

CALIFORNIA COASTAL COMMISSION

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

Filed: 2/18/01
49th Day: 4/8/01
180th Day: 8/17/01
Staff: AAV
Staff Report: 3/22/01
Hearing Date: 4/10-13/01
Commission Action:



RECORD PACKET COPY

STAFF REPORT: REGULAR CALENDAR

APPLICATION NO.: 4-00-224

APPLICANT: Terry Vogl

PROJECT LOCATION: 30107 Cuthbert Road, Malibu, Los Angeles County

PROJECT DESCRIPTION: After-the-fact construction of an approximate 500 sq. ft. pool house, 889 sq. ft. stable/barn, conversion of the stable/barn into a detached, 17 ft. high, 750 sq. ft. guest unit, and new septic system, on a parcel containing an existing single family residence. No grading is proposed.

Lot area:	1 acre sq. ft.
Building coverage:	1,389 sq. ft.
Pavement coverage:	N/A
Landscape coverage:	N/A
Parking:	N/A

LOCAL APPROVALS RECEIVED: City of Malibu Planning Department, Approval-In-Concept 9/28/00; City of Malibu, Department of Environmental Health, In-Concept Approval for private sewage disposal system 5/22/00; City of Malibu, Geology and Geotechnical Engineering Review, Approval In-Concept 9/15/00.

SUBSTANTIVE FILE DOCUMENTS: Update Geotechnical Engineering Report, West Coast Geotechnical, dated 6/28/00; Update Engineering Geologic and Seismic Investigation Report, Mountain Geology, Inc., 8/24/00.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends approval of the proposed project with **5 Special Conditions** regarding (1) conformance to geologic recommendations for design and construction, (2) future improvements, (3) revised plans, (4) wildfire waiver of liability, and (5) condition compliance.

I. STAFF RECOMMENDATION

MOTION: *I move that the Commission approve Coastal Development Permit No. 4-00-224 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 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 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 Recommendation

All recommendations contained in the ~~Update~~ **Geotechnical Engineering Report** prepared by West Coast Geotechnical, dated 6/28/00 and the **Update Engineering Geologic and Seismic Investigation Report** prepared by Mountain Geology, Inc., dated 8/24/00 shall be incorporated into all final design and construction including any new or additional foundation work and sewage disposal. Final plans must incorporate any additional foundation work deemed necessary by the consulting architect or geotechnical engineer must be reviewed and approved by the engineering geologist and geotechnical engineering consultants. Prior to the issuance of the coastal development permit, the applicant shall submit, for review and approval by the Executive Director, evidence of the consultants' review and approval of all project plans.

The final plans approved by the consultants shall be in substantial conformance with the plans approved by the Commission. Any substantial changes in the proposed development approved by the Commission which may be required by the consultants shall require an amendment to the permit or a new coastal permit.

2. Future Improvements

This permit is only for the development described in Coastal Development Permit No. 4-00-224. Pursuant to Title 14 California Code of Regulations Sections 13250 (b)(6) and 13253 (b)(6), the exemptions otherwise provided in Public Resources Code Section 30610(a) and (b) shall not apply to the entire parcel. Accordingly, any future structures, improvements, or change of use to the permitted structures, including the detached guest unit and pool house approved under Coastal Development Permit No: 4-00-224, and any clearing of vegetation or grading, shall require an amendment to Permit No. 4-00-224 from the Commission or shall require an additional Coastal Development Permit from the Commission or from the applicable certified local government.

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 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.

3. Revised Plans

Prior to issuance of Coastal Development Permit 4-00-224, the applicant shall submit, for the review and approval of the Executive Director, a full set of revised project plans including a site plan, floor plans and elevations, which illustrate that the proposed guest unit will have a maximum of 750 sq. ft. of interior habitable square footage.

4. Wildfire Waiver of Liability

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

5. Condition Compliance

Within 90 days of Commission action on this Coastal Development Permit application, or within such additional time as the Executive Director may grant for good cause, the applicant shall satisfy all the requirements specified in the conditions hereto that the applicant is required to satisfy prior to issuance of this permit. Failure to comply with this requirement may

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description and Background

The applicant is requesting after-the fact approval to construct an approximate 500 sq. ft. pool house and to convert an 889 sq. ft. as-built stable/barn structure into a detached one-story, 17 ft. high, 750 sq. ft. guest unit (Exhibits 5,7). The applicant is also proposing to install a new private sewage disposal system to serve the new guest unit. No grading or new landscaping is proposed.

The project site is located on Cuthbert Road approximately 2 miles inland of Pacific Coast Highway in the City of Malibu (Exhibit 1). The subject site is a partially graded

hillside lot on the southern flank of the Santa Monica Mountains. The subject site and surrounding area is a built-out section of Malibu developed with numerous single family homes and accessory structures. The subject site is located within a Calvo Exclusion Area (Exhibit 2), an area designated by the Coastal Commission pursuant to Coastal Act Sections 30610.1 and 30610.2, where construction of a single family residence on a vacant lot, which meets certain set criteria, may be exempt from coastal permitting requirements prior to certification of a Local Coastal Plan for the region.

In 1986, the County of Los Angeles permitted construction of the existing single family residence and associated grading and a Coastal Exclusion was issued for the project, consistent with Sections 30610.1 and 30610.2 of the Coastal Act, exempting the development from coastal permitting requirements. The provisions for a coastal exclusion determination in designated exclusion areas specify that the exclusion is for single family residences only, constructed on legal vacant lots. In 1987 the County of Los Angeles permitted construction of the existing 889 sq. ft. stables/barn structure, and subsequently, a pool house approximately 500 sq. ft. in size was constructed at the project site for which no local planning approval was obtained. Both the stable/barn and pool house structures were constructed without the benefit of a coastal development permit and the structures are not a type of development addressed through any coastal exclusion. As such, construction of the detached stable/barn structure and pool house constitutes after-the-fact development.

The applicant originally submitted project plans with the permit application which indicated that the existing 889 sq. ft. detached stable/barn was intended to be converted into a detached 750 sq. ft. guest unit with an additional 139 sq. ft. storage unit (Exhibit 6). Commission Staff informed the applicant that though the applicant did not intend to utilize the additional 139 sq. ft. storage area as a portion of the guest unit, the storage area would be reviewed by the Commission as additional habitable square footage beyond the 750 sq. ft. maximum interior square footage limit imposed on seconds units in past permit actions. As such, the applicants have worked with Staff to revise the proposed guest unit conversion such that the resultant guest unit will have no more than 750 sq. ft. of interior square footage (Exhibit 7).

Vegetation at the subject site and on adjacent lots consists predominantly of ornamental-type landscaping associated with existing development. The area surrounding the subject site is intensely developed with single family homes and residential landscaping, therefore, fuel modification requirements for the proposed structures will not result in thinning or removal of natural vegetation on or adjacent to the property. No designated environmentally sensitive habitat areas or species are known to exist at the subject. The project site is not visible from Pacific Coast Highway or any other designated public viewing area. For these reasons, the Commission finds that the proposed project will have no significant adverse impact on native vegetation, environmentally sensitive habitat areas, or scenic coastal resources.

B. Geology and Fire Hazard

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

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

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

Geology

Section 30253 of the Coastal Act mandates that new development shall be sited and designed to provide geologic stability and structural integrity, and minimize risks to life and property in areas of high geologic, flood, and fire hazard. The applicant has submitted an Update Geotechnical Engineering Report prepared by West Coast Geotechnical, dated 6/28/00, and an Update Engineering Geologic and Seismic Investigation Report prepared by Mountain Geology, Inc., dated 8/24/00 which evaluate the geologic stability of the subject site in relation to the proposed development. The geology consultants have determined that the project location and existing foundation system are appropriate for the proposed guest unit. The Update Geotechnical Engineering Report prepared by West Coast Geotechnical, dated 6/28/00 states:

It is the opinion of West Coast Geotechnical that the proposed conversion will be safe against landslide, settlement or slippage, and that the proposed conversion will not have an adverse affect on the stability of the subject site or immediate vicinity, provided our recommendations are implemented during construction.

Furthermore, the Update Engineering Geologic and Seismic Investigation Report prepared by Mountain Geology, Inc., dated 8/24/00 states:

Based upon our investigation, the proposed site improvements will be free from geologic hazards such as landslides, slippage, active faults, and settlement. The proposed site improvements will have no adverse effect upon the stability of the

site or adjacent properties provided the recommendations of the Engineering Geologist and Geotechnical Engineer are complied with during construction.

As mentioned, the consulting engineering geologist and geotechnical engineer for the proposed project have concluded that the project site and existing stable/barn foundation system are suitable for the proposed guest unit. However, the City of Malibu's Geology and Geotechnical Engineering Review of the proposed project indicates that the existing foundation system must be proven to be adequate and of appropriate embedment to the City Inspector. The Commission notes that should the existing foundation system be found to be inadequate to support the proposed guest unit the additional foundation work must be incorporated into the final project plans and those plans reviewed by the geotechnical consultants, in accordance with **Special Condition 1**, to insure stability of the proposed project. The Update Geotechnical Engineering Report prepared by West Coast Geotechnical, dated 6/28/00 and an Update Engineering Geologic and Seismic Investigation Report prepared by Mountain Geology, Inc., dated 8/24/00 include several recommendations to be incorporated into project construction, design, and drainage to ensure the stability and geologic safety of the project site. To ensure the recommendations of the consultants are incorporated into the proposed development as necessary the Commission, as specified by **Special Condition 1**, requires the applicant to submit project plans certified by the consulting engineering geologist and geotechnical engineer as conforming to all structural and site stability recommendations for the proposed project. Final plans approved by the consultant shall be in substantial conformance with the plans approved by the Commission. Any substantial changes to the proposed development approved by the Commission, which may be recommended by the consultant, shall require an amendment to the permit or a new coastal development permit.

The Commission notes that the proposed project will not require additional grading and will not result in removal of vegetation at the project site. As such, the proposed project will not result in the stockpiling of soil or increased erosion at the site. Therefore, the Commission finds that, as conditioned to incorporate all relevant recommendations of the consulting engineering geologist and geotechnical engineer, the proposed project will not have adverse impact on the geologic stability of the site.

Wild Fire

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

Due to the fact that the proposed project is located in an area subject to an extraordinary potential for damage or destruction from wild fire, the Commission can only approve the project if the applicant assumes the liability from these associated risks. Through **Special Condition 4**, the wildfire waiver of liability, the applicant acknowledges the nature of the fire hazard which exists on the site and which may affect the safety of the proposed development. Moreover, through acceptance of **Special Condition 6**, the applicant also agrees to indemnify the Commission, its officers, agents and employees against any and all expenses or liability arising out of the acquisition, design, construction, operation, maintenance, existence, or failure of the permitted project.

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

C. Cumulative Impacts

Sections 30250 and 30252 of the Coastal Act address the cumulative impacts of new developments. Section 30250 (a) of the Coastal Act states:

- (a) *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 30252 of the Coastal Act states:

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing non-automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the

amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

Pursuant to Coastal Act Sections 30250 and 30252 cited above, new development raises issues relative to cumulative impacts on coastal resources. Construction of a second unit on a site where a primary residence exists intensifies the use of the subject parcel. The intensified use creates additional demands on public services, such as water, sewage, electricity, and roads. Thus, second units pose potential cumulative impacts in addition to the impacts otherwise caused by the primary residential development. The applicant is requesting after-the-fact approval for construction of a detached 889 sq. ft. stables/barn and 500 sq. ft. pool house, and approval to convert the stable/barn into a 750 sq. ft. guest unit. The proposed guest unit and pool house are not proposed to be used as second residential units, however, the detached structures could potentially be converted for residential use in the future.

Based on the requirements of Coastal Act Section 30250 and 30252, the Commission has limited the development of second units on residential parcels in the Malibu and Santa Monica Mountain areas to a maximum of 750 sq. ft. In addition, the issue of second units on lots with primary residences has been the subject of past Commission action in certifying the Malibu/Santa Monica Mountains Land Use Plan (LUP). In its review and action on the LUP, the Commission found that placing an upper limit on the size of second units (750 sq. ft.) was necessary given the traffic and infrastructure constraints which exist in Malibu and given the abundance of existing vacant residential lots. Furthermore, in allowing these small units, the Commission found that the small size of units (750 sq. ft.) and the fact that they are likely to be occupied by one, or at most two people, such units would have less impact on the limited capacity of Pacific Coast Highway and other roads (as well as infrastructure constraints such as water, sewage, and electricity) than an ordinary single family residence. (certified Malibu Santa Monica Mountains Land Use Plan 1986, page 29 and P.C.H. (ACR), 12/83 page V-1 - VI-1). Finally, the Commission has found in past permit decisions that a limit of 750 sq. ft. encourages the units to be used for their intended purpose, as a guest unit, rather than as second residential units with intensified demands on coastal resources and community infrastructure.

The second unit issue has also been raised by the Commission with respect to statewide consistency of both coastal development permits and Local Coastal Programs (LCPs). Statewide, additional dwelling units on single family parcels take on a variety of different forms which in large part consist of: 1) a second unit with kitchen facilities including a granny unit, caretaker's unit, or farm labor unit; and 2) a guesthouse, with or without separate kitchen facilities. Past Commission action has consistently found that both second units and guest houses inherently have the potential to cumulatively impact coastal resources. Thus, conditions on coastal development permits and standards within LCP's have been required to limit the size and number of such units to ensure consistency with Chapter 3 policies of the Coastal Act in this area (Certified Malibu Santa Monica Mountains Land Use Plan 1986, page 29).

The applicant is proposing to convert an existing 889 sq. ft. stable/barn into a detached one-story, 17 ft. high, 750 sq. ft. guest unit with a new septic system to service the proposed guest unit. The proposed guest unit consists of an entry, living room, kitchen, full-bath, and one bedroom (Exhibit 7). The Commission notes that the existing subject structure is 889 sq. ft. and that the original project description proposed to convert the structure into a 750 sq. ft. guest unit with 139 sq. ft. of attached storage space (Exhibit 6). As previously mentioned, Commission Staff informed the applicant that the 139 sq. ft. storage space is considered habitable square footage and would be included in the overall total of habitable square footage for the guest unit, therefore making the proposed guest unit a total of 889 sq. ft., which would be inconsistent with the 750 sq. ft. limit imposed on second units in past permit actions. In order to comply with the 750 sq. ft. habitable square footage limitation regularly required by the Commission for guest units, the applicant revised the project proposal to include converting portions of the 889 sq. ft. existing structure into an outside porch and veranda space. As a result of the applicant's revised project proposal, the Commission notes that only the 750 sq. ft. guest unit is proposed as habitable interior square footage, and that the proposed 750 sq. ft. guest unit conforms with the Commission's past actions in allowing a maximum of 750 sq. ft. for second units in the Malibu area. In order to ensure the proposed guest unit's conformity with the Commission's past actions in allowing a maximum of 750 sq. ft. for second units the Commission finds it necessary to require the applicant to submit revised project plans, as specified in **Special Condition 3**, for review and approval of the Executive Director, which clearly illustrate the applicant's revised project proposal to convert the existing structure into a guest unit with no more than 750 sq. ft. of interior habitable square footage.

The applicant is also requesting after-the-fact approval for construction of a pool house approximately 500 sq. ft. in size. The proposed pool house consists of one large room and one full bathroom (Exhibit 5). The Commission notes that the pool house is not proposed to be used as a guest unit or second residential unit and would not be converted to such use in the future because the applicant already proposes a guest unit pursuant to this application.

The Commission has many past precedents on similar project proposals that have established a 750 sq. ft. maximum of habitable square footage for development of detached units which may be a secondary dwelling. The proposed 750 sq. ft. guest unit conforms with the Commission's past actions in allowing a maximum of 750 sq. ft. for development of detached guest units. However, future unauthorized improvements to the proposed guest unit (and to the pool house, which as noted is not eligible for conversion to a guest unit unless the subject guest unit is removed or converted to an alternative use pursuant to an approved amendment to this permit or a new coastal permit)), that might otherwise be exempt from Commission review, could easily convert the proposed guest unit or pool house into a secondary dwelling. and that additions to the structures could exceed the 750 sq. ft. standard and further intensify the use of the subject parcel. As such, the Commission finds it necessary to ensure that no additions or improvements are made to the proposed guest unit or pool house in the future that

may enlarge or further intensify the use of the structures without due consideration of the cumulative impacts that may result. Therefore, the Commission finds it necessary to require the applicant to record a future development deed restriction, as specified in **Special Condition 2**, which will require the applicant to obtain an amended or new coastal permit if additions or improvements to the structures are proposed in the future. As conditioned to minimize the potential for cumulative impacts resulting from the proposed development, the Commission finds that the proposed project is consistent with Section 30250 and 30252 of the Coastal Act.

D. Water Quality

The Commission recognizes that the potential build-out of lots in Malibu and the Santa Monica Mountains, resulting in installation of private septic systems and increased septic effluent, has the potential to adversely impact coastal water quality, human health, and geologic stability. 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.

The proposed project includes the installation of an on-site septic system with a 1,500 gallon tank to serve the detached guest unit. The applicant's residential waste water disposal system consultant performed percolation tests and evaluated the proposed septic system and concludes that the site is suitable for the septic system. Finally, the City of Malibu Environmental Health Department has given in-concept approval of the proposed septic system, determining that the system meets 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 is consistent with Section 30231 of the Coastal Act.

E. Violation

Unpermitted development has taken place prior to submission of this permit application, including construction of an 889 sq. ft. stable/barn structure and approximate 500 sq. ft. pool house. The applicant requests after-the-fact approval for construction of the stable/barn and pool house, as well as approval to convert the existing stable/barn structure into a 750 sq. ft. guest unit with a new private sewage disposal system. In order to ensure that the unpermitted development is resolved in a timely manner,

Special Condition 5 requires that the applicant satisfy all conditions of this permit which are a prerequisite to the issuance of this permit within 90 days of Commission action, or within such additional time as the Executive Director may grant for good cause.

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

F. Local Coastal Program

Section 30604 of the Coastal Act states:

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

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

G. CEQA

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

which would substantially lessen any significant adverse effect which the activity may have on the environment.

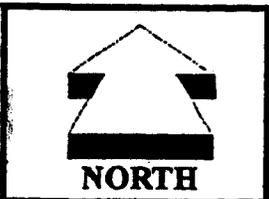
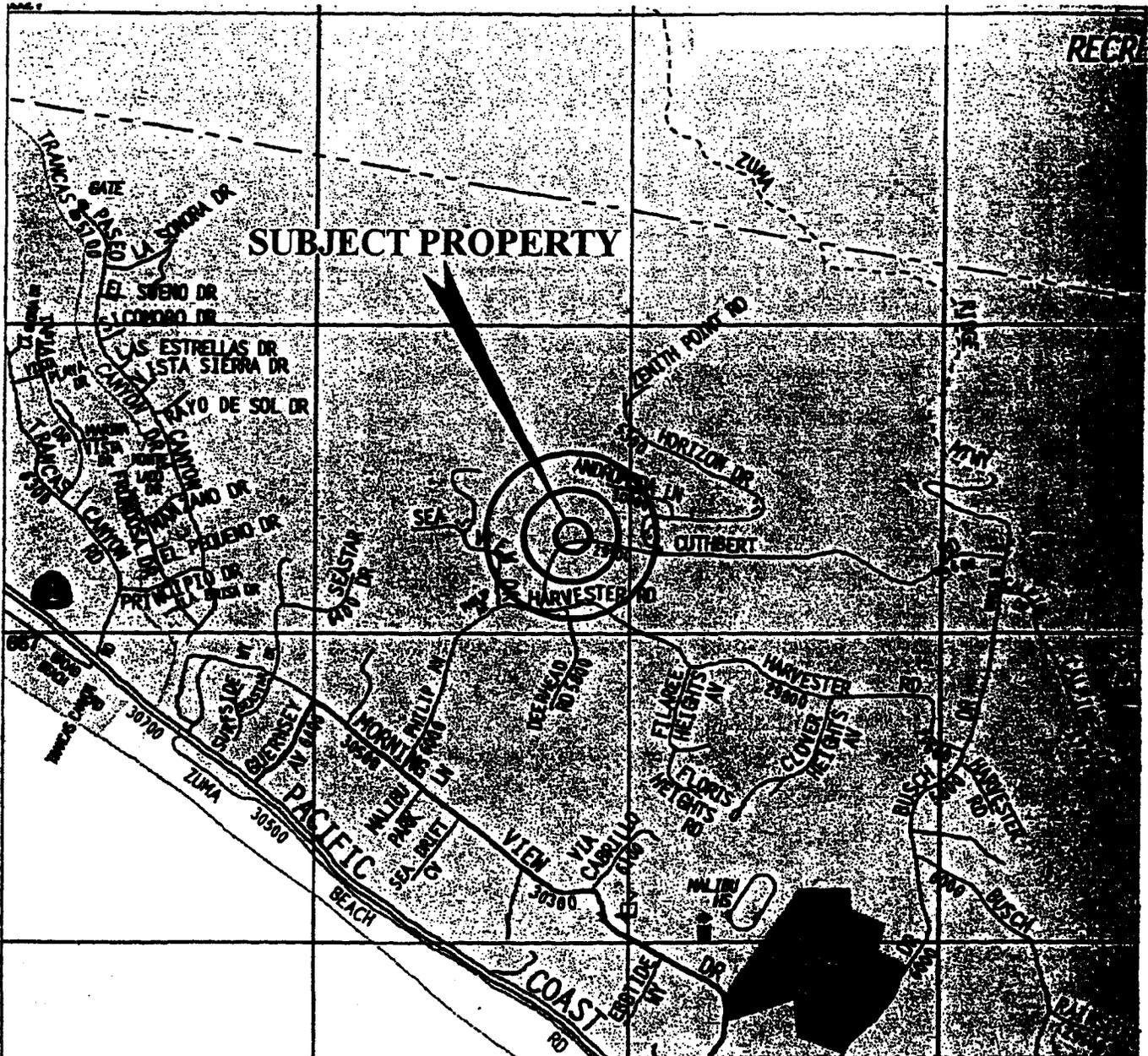
The Commission finds that, the proposed project, as conditioned will not have significant adverse effects on the environment, within the meaning of the California Environmental Quality Act of 1970. Therefore, the proposed project, as conditioned, has been adequately mitigated and is determined to be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



VICINITY MAP

CONSULTING ENGINEERING GEOLOGISTS

REFERENCE: THOMAS BROTHERS MAP GUIDE, PAGE 627



SCALE

0 FT 1400 2800 4200 5600



PLATE 1
VOGL
JH 4555

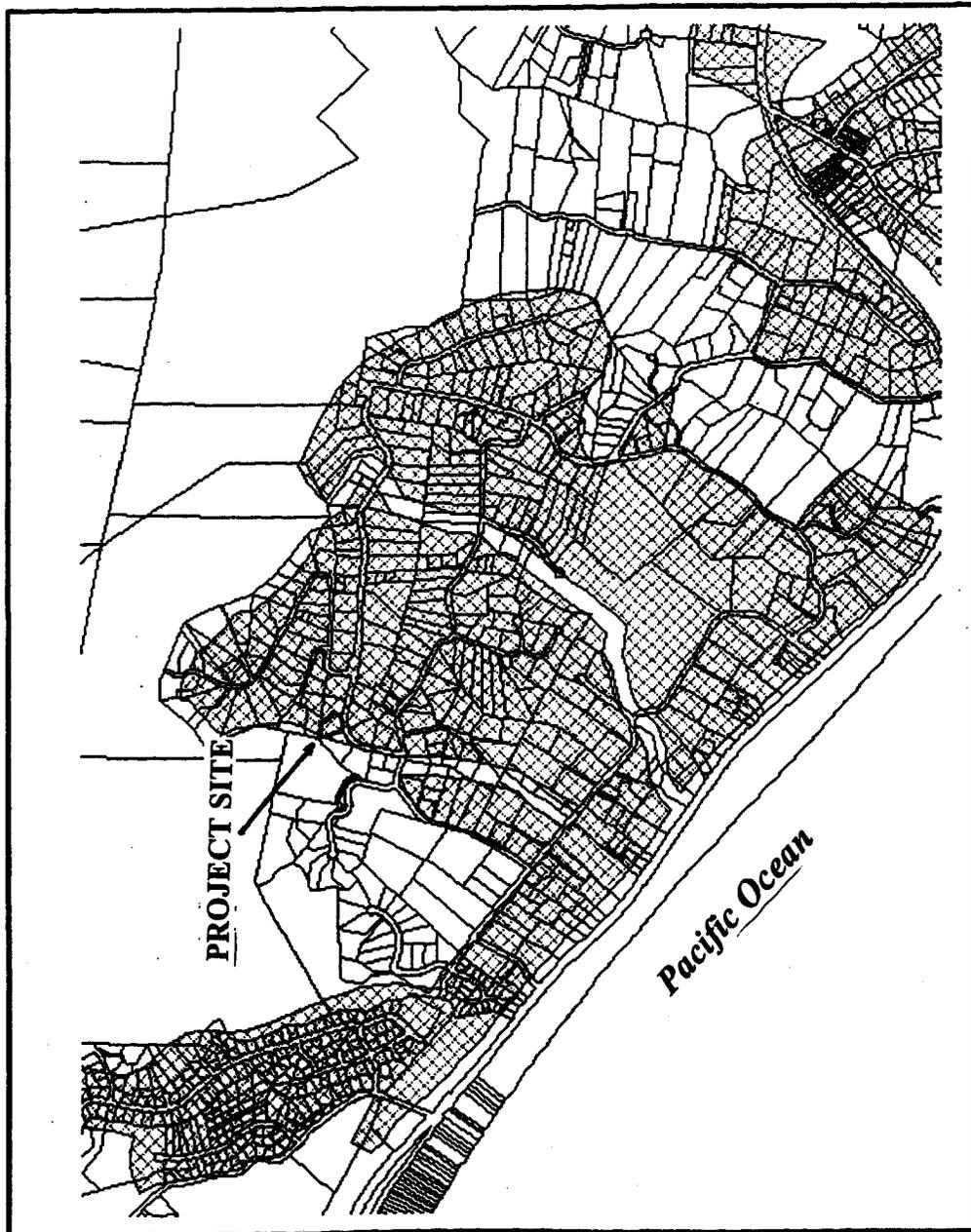
5158 COCHRAN ST. • SIM

EXHIBIT 1
CDP #4-00-224
Location Map

74 • FAX (805) 582-1228

ESRI ArcExplorer 1.1

4-00-224



Thursday, Feb 22 2001

EXHIBIT 2
CDP # 4-00-224
Calvo Exclusion Area

Figured dimensions shown to be taken from this drawing. All dimensions checked on the field by one of the project engineers. Sub: ask.

NOTES

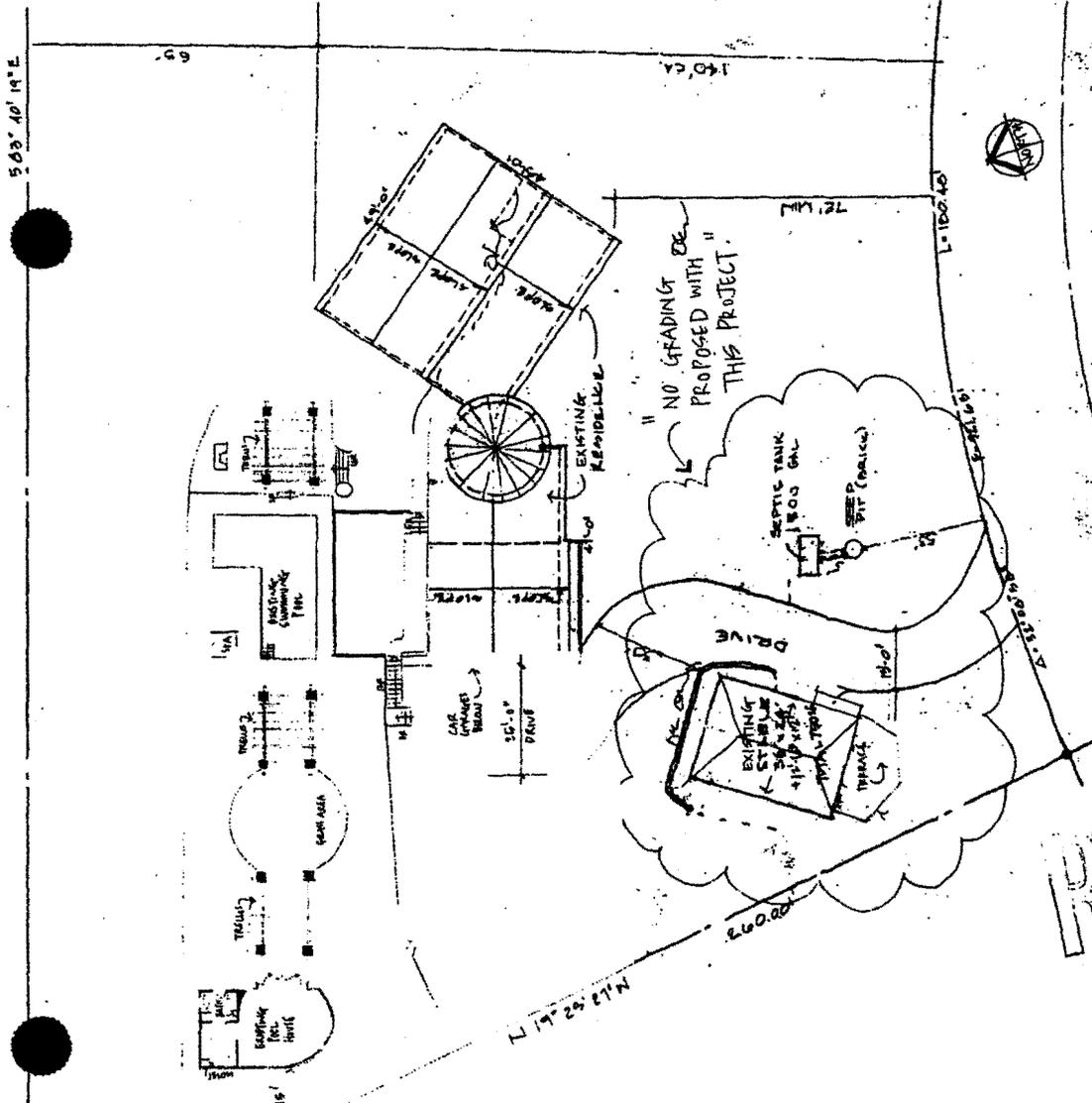
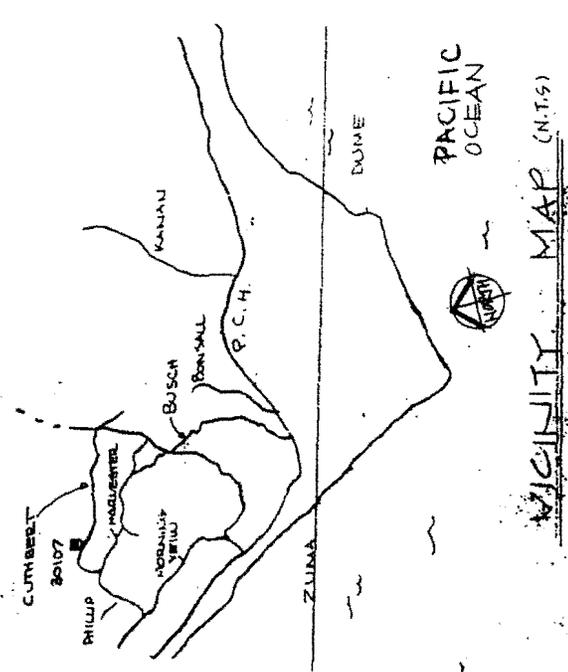


EXHIBIT 4
CDP # 4-00-224
Site Plan



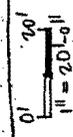
VICINITY MAP (N.T.S)

A	SITE PLAN	DWG. NO. 13-13-1101
	DATE: 11/20/00	DATE: 11/20/00

©

DESIGNER	TERRY VOGEL
PROJECT	30107 CUTHBERT RD.
TITLE	SITE PLAN & VICINITY PLAN
DATE	05-03-00
SCALE	1" = 20'-0"
PROJECT NO.	A-1
APPROVED BY	COASTAL COMMISSION

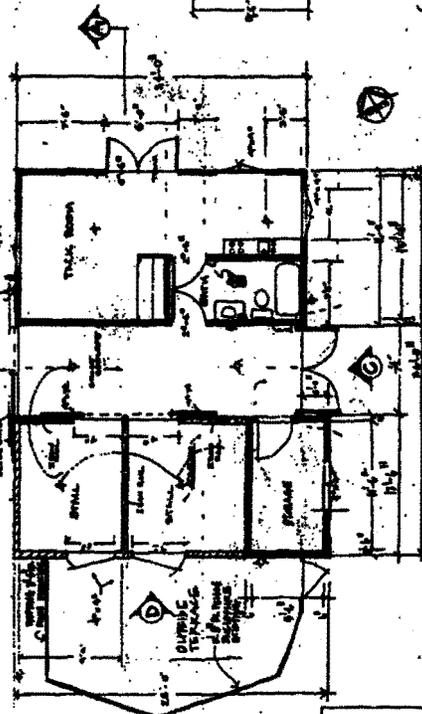
CUTHBERT ROAD



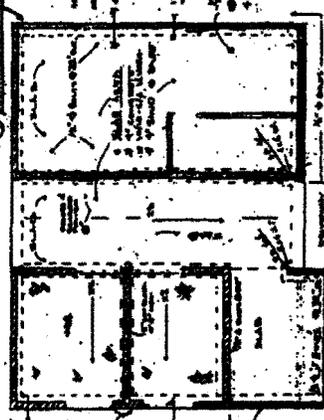
30107 CUTHBERT ROAD
 MALIBU, CALIFORNIA
 LOT #5, TRACT 17551
 PARCEL 6 MB 441-40-41
 SITE PLAN

RECEIVED
 MAR 20 2001
 CALIFORNIA
 COASTAL COMMISSION
 SOUTH CENTRAL COAST DISTRICT

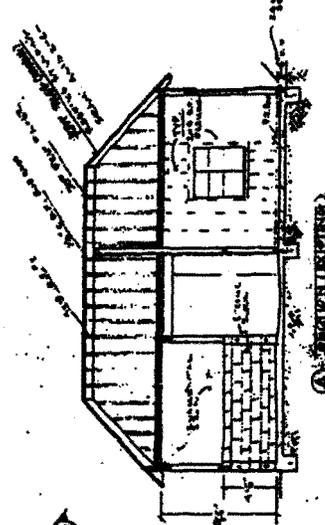
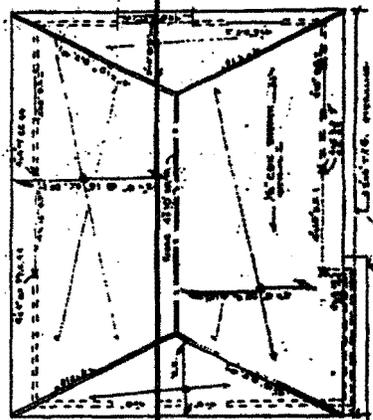
1 FLOOR PLAN (EXISTING)



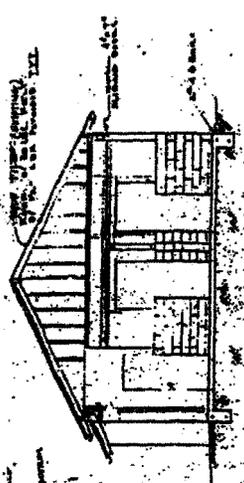
2 EXISTING PLAN



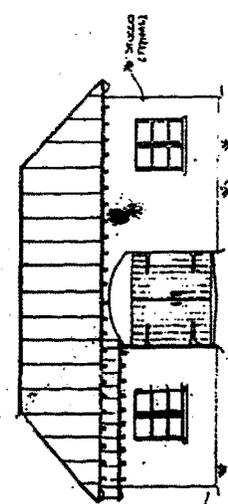
3 ROOF FRAMING



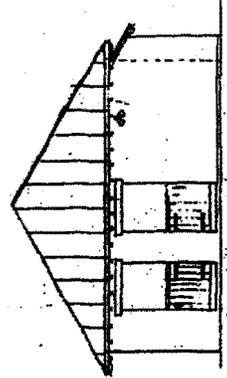
4 FRONT ELEVATION



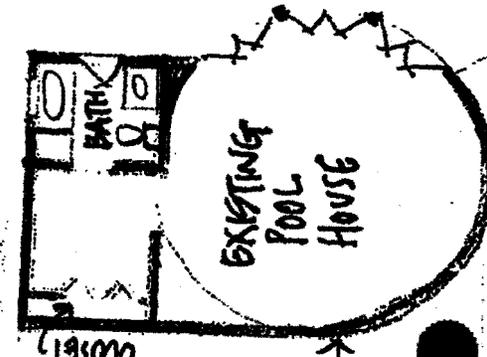
5 SIDE ELEVATION



6 REAR ELEVATION



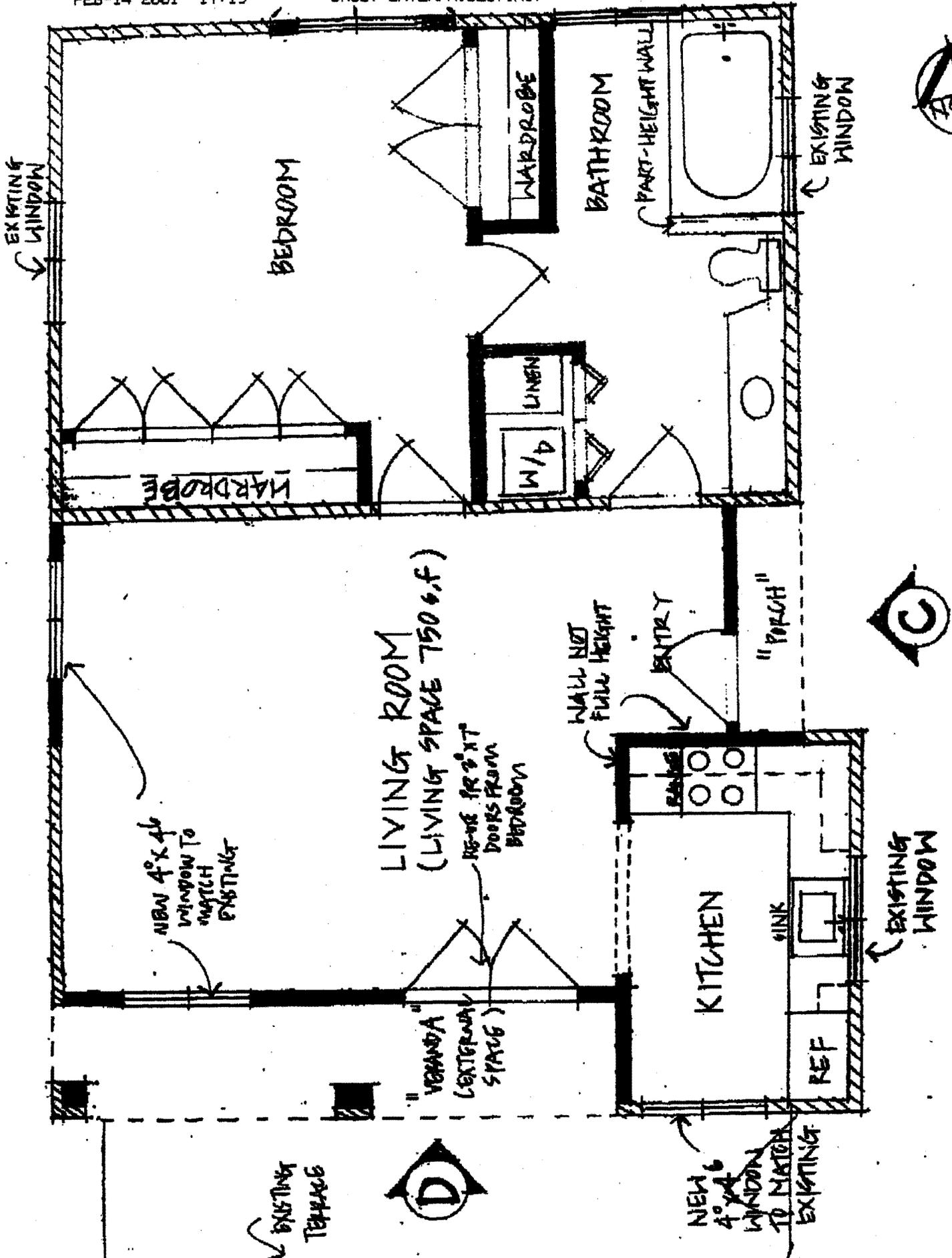
7 FRONT ELEVATION



NOTES: 1. ALL WORK TO BE DONE IN ACCORDANCE WITH THE CITY OF LOS ANGELES BUILDING DEPARTMENT REGULATIONS AND THE CALIFORNIA BUILDING CODE. 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF LOS ANGELES BUILDING DEPARTMENT. 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS FROM THE CITY OF LOS ANGELES BUILDING DEPARTMENT.

PPR 00-079

EXHIBIT 5
CDP # 4-00-224
Existing Floor Plan



(1) FLOOR PLAN (REVISED 02-3-01)

EXHIBIT 7
CDP # 4-00-224
Proposed Floor Plans (Revised)