot driveway is quite long and requires a substantial amount of grading to construct. The proposed residential building sites are sited on the crest and western slope of the central ridge on the site to minimize the visibility of the proposed structures as seen from Kanan Dume Road. Locating the two building sites closer to Kanan Dume Road would reduce grading necessary for the driveway but would significantly increase the visibility of the structures from Kanan Dume Road.

The proposed residence and garage on lot 1 are stepped into the crest and western slope of the central ridge on the site. In order to create a stepped building pad the grading plan calls for 600 cubic yards of cut and a several retaining walls. This stepped grading design has minimize the amount of landform alteration necessary to construct a residence on the sloping terrain. Approximately, twelve feet of the proposed residence and garage will be visible from Kanan Dume Road. The excavation of the structure into the crest and western slope of the central ridge and the low profile architectural design of the garage and residence has minimized the visibility of this structure as seen from Kanan Dume Road.

On Lot 2 the building pad is located on a relatively level portion of the crest of the central ridge at a slightly lower elevation than the building site on lot 1. The applicant is proposing 800 cu. yds of cut to create a relatively level building pad. The grading necessary to create the proposed pad will result in a minimal amount of landform alteration. The grading plan calls for cutting to a depth of approximately 6 feet near the northern property line to about one to 2 feet in depth near the southern property line. A retaining wall system is also utilized in this grading design in order to minimize the amount of landform alteration necessary to create this building pad. The retaining walls range in height from 6 feet to 2 feet. The 6-foot high wall is perpendicular to Kanan Dume road and therefore will not result in a significant adverse visual impact. The proposed residence is a maximum of 28 feet in height at the apex of a shallow dome roof. Generally, the proposed design of the structure is low profile with only the top of the dome reaching 28 feet. The garage is excavated into the hillside with a portion of the residence built over the garage. The structure is also oriented so the profile of the residence, as seen from Kanan Dume, road is relatively narrow (Exhibit 3). The low profile architectural design and orientation of the residence has minimized the visibility of the residence as seen from Kanan Dume road.

Additionally, the proposed residences and associated grading are consistent with the scale and character of the surrounding residential development. There is four-lot subdivision with existing residences to the north of lot 1 on the same minor ridgeline and at approximately the same elevation as the proposed residences. The Coastal Commission approved this subdivision in 1980's. To the south and one lot removed from the subject site grading operations have commenced on a four lot subdivision approved by the Coastal Commission in October 1990 (CDP 5-90-1136) and subsequently amended in June 2000 (CDP 5-90-1136-A1). This permit allowed for the construction of access driveways and four building pads with 16,985 cubic yards of grading. Three of the lots in this subdivision are located within approximately 120 feet of lot 2 at the southern end of the central ridge that traverses the subject parcels.

In order to minimize the visual impact of the proposed development from Kanan Dume Road the Commission finds that it is necessary to require the applicant to finish the proposed residence and retaining walls in a color consistent with the surrounding natural landscape; the windows of the proposed structure be of a non-reflective nature; and the driveway be colored in a manner that blends into the surrounding area as specified in Special Condition 6.

Landscaping with vertical elements on the eastern slopes of the property facing Kanan Dume Road will further minimize the visual impact of the proposed development and retaining walls. Therefore, the Commission finds it necessary to require a landscape plan that utilizes native, drought resistant plants to screen and soften the visual impact of the structures, as required by Special Condition 2.

In addition, future developments or improvements to the property have the potential to create significant adverse visual impacts as seen from the surrounding area. Therefore, it is necessary to ensure that future developments or improvements normally associated

with a single family residence, which might otherwise be exempt, be reviewed by the Commission for compliance with the visual resource protection policies of the Coastal Act. Special Condition 7, the future improvements deed restriction, will ensure the Commission will have the opportunity to review future projects for compliance with the Coastal Act.

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

C. Geology and Fire Hazards

Coastal Act Section 30253 provides that:

Section 30253.

***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. ...***

The proposed development is located in 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. 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.

1. Geology

Section 30253 of the Coastal Act requires that new development assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area. The applicant has submitted a Soils and Engineering Geologic Investigation, dated 4/7/97, prepared by California Geosystems and two responses to the City of Malibu Geology and Geotechnical Engineering Review Sheets date July 16, 1998 and August 31, 1998. The applicants'

consultant has determined that the proposed project site is grossly and surficially stable and therefore suitable for the proposed development. The applicant's geologist states:

It is the finding of this firm that the proposed building and or grading will be safe and that the site will not be affected by any hazard from landslide, settlement or slippage and the completed work will not adversely affect adjacent property in compliance with county code, provided our recommendations are followed.

Based on the recommendations of the consulting geologists, the Commission finds 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 Geosystems 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 as specified in Special Condition 1.

The Commission finds that minimizing site erosion will aid in maintaining the geologic stability of the project site, and that erosion will best be minimized by incorporating adequate erosion control measures during construction and appropriate landscaping into the proposed development. To ensure that adequate erosion control and appropriate landscaping is included in the proposed development the Commission requires the applicant to submit landscaping and interim erosion control plans certified by the consulting geology and geotechnical engineer, as specified in Special Condition 2. The Commission further finds that native and non-invasive landscaping of slopes and graded or disturbed areas on the project site will serve to maintain the geologic stability of the proposed development. Therefore, Special Condition 2 also requires the applicant to utilize and maintain native and noninvasive plant species compatible with the surrounding area for landscaping the project site.

Invasive and non-native plant species are generally characterized as having a shallow root structure in comparison with their high surface/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. Alternatively, native plant species 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, often used as landscaping in this area, invade 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 2.

The geotechnical consultants have also recommended that adequate drainage be provided to minimize erosion to the site which could contribute to instability. The report states that:

All pad and roof drainage should be collected and transferred to an approved location in non-erosive drainage devices. Drainage should not be allowed to pond on the pad or against any foundation or retaining wall.

In order to ensure site stability and minimize erosion the Commission finds that it is necessary to require the applicant to submit a drainage and erosion control plan designed to collect runoff from the site and conduct it offsite in a non-erosive manner (Special Condition 5).

Additionally, the Commission notes that the quantity of cut grading required for construction of the proposed residence is more than the quantity of fill required for construction resulting in an excess of 6,700 cu. yds. of graded earth material. Stockpiles of dirt are subject to increased erosion and, if retained onsite, may lead to additional landform alteration. Therefore, Special Condition 9 requires the applicant to export all excess grading material from the project site to an appropriate site for disposal and provide evidence to the Executive Director of the location of the disposal site prior to issuance of a coastal development permit.

To comply with Los Angeles County Fire Department requirements vegetation within 200 feet of the proposed residences will have to be modified to minimize fire hazard. The fuel modification zones for the proposed residences will extend onto two adjacent properties. The parcel north and adjacent to lot 1 is developed with a single family residence. The fuel modification zone for the proposed residence on lot 1 will overlap with the fuel modification zone for the existing residence on the adjacent parcel and therefore, will not result in any additional vegetation clearance as a result of fuel modification. The parcel adjacent and south of lot 2 is vacant. The fuel modification zone for the proposed residence on lot 2 will require the removal of vegetation on this parcel. The existing vegetation on this parcel consists of primarily exotic grass species. In order to ensure that vegetation removal for the purpose of fuel modification does not occur prior to the construction of the residences the Commission finds that Special Condition 3 is necessary. This will avoid unnecessary fuel modification without an underlying permitted development. Such fuel modification would be inconsistent with PRC Section 30253 provisions to ensure site stability and avoid potentially adverse impacts of erosion and sedimentation.

Therefore, for all of the reasons cited above, the Commission finds that the proposed project as conditioned by Special Conditions 1, 2, 3 and 5 will be consistent with the requirements of Coastal Act Section 30253 applicable to geology and site stability.

## 2. 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 4, the wild fire 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 4, 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 4 is the proposed project consistent with Section 30253 of the Coastal Act applicable to hazards from wildfire.

**D. Water Quality**

The Commission recognizes that new development in the Santa Monica Mountains has the potential to adversely impact coastal water quality through the removal of native vegetation, increase of impervious surfaces, runoff, erosion, and sedimentation, and introduction of pollutants such as petroleum, cleaning products, pesticides, and other pollutant sources, as well as effluent from septic systems. Section 30231 of the Coastal Act 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, minimizing alteration of natural streams.***

As stated previously, the applicant proposes to construct two 28 foot high two story 7,737 (lot 1) & 7,409 (lot 2) sq. ft. residences each with a 875 sq. ft. garage, septic system, pool and spa, retaining walls, common driveway and 7,100 cubic yards of total grading for both lots (6,900 cu. yds. cut, 200 cu. yds. fill). The site is considered "hillside" development, as it involves moderately sloping terrain with soils that are susceptible to erosion.

The proposed development will result in an increase in impervious surface, which in turn decreases the infiltrative function and capacity of existing permeable land on site. The reduction in permeable space therefore leads to an increase in the volume and velocity of stormwater runoff that can be expected to leave the site. Further, pollutants commonly found in runoff associated with residential use include petroleum hydrocarbons including oil and grease from vehicles; heavy metals; synthetic organic chemicals including paint and household cleaners; soap and dirt from washing vehicles; dirt and vegetation from yard maintenance; litter; fertilizers, herbicides, and pesticides; and bacteria and pathogens from animal waste. The discharge of these pollutants to coastal waters can cause cumulative impacts such as: eutrophication and anoxic conditions resulting in fish kills and diseases and the alteration of aquatic habitat, including adverse changes to species composition and size; excess nutrients causing algae blooms and sedimentation increasing turbidity which both reduce the penetration of sunlight needed by aquatic vegetation which provide food and cover for aquatic species; disruptions to the reproductive cycle of aquatic species; and acute and sublethal toxicity in marine organisms leading to adverse changes in reproduction and feeding behavior. These impacts reduce the biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes and reduce optimum populations of marine organisms and have adverse impacts on human health.

Therefore, in order to find the proposed development consistent with the water and marine resource policies of the Coastal Act, the Commission finds it necessary to require the incorporation of Best Management Practices designed to control the volume, velocity and pollutant load of stormwater leaving the developed site. Critical to the successful function of post-construction structural BMPs in removing pollutants in stormwater to the Maximum Extent Practicable (MEP), is the application of appropriate design standards for sizing BMPs. The majority of runoff is generated from small storms because most storms are small. Additionally, storm water runoff typically conveys a disproportionate amount of pollutants in the initial period that runoff is generated during a storm event. Designing BMPs for the small, more frequent storms, rather than for the large infrequent storms, results in improved BMP performance at lower cost.



The Commission finds that sizing post-construction structural BMPs to accommodate (infiltrate, filter or treat) the runoff from the 85<sup>th</sup> percentile storm runoff event, in this case, is equivalent to sizing BMPs based on the point of diminishing returns (i.e. the BMP capacity beyond which, insignificant increases in pollutants removal (and hence water quality protection) will occur, relative to the additional costs. Therefore, the Commission requires the selected post-construction structural BMPs be sized based on design criteria specified in Special Condition 5, and finds this will ensure the proposed development will be designed to minimize adverse impacts to coastal resources, in a manner consistent with the water and marine policies of the Coastal Act.

Furthermore, interim erosion control measure implemented during construction and post construction landscaping will serve to minimize the potential for adverse impacts to water quality resulting from drainage runoff during construction and in the post-development stage. Therefore, the Commission finds that Special Condition 2 is necessary to ensure the proposed development will not adversely impact water quality or coastal resources.

Finally, the proposed development includes installation of two on-site septic systems with 1500-gallon tanks to serve the residences. The two 1500 gallon septic tanks are located in the fire turnaround areas of the proposed driveways from which effluent from the septic system will be disposed of through septic pits. The applicants' engineering geologic consultants have evaluated the site relative to a potential septic system and conclude that the site is suitable for the septic system and that there will be no adverse impact to the site or surrounding area from use of the proposed septic system. Finally, the City of Malibu Environmental Health Department has approved the design of the proposed sewage disposal systems, determining that the systems meet the requirements of the plumbing code. The Commission has found that conformance with the provisions of the plumbing code is protective of resources. Therefore, the Commission finds that the proposed project, as conditioned to incorporate and maintain a drainage and polluted runoff control plan, is consistent with Section 30231 of the Coastal Act.

#### E. Archaeological Resources

PRC Section 30244 of the Coastal Act states that:

***Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.***

Archaeological resources are significant to an understanding of cultural, environmental, biological, and geological history. The proposed development is located in a region of the Santa Monica Mountains which contains one of the most significant concentrations of archaeological sites in southern California. The coastal act requires the protection of

such resources to reduce the potential adverse impacts through the use of reasonable mitigation measures.

Degradation of archaeological resources can occur if a project is not properly monitored and managed during earth moving activities and construction. Site preparation can disturb and/or obliterate archaeological materials to such an extent that the information that could have been derived would be permanently lost. In the past, numerous archaeological sites have been destroyed or damaged as a result of development. As a result, the remaining sites, even though often less rich in materials, have become increasingly valuable as a resource. Further, because archaeological sites, if studied collectively, may provide information on subsistence and settlement patterns, the loss of individual sites can reduce the scientific value of the sites, which remain intact.

The applicant proposes a two single family residences and related improvements including a private driveway and grading for building pads. The applicant has submitted an Archaeological Reconnaissance Report, dated December 27, 1998, prepared by Chester King, City of Malibu Archaeologist. Mr. King found three artifacts that indicate the presence of a small prehistoric site. He postulated that the artifacts were from people eating and sleeping in the area. He also theorized that given the low density of artifacts present at the site the occupation was of short duration. Mr. King found that given the low density of artifacts found at the building sites that an additional phase 2 testing was not necessary. However, he did recommend that the area in the vicinity of the discovered artifacts be subject to a program of controlled grading under the supervision of a qualified archaeologist.

Therefore, to ensure that impacts to archaeological resources are minimized, special condition six (6) requires that the applicant have a qualified archaeologist(s) and appropriate Native American consultant(s) present on-site during all grading, excavation and site preparation in order to monitor all earth moving operations. In addition, if any significant archaeological resources are discovered during construction, work shall be stopped and an appropriate data recovery strategy shall be developed by the consulting archaeologist and the Native American consultant consistent with California Environmental Quality Act (CEQA) guidelines. In addition, further mitigation measures will be initiated if found necessary. The Commission further finds that it is necessary to require that the applicant to conform to all recommendations of the consulting archaeologist, as well as, any additional recommendations developed by the archaeologist(s) during project monitoring. If a substantial modification or redesign of the proposed project plans is necessary as a result modifications required by the consulting archaeologist, an amendment to this permit is required.

Thus, the Commission finds that, based on the findings of the archaeological report, the proposed development, as conditioned above, is consistent with Section 30244 of the Coastal Act.

#### **F. New Development/ Cumulative Impacts**

Section 30250 (a) of the Coastal Act provides that new development be located within or near existing developed areas able to accommodate it, with adequate public services, where it will not have significant adverse effects, either individually or cumulatively, on coastal resources:

New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

Section 30105.5 of the Coastal Act defines the term "cumulatively", as it is applied in Section 30250(a) to mean that:

... the incremental effects of an individual project shall be reviewed in conjunction with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

The Coastal Act requires that new development, including land divisions, be permitted within, contiguous, or in close proximity to existing developed areas, or if outside such areas, only where public services are adequate and only where public access and coastal resources will not be cumulatively affected by such development. In past permit actions, the Commission has found that for Malibu and the Santa Monica Mountains, the coastal terrace area represents the existing developed area. The Commission has repeatedly emphasized, in past permit decisions, the need to address the cumulative impacts of new development in the Malibu/Santa Monica Mountains coastal zone. The Commission has reviewed land division applications to ensure that newly created or reconfigured parcels (lot line adjustments) are of sufficient size, have access to roads and other utilities, are geologically stable and contain an appropriate potential building pad area where future structures can be developed consistent with the resource protection policies of the Coastal Act. In particular, the Commission has ensured that future development on new or reconfigured lots can minimize landform alteration and other visual impacts, and impacts to environmentally sensitive habitat areas. Finally, the Commission has ensured that all new or reconfigured lots will have adequate public services, including road access that meets the requirements of the Fire Department.

The applicant is proposing a minor lot line adjustment that will realign the property boundary between lots 1 and 2. Lot 1 will increase in size from 1.77 acres to 2.51 acres and Lot 2 will be reduced in size from 2.51 acres to 2.17 acres. The certified 1986 Malibu Land Use Plan density designation for this site is a combination of Residential II (2 dwelling units/acre, & Rural Land III (1 dwelling unit/2 acres). Although the Certified Malibu Land Use Plan is not longer legally effective within the City of

Malibu the Commission uses the plan as guidance in their review of development projects to determine consistency with the Coastal Act. The proposed lot line adjustment will not create non-conforming parcel sizes or create lot configurations that would increase density over and above the existing lot configuration. The proposed lot adjustment creates lots of approximately equal size and will result in a lot configuration that can be developed consistent with Chapter Three policies of the Coastal Act. In addition, the reconfigured lots will continue to have adequate public services including water, electricity and road access consistent with County Fire Department requirements. Therefore, the Commission finds that, as conditioned above, the proposed project is consistent with Section 30250(a) of the Coastal Act.

#### G. 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 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, and minimizing alteration of natural streams.***

Section 30240 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.***

The proposed residences, as previously noted, are located within approximately 250 feet of an unnamed blue line stream that drains south through the Point Dume area emptying into the ocean in the vicinity of Little Dume point. The stream course is not a designated ESHA and has been significantly degraded. The riparian corridor contains primarily exotic invasive species with some remnant riparian species. However, the area adjacent to the stream course is undeveloped and although degraded the stream does provide habitat and a corridor for wildlife. The blue line stream empties out at Little Dume point into offshore kelp beds that are a designated ESHA.

In past permit actions regarding new development adjacent to riparian habitat, the Commission has required that new development be set back a adequate distance to ensure that vegetation removal required by the Fire Department does not encroach into the riparian corridor. This distance can vary depending on the vegetation type and topography but generally the setback distance is between 150 to 200 feet. In this case the proposed residences are located approximately 250 feet from the stream corridor and vegetation removal for fuel modification purposes will not extend into the riparian corridor. The applicant has submitted a preliminary Fuel Modification Plan approved by the Los Angeles County Fire Department Fuel Modification Unit which indicates that no cutting or clearing of vegetation will be required for fuel modification purposes in the riparian corridor. Therefore, the Commission finds that the proposed project is adequately setback from the stream to ensure the project will not adversely impact the remnant riparian habitat.

The Commission further finds that the use of non-native and/or invasive plant species for residential landscaping results in both direct and indirect adverse effects to native plants species indigenous to the Malibu/Santa Monica Mountains area. Adverse effects from such landscaping result from the direct occupation or displacement of native plant communities by new development and associated non-native landscaping. Indirect adverse effects include offsite migration and colonization of native plant habitat by non-native/invasive plant species (which tend to outcompete native species) adjacent to new development. The Commission notes that the use of exotic plant species for residential landscaping has already resulted in significant adverse effects to native plant communities in the Malibu/Santa Monica Mountains area. Therefore, in order to minimize adverse effects to the indigenous plant communities of the Malibu/Santa Monica Mountains area, Special Condition 2 requires that all landscaping consist primarily of native plant species and that invasive plant species shall not be used.

The Commission notes that seasonal streams and drainages, such as the natural drainage located on the subject site, in conjunction with primary waterways, provide important habitat for riparian plant and animal species. Section 30231 of the Coastal Act provides that the quality of coastal waters and streams shall be maintained and restored whenever feasible through means such as: controlling runoff, preventing interference with surface water flows and alteration of natural streams, and by maintaining natural vegetation buffer areas. In past permit actions the Commission has found that new development adjacent to coastal streams and natural drainages results in potential adverse impacts to riparian habitat and marine resources from increased erosion, contaminated storm runoff, introduction of non-native and invasive plant species, disturbance of wildlife, and loss of riparian plant and animal habitat.

The Commission finds that minimizing erosion and polluted runoff from the site will ensure the project will not result in any significant adverse individual or cumulative impacts on the natural drainage course, as well as sensitive resources located downstream of the project. Polluted run off and erosion can best be minimized by requiring the applicant to implement a drainage and polluted runoff control plan as required by Special Condition 5. In addition, erosion during construction can be minimized by incorporating interim erosion control methods during construction, and by landscaping disturbed areas of the site with native plants compatible with the surrounding environment as required by Special Condition 2.

Finally, as mentioned above, the blueline stream located just west of the west property boundary provides a corridor for the movement of wildlife. To ensure the free movement of wildlife within and adjacent to the stream corridor the Commission finds that it is necessary to require that any fencing within 80 feet of the rear property boundary be permeable to wildlife as specified in Special Condition 2.

For the reasons set forth above, the Commission finds that the proposed project, as conditioned, is consistent with Sections 30230, 30231, and 30240 of the Coastal Act.

#### H. 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).

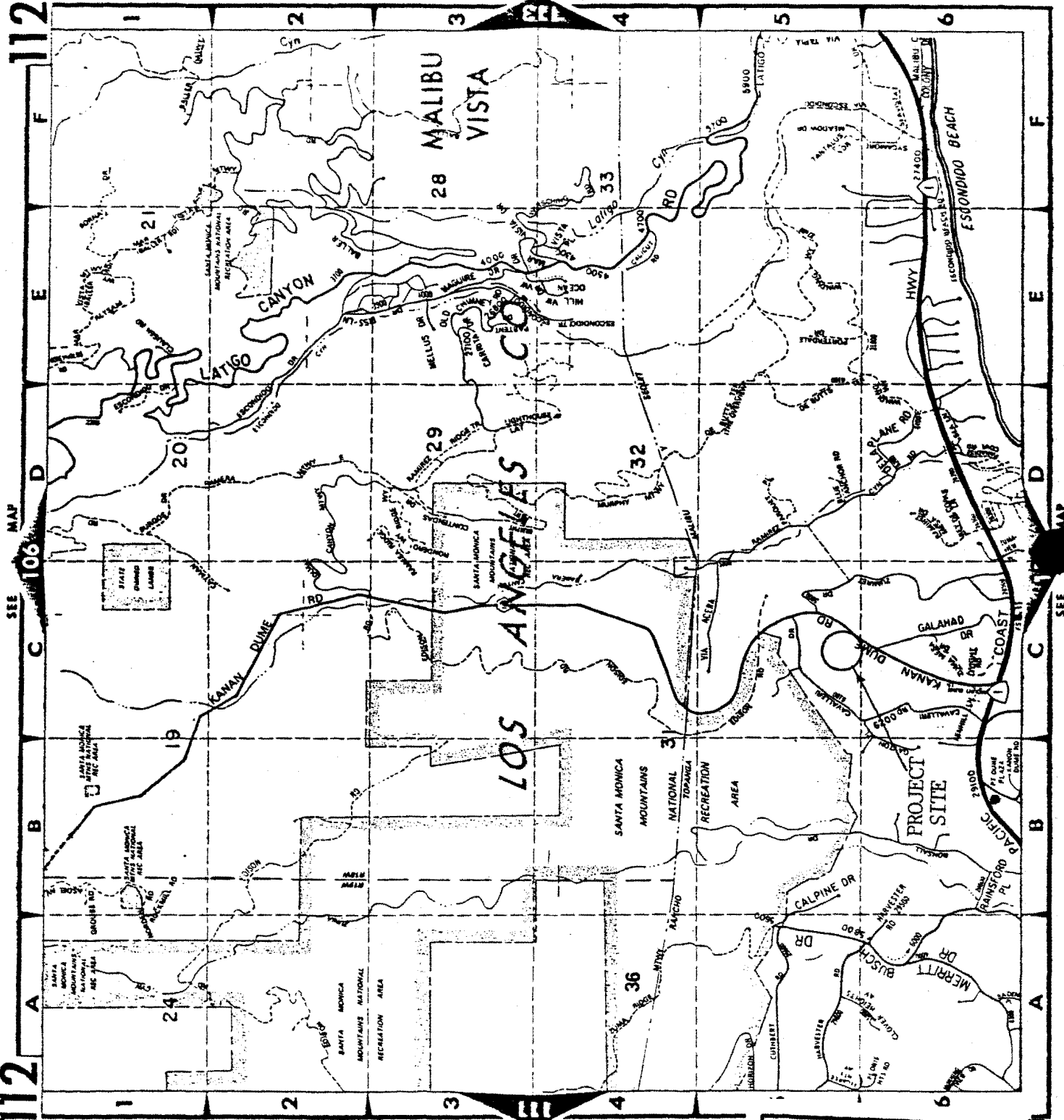
Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal development permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act. The preceding 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 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).

#### I. 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, to be consistent with any applicable requirements of the

California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity would 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 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.



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LOS ANGELES CO.

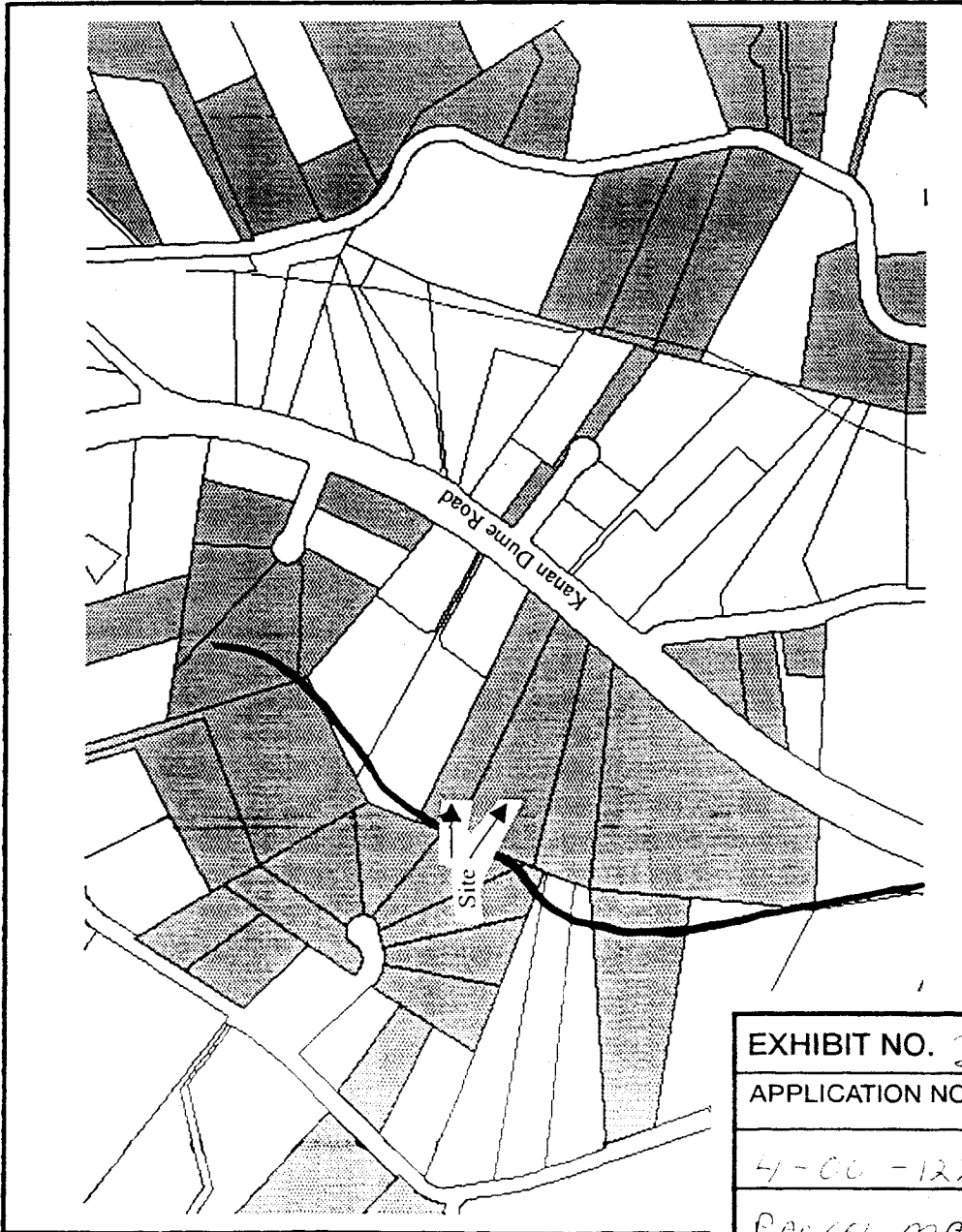
SEE MAP 111

EXHIBIT NO. 1
APPLICATION NO.
4-00-122
LOCATION MAP



ESRI ArcExplorer 1.1

4-00-122 (Bell)



Blue Line Streams  
vacant parcels

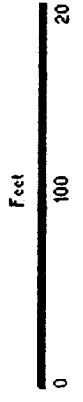
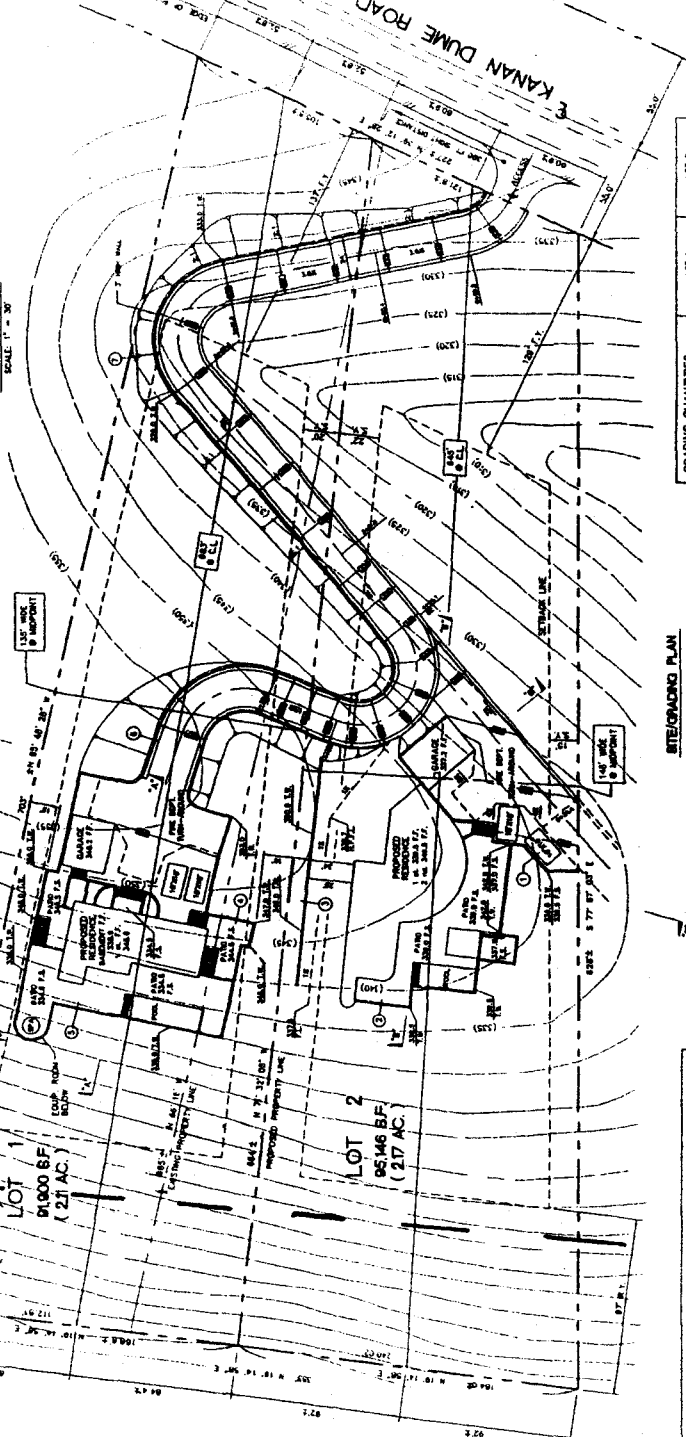
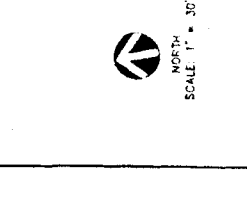
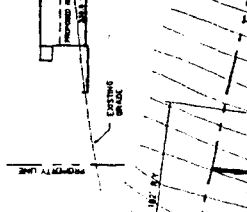
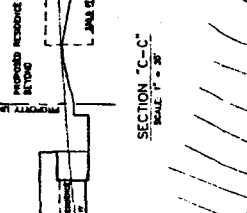
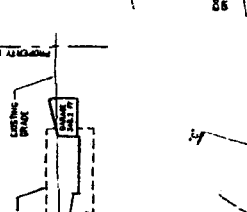
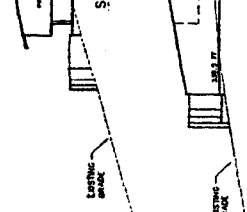
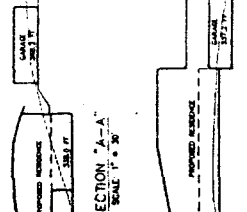


EXHIBIT NO. 2
APPLICATION NO.
4-00-122
PARCEL MAP

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**GRADING QUANTITIES**

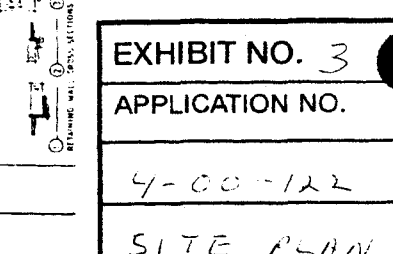
	LOT 1	LOT 2
10 FOOT WIDE ACCESS ROAD	400 C.Y.	400 C.Y.
PUBLIC SAFETY IMPROVEMENTS	2300 C.Y.	2300 C.Y.
PAVING PADS	400 C.Y.	400 C.Y.
TOTALS	3100 C.Y.	3100 C.Y.

**ADDITIONAL GEOMETRIC CALCULATIONS**

LOT #	NET LOT AREA	BLIND #
LOT 1	5943 S. KANAN DUNE ROAD	4,800
LOT 2	5943 S. KANAN DUNE ROAD	4,800
TOTAL (MINIMUM)	70,120 ± 83 ± 21,800	9,600

**RESURFACE & GARAGE IMPROVEMENTS**

LOT #	RESURFACE & GARAGE IMPROVEMENTS	TOTAL
LOT 1	17,280 ± ± 28,000 ±	17,280 ± ± 28,000 ±
LOT 2	17,280 ± ± 28,000 ±	17,280 ± ± 28,000 ±
TOTAL	34,560 ± ± 56,000 ±	34,560 ± ± 56,000 ±



**SITE/GRADING PLAN**

LOT 1, 5943 S. KANAN DUNE ROAD

LOT 2, 5943 S. KANAN DUNE ROAD

THE LAND & WATER COMPANY  
(714) 965-1822

BEDROCK ENGINEERING  
(714) 375-0877

BELL FINANCIAL GROUP

ADOLPHE W. LUND & SONS COMPANY  
1000 W. 10TH ST., SUITE 100  
MILWAUKEE, WI 53233  
(414) 881-1822

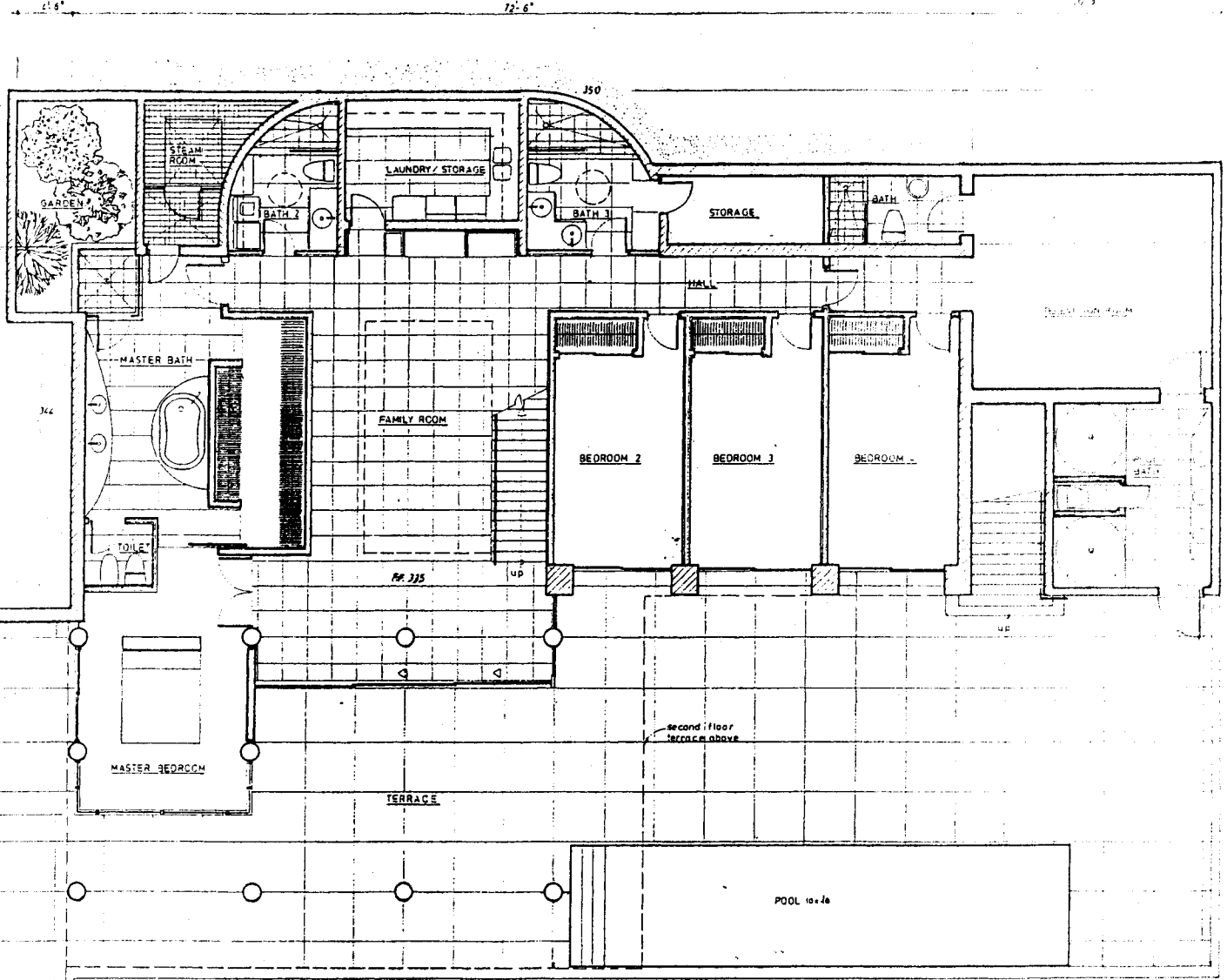
96-244-ID

EXHIBIT NO. 3

APPLICATION NO.

4-00-122

SITE PLAN



4-00-182  
 FIRST FLOOR PLAN  
 PG 1 A

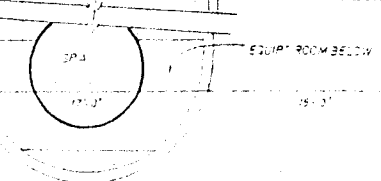
EXHIBIT NO. 41  
 APPLICATION NO.

OWNER  
 BELL FINANCIAL GROUP

THE LAND & WATER COMPANY  
 (714) 965-1622

FIRST FLOOR PLAN  
 5941 S. KANAN DUME ROAD  
 MALIBU, CALIFORNIA 90265

AGENT  
 LYNN HEACOX  
 THE LAND & WATER COMPANY  
 1802 BEACH BLVD., SUITE 309  
 HUNTINGTON BEACH, CA 92648  
 (714) 965-1622



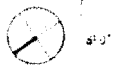
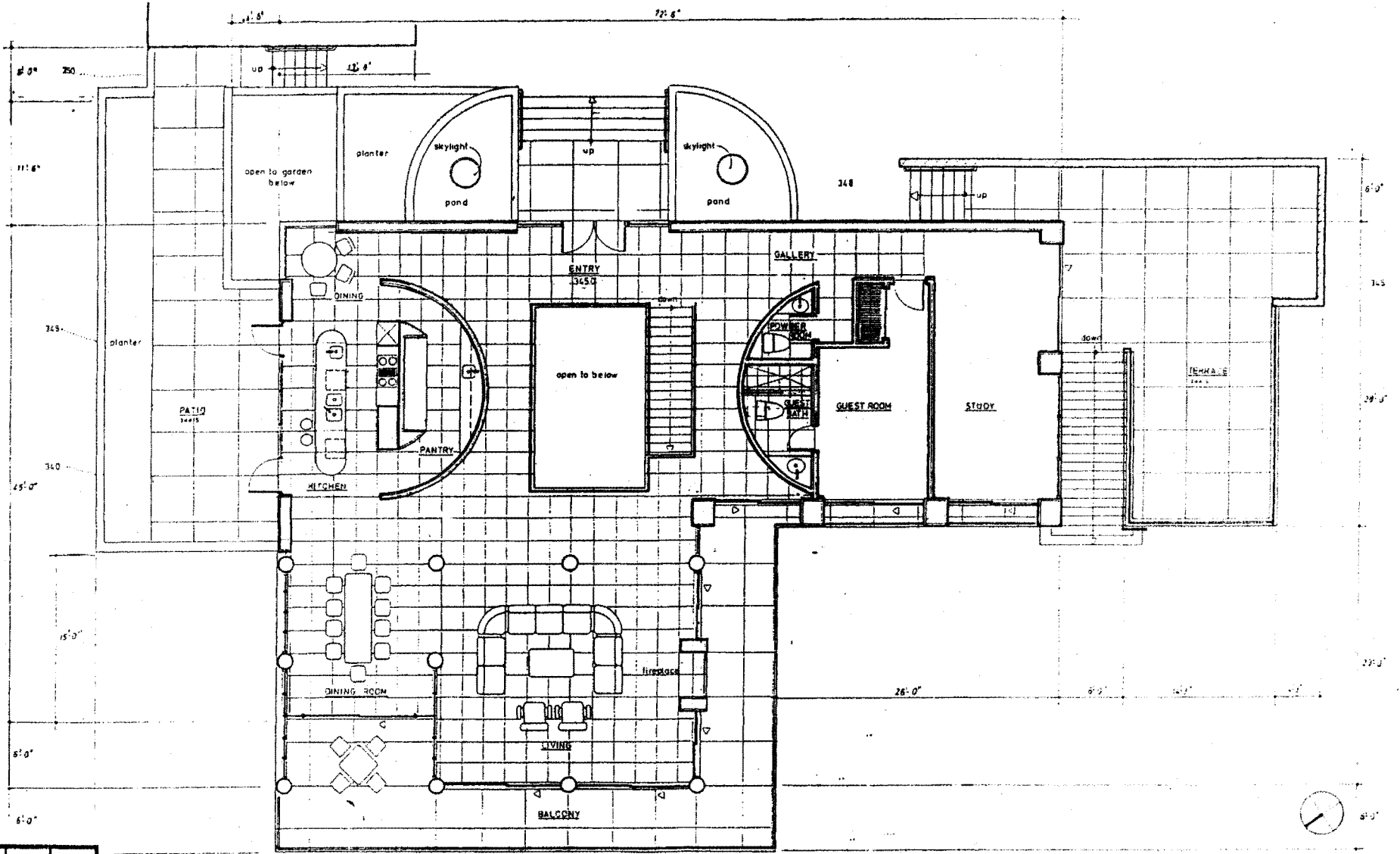


EXHIBIT NO. 5  
 APPLICATION NO. 44-00-122  
 SECOND FLOOR PLAN  
 F.C.T.L.

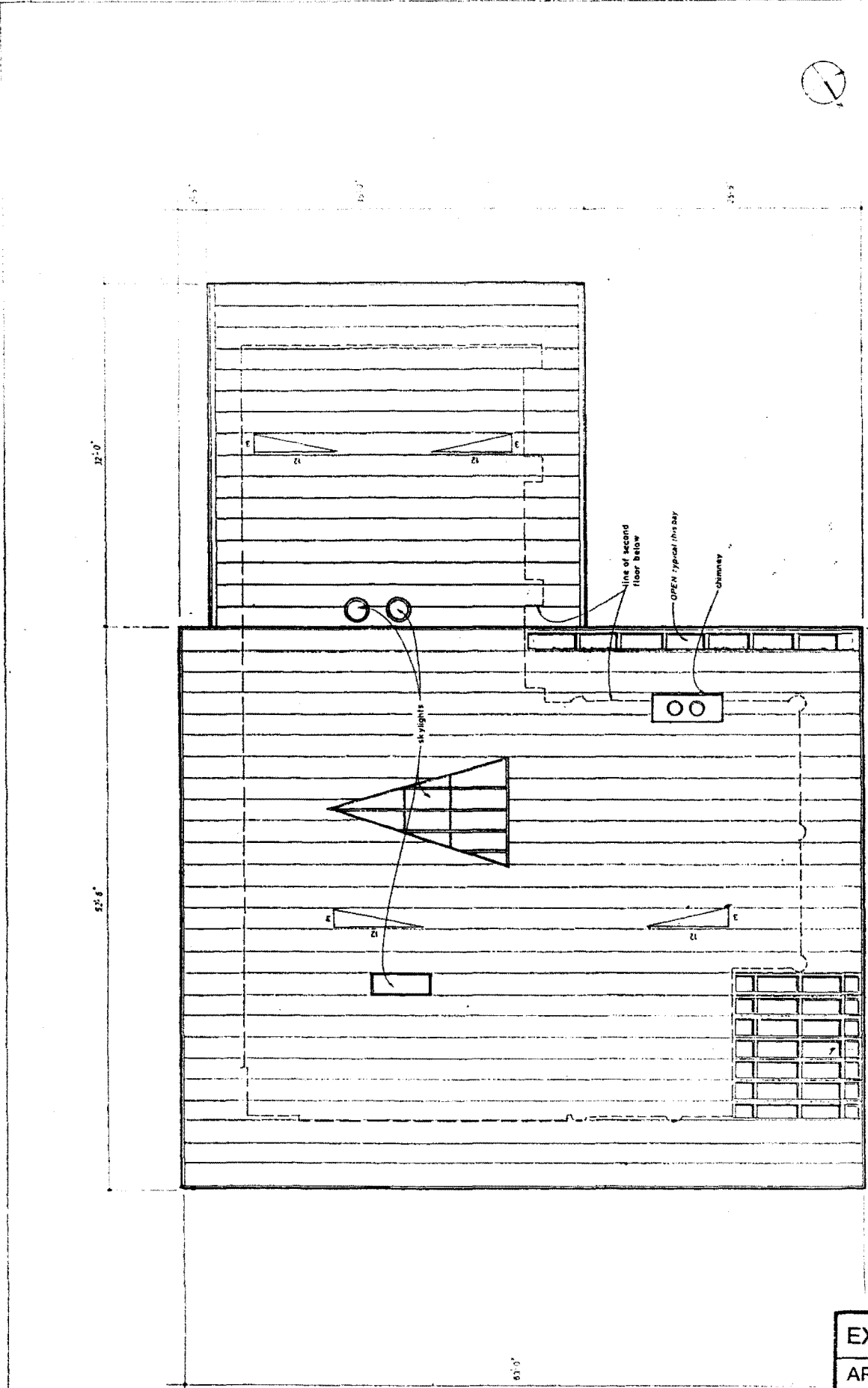
OWNER  
 BELL FINANCIAL GROUP

AGENT  
 LYNN HEACOX  
 THE LAND & WATER COMPANY  
 10822 BEACH BLVD. Suite 209  
 HUNTINGTON BEACH, CA 92648  
 (714) 365-1622

THE LAND & WATER COMPANY  
 (714) 365-1622

SECOND FLOOR PLAN  
 5941 S KANAN DUME ROAD  
 MALIBU, CALIFORNIA 90265

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



ROOF PLAN  
 5941 S. KANAN DUKE ROAD  
 MALIBU, CALIFORNIA 90265

THE LAND & WATER COMPANY  
 1761 985-1872

OWNER:  
 BELL FINANCIAL GROUP

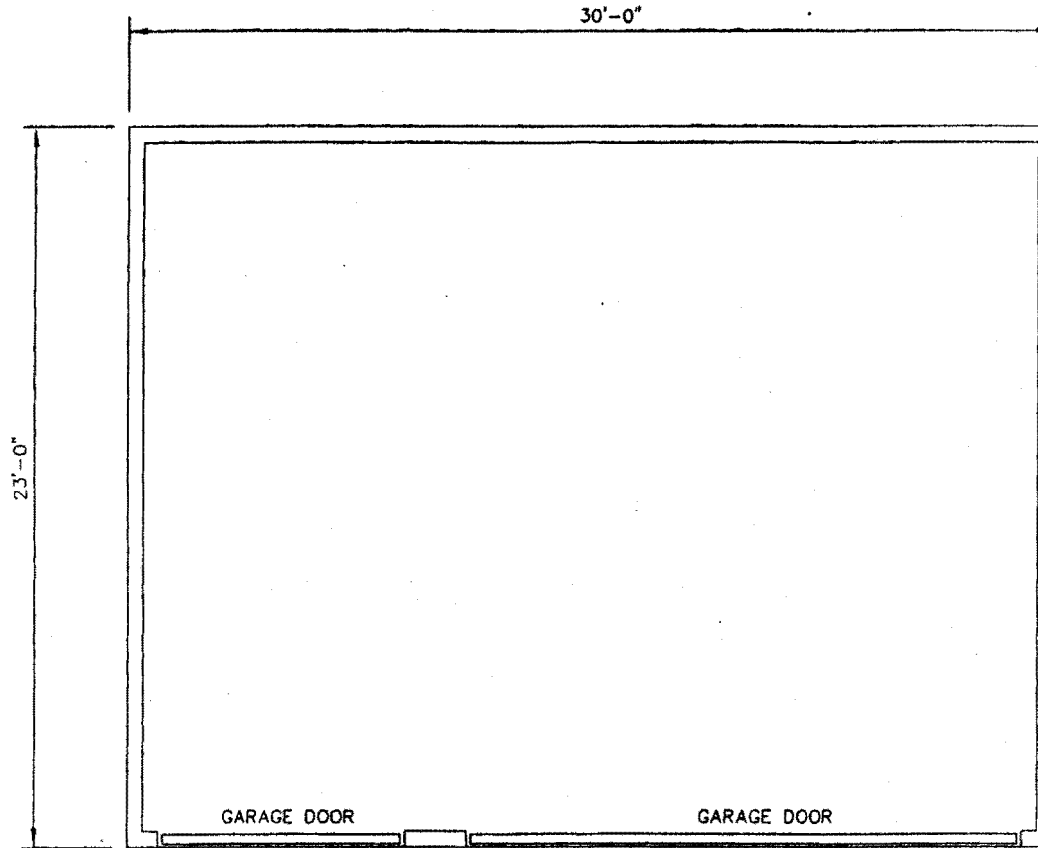
AGENT:  
 LYNN HEACOX  
 THE LAND & WATER COMPANY  
 1761 985-1872  
 HUNTINGTON BEACH, CA 92648

OPEN OVER EXTERIOR  
 DINING TERRACE

EXHIBIT NO. 6  
 APPLICATION NO.  
 4-00-122  
 ROOF PLAN  
 -07 1



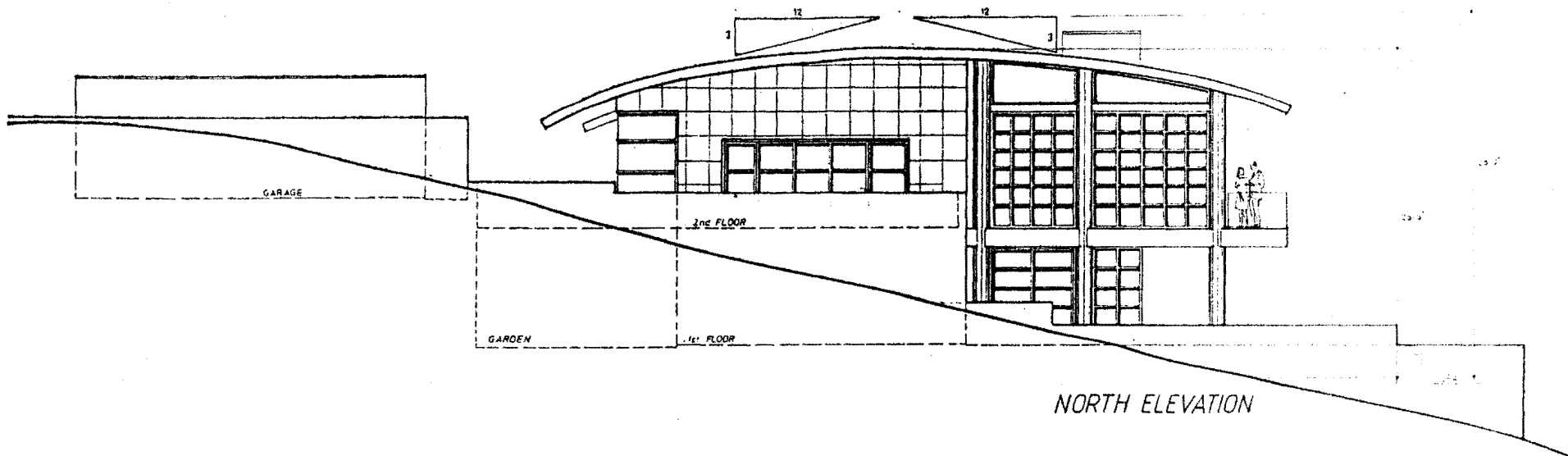
NORTH



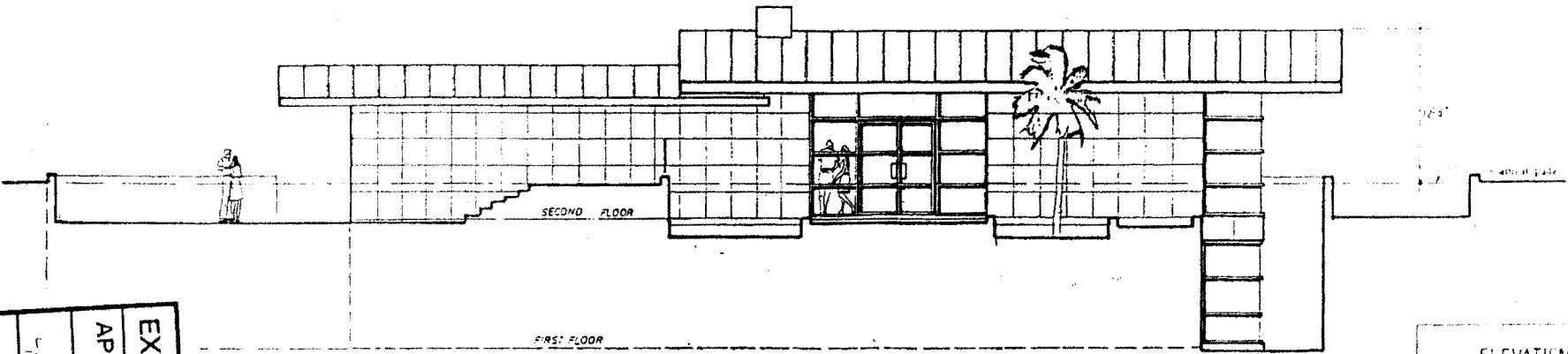
GARAGE PLAN  
 SCALE: 1/4" = 1'-0"

THE LAND & WATER COMPANY (714) 965-1622		GARAGE PLAN LOT 1, 5941 S. KANAN DUME ROAD A.P.N. 4467-17-007	
BEDROCK ENGINEERING (714) 375-0877			
DESIGNED: M.T.W.	SCALE: 1/4" = 1'	MALIBU CALIFORNIA	
DRAWN: M.T.W.	DATE: 11/2/00		
CHECKED: M.T.W.	JOB NO. 96-244		
PREPARED UNDER THE DIRECTION OF:		OWN. NO.	96-244-7
DANK Y. WILSON P.E. 27888 CIVIL			

EXHIBIT NO. 7
APPLICATION NO.
4-00-122
GARAGE PLAN LOT 1



NORTH ELEVATION



EAST ELEVATION

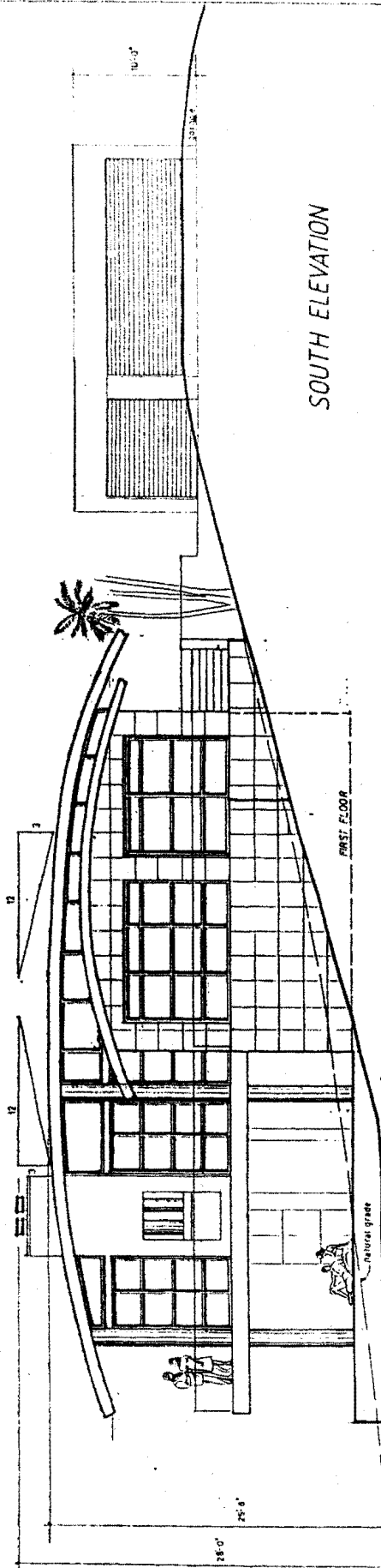
OWNER  
BELL FINANCIAL  
GROUP

AGENT:  
LYNN HEACCK  
THE LAND & WATER COMPANY  
18877 BEACH BLVD suite 209  
HUNTINGTON BEACH CA 92648  
(714) 965-1622

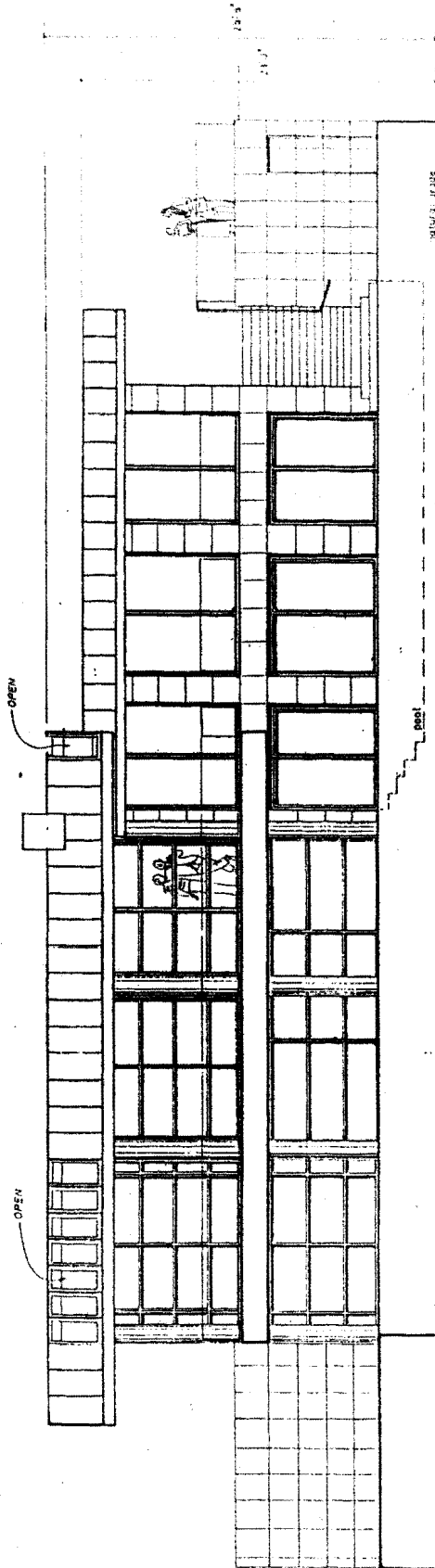
THE LAND & WATER COMPANY  
(714) 965-1622

ELEVATIONS  
5941 S. KANAN DUME ROAD  
MALIBU, CALIFORNIA 90265

ELEVATIONS WITH  
 APPLICATION NO. 4-00-122  
 EXHIBIT NO. 8



SOUTH ELEVATION



WEST ELEVATION

OWNER:  
BELL FINANCIAL GROUP

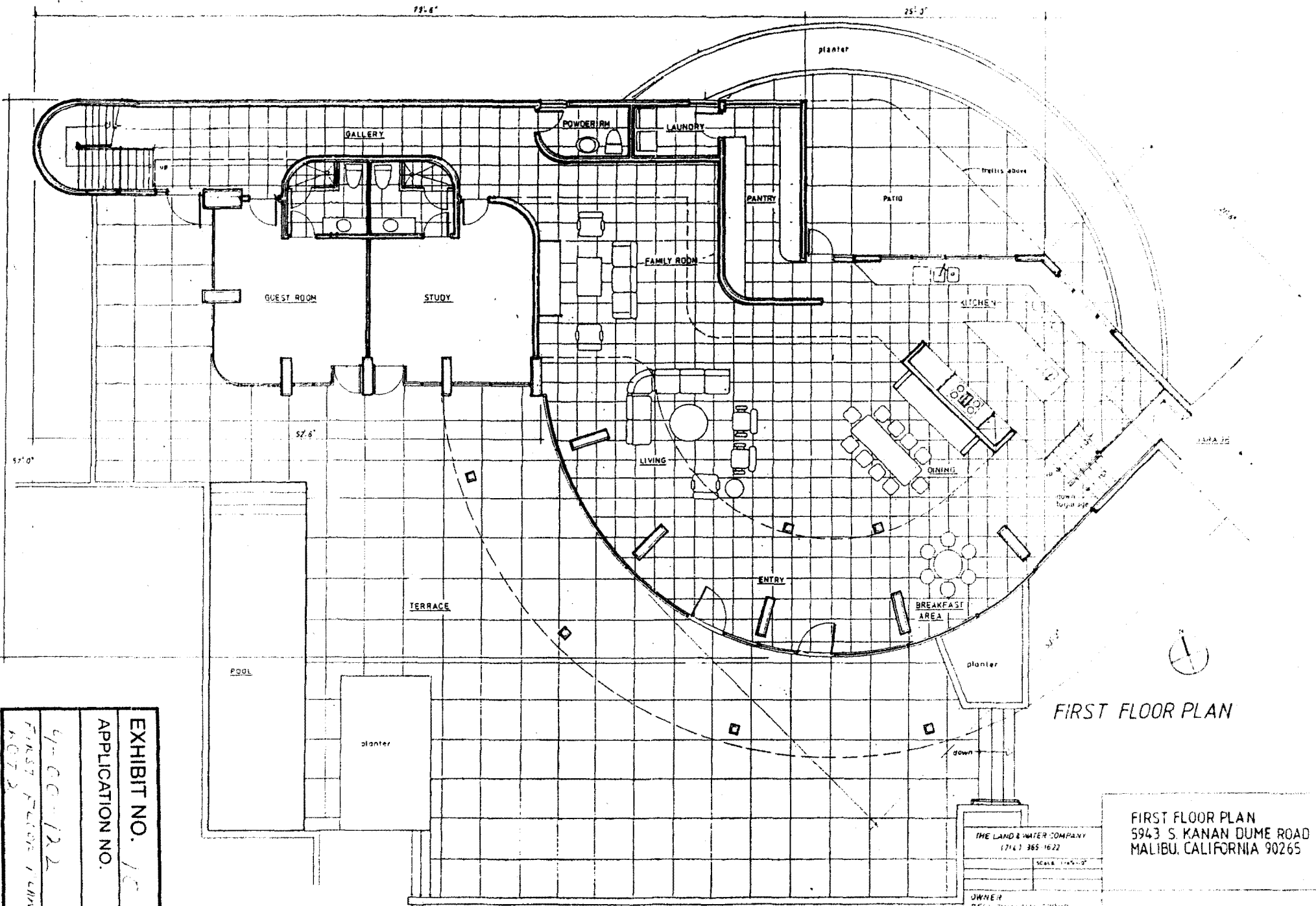
THE LAND & WATER COMPANY  
(714) 965-1822

AGENT:  
THOMAS L. COX  
THE LAND & WATER COMPANY  
18827 BEACH BLVD. SUITE 200  
MANTUA OCEAN BEACH CA 92064  
(714) 965-4611

ELEVATIONS  
5941 S. KANAM OJUME ROAD  
MALIBU, CALIFORNIA 90265

EXHIBIT NO.	9
APPLICATION NO.	
	4-00-122
	ELEVATIONS 4071





FIRST FLOOR PLAN

FIRST FLOOR PLAN  
 5943 S. KANAN DUME ROAD  
 MALIBU, CALIFORNIA 90265

THE LAND & WATER COMPANY  
 (714) 385-1622

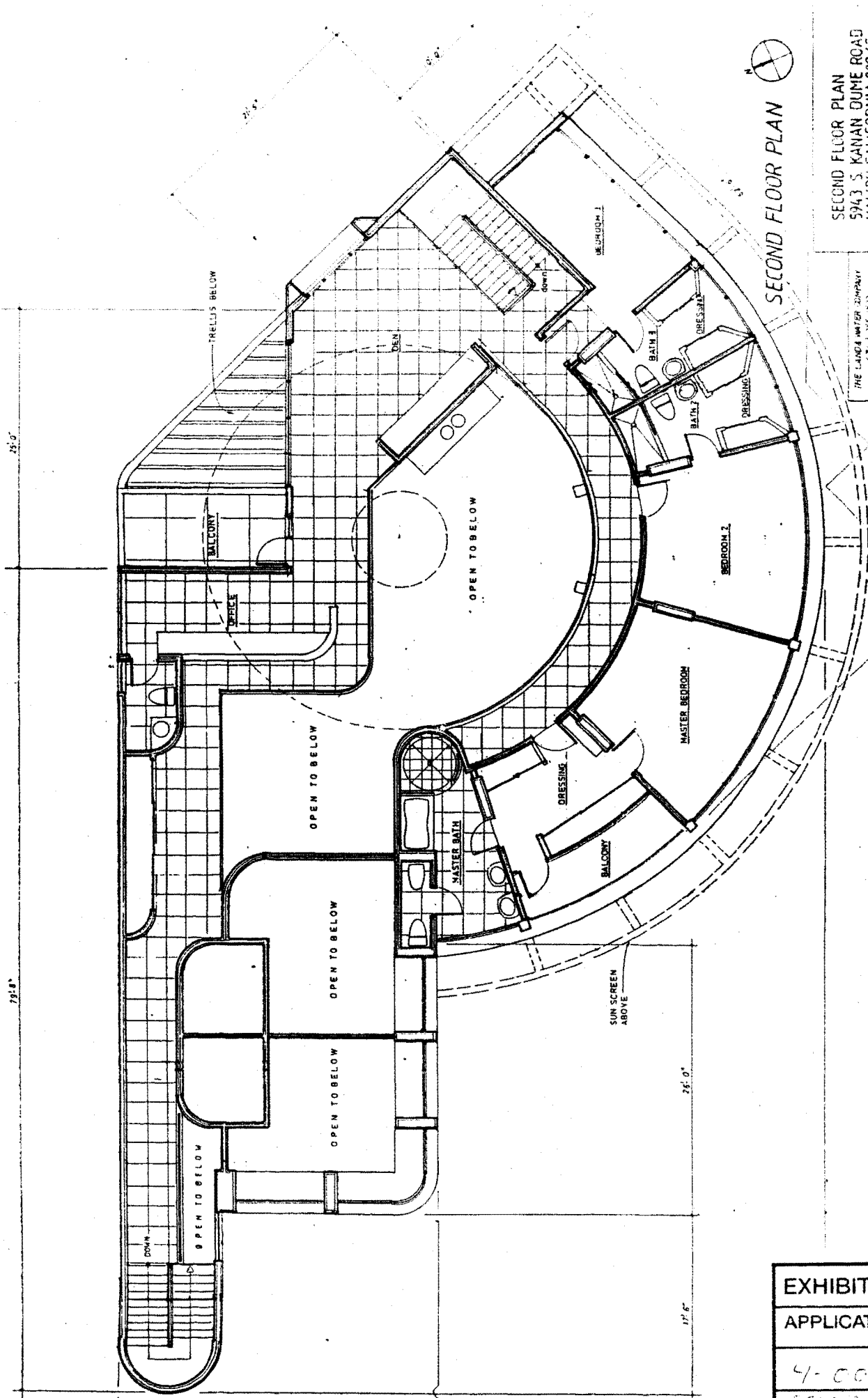
SCALE 1/8"=1'-0"

OWNER  
 BELL FINANCIAL GROUP

EXHIBIT NO. 10  
 APPLICATION NO.  
 4-00-122  
 FIRST FLOOR PLAN  
 NOTED

25'-0"

19'-8"



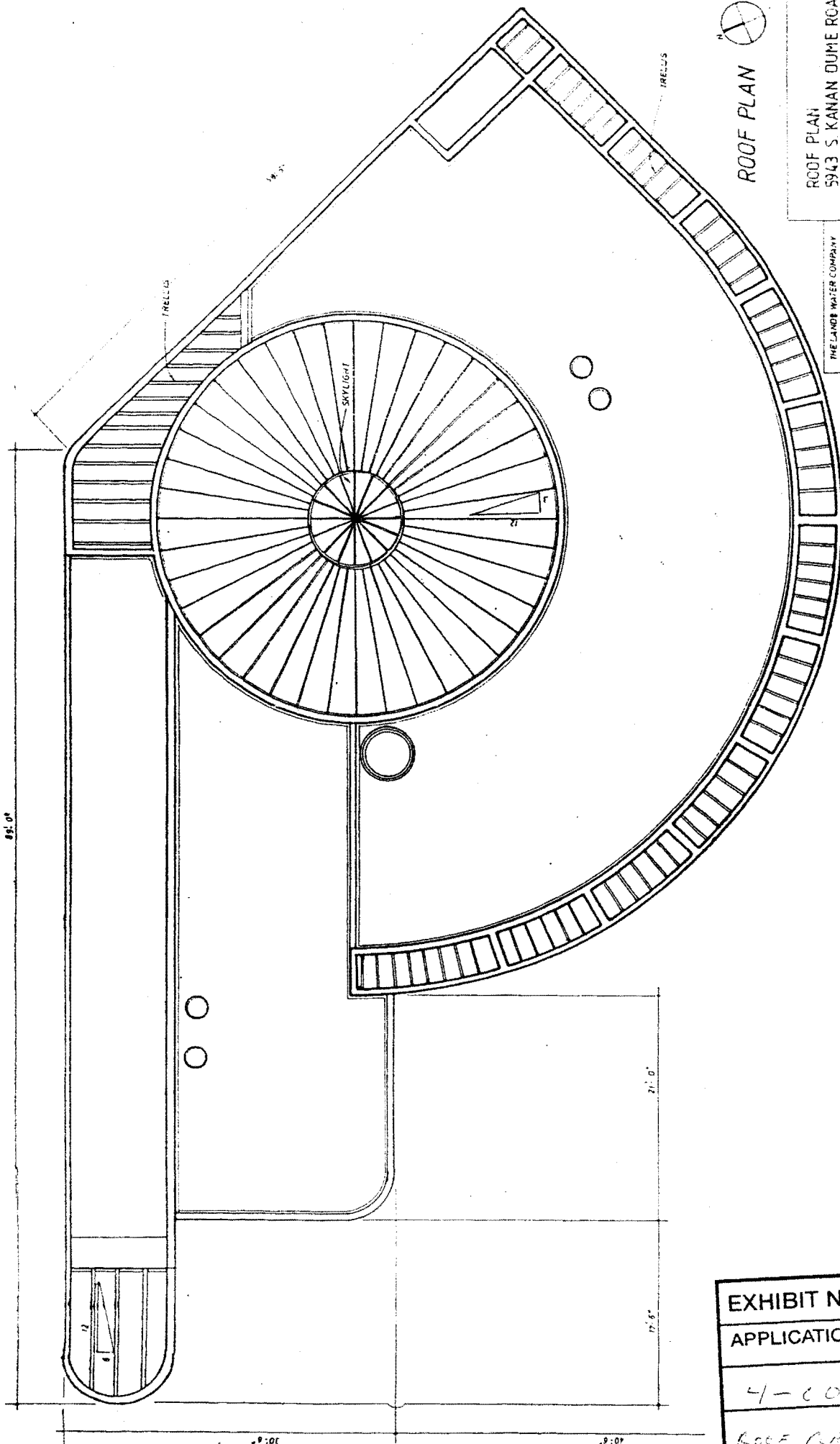
SECOND FLOOR PLAN

SECOND FLOOR PLAN  
 5943 S. KANAN DUNE ROAD  
 MALIBU, CALIFORNIA 90265

THE LAND/WATER COMPANY  
 (781) 865-1922

DATE	NOV 19 1997
OWNER	BE... FINANCIAL S.A.P.

EXHIBIT NO.	1
APPLICATION NO.	
4-00-122	
SECOND FLOOR PLAN	
LOT 2	



ROOF PLAN



ROOF PLAN  
 5943 S. KAMAN DUME ROAD  
 MALIBU, CALIFORNIA 90265

THE LANDS WATER COMPANY	DATE: 10/11/57
(714) 385-1827	
OWNER:	

EXHIBIT NO. 12  
 APPLICATION NO.  
 4-60-122  
 ROOF PLAN COPY



NORTH

33'-6"

25'-0"

GARAGE DOOR

GARAGE DOOR

GARAGE PLAN  
SCALE: 1/4" = 1'-0"

THE LAND & WATER COMPANY  
(714) 965-1622

BEDROCK ENGINEERING  
(714) 375-0877

DESIGNED: M.T.W.	SCALE: 1/4" = 1'
DRAWN: M.T.W.	DATE: 11/2/90
CHECKED: M.T.W.	JOB NO. 96-244

PREPARED UNDER THE DIRECTION OF:  
M.T.W. DATE

GARAGE PLAN

LOT 2, 5943 S. KANAN DUME ROAD

A.P.N. 4467-17-006

MALIBU

CALIFORNIA

DWG. NO.

96-244-8

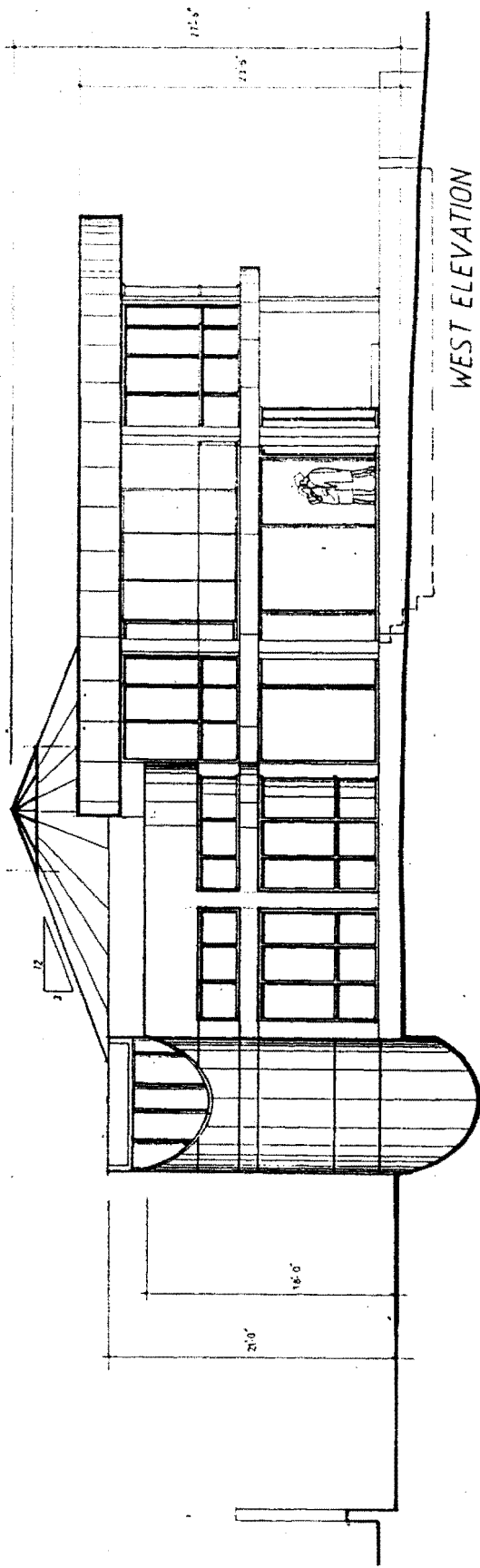


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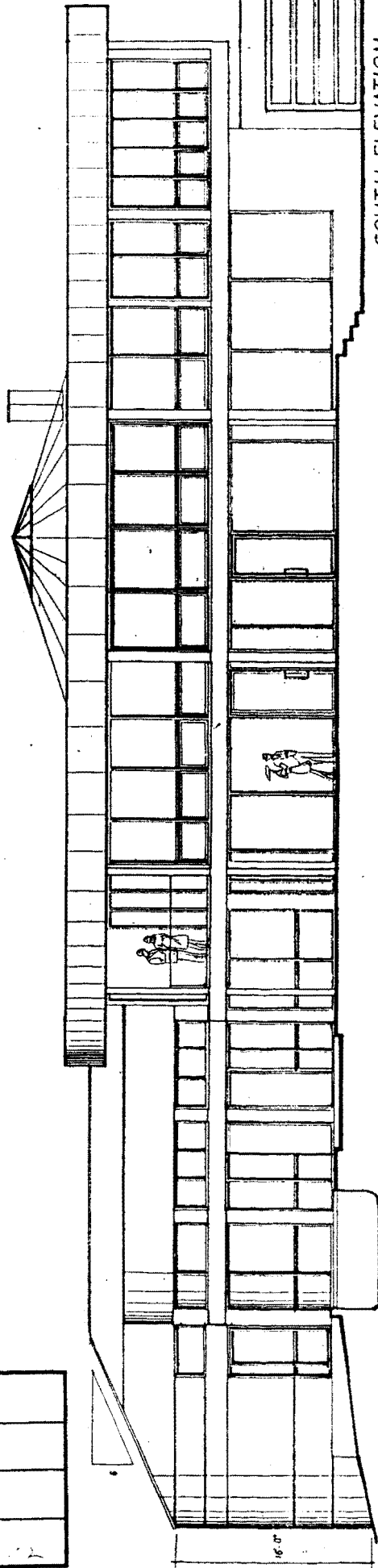
APPLICATION NO.

4-00-122

GARAGE PLAN 11/2



WEST ELEVATION



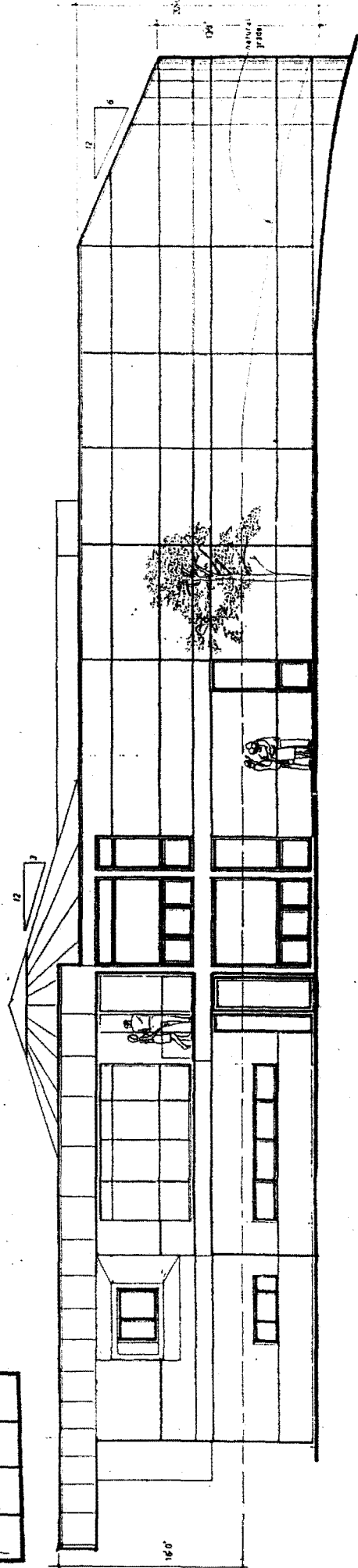
SOUTH ELEVATION

SCALE: 1/4" = 1'-0"  
 THE LAND & WATER COMPANY  
 1716 J. BBS. BLDG.  
 OWNER  
 BELMONT FINANCIAL GROUP

ELEVATIONS  
 5943 S. KANAN DUME ROAD  
 MALIBU, CALIFORNIA 90265

EXHIBIT NO. 14
APPLICATION NO.
4-00-122
ELEVATIONS ONLY

EXHIBIT NO.	15
APPLICATION NO.	
	4-00-122
	ELEVATION LOT 2



EAST AND NORTH ELEVATION

SCALE 1/8" = 1'-0"  
 THE JACO & WATER COMPANY  
 714.365-1822  
 OWNER  
 BELL FINANCIAL GROUP

ELEVATIONS  
 5943 S. KANAN DUME ROAD  
 MALIBU CALIFORNIA 90265