

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
MALIBU, CA 93001
641 - 0142

Filed: 4/21/01
49th Day: 6/9/01
180th Day: 10/18/01
Staff: AAV
Staff Report: 6/18/01
Hearing Date: 7/10-13/01
Commission Action:



RECORD PACKET COPY

STAFF REPORT: REGULAR CALENDAR

APPLICATION NO.: 4-00-149

APPLICANTS: James and Tracy Moore

AGENT: Clive Dawson

PROJECT LOCATION: 7163 Birdview Avenue, Malibu, Los Angeles County

PROJECT DESCRIPTION: Demolish existing two-story residence and construct one-story, 18 ft. high, 3,602 sq. ft. single family residence with attached two-car garage, new driveway, septic system, retaining walls, 980 cu. yds. grading (260 cu. yds. cut, 720 cu. yds. fill, 460 cu. yds. import), and 830 cu. yds. overexcavation.

Lot area:	17,431 sq. ft.
Building coverage:	3,793 sq. ft.
Pavement coverage:	3,596 sq. ft.
Landscape coverage:	10,042 sq. ft.
Unimproved:	0 sq. ft.

LOCAL APPROVALS RECEIVED: City of Malibu Planning Department, Approval In Concept, 5/27/00; City of Malibu Geology and Geotechnical Engineering Review Sheet, Approved In-Concept, 9/21/99; City of Malibu Environmental Health In-Concept Approval, 6/12/00.

SUBSTANTIVE FILE DOCUMENTS: Engineering Geologic Report, Mountain Geology, Inc., 3/29/99; Addendum Engineering Geologic Report #1, Mountain Geology, Inc., 8/30/99; Geotechnical Engineering Investigation Report, Coastline Geotechnical Consultants, 3/31/99; Response to Geotechnical Engineering Review Sheet from City of Malibu, Coastline Geotechnical Consultants, 7/19/99.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends **approval** of the proposed project with **four (4) Special Conditions** regarding 1) Geologic Recommendations, 2) Drainage and Polluted Run-off Control, 3) Landscaping and Erosion Control, 4) Wildfire Waiver of Liability,

I. STAFF RECOMMENDATION:

MOTION: *I move that the Commission approve Coastal Development Permit No. 4-00-149 pursuant to the staff recommendation.*

I. 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 Recommendation**

All recommendations contained in the Engineering Geologic Report, dated 3/29/99 and Addendum Engineering Geologic Report #1, dated 8/30/99 by Mountain Geology, Inc., and the Geotechnical Engineering Investigation Report, dated 3/31/99 and Response to Geotechnical Engineering Review Sheet from City of Malibu, dated 7/19/99 by Coastline Geotechnical Consultants shall be incorporated into all final design and construction including foundations, grading, drainage, and sewage disposal. Final plans must be reviewed and approved by the project's consulting geotechnical engineer and engineering geologist. Prior to the issuance of the coastal development permit, the applicants shall submit, for review and approval by the Executive Director, evidence of the consultants' review and approval of all project plans.

The final plans approved by the consultants shall be in substantial conformance with the plans approved by the Commission relative to construction, grading, 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.

2. **Drainage and Polluted Runoff Control Plans**

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit to the Executive Director for review and written approval, 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 geotechnical engineer and engineering geologist to ensure the plan is in

conformance with consultants' 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 or filter stormwater from each runoff event, up to and including the 85th 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.

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 30th 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 applicants shall submit a repair and restoration plan to the Executive Director to determine if an amendment or new coastal development permit is required to authorize such work.

3. Landscaping and Erosion Control Plans

Prior to issuance of a coastal development permit, the applicants shall submit landscaping and erosion control plans, prepared by a licensed landscape architect or a qualified resource specialist, for review and approval by the Executive Director. The plans shall identify the species, extent, and location of all plant materials and shall incorporate the following criteria:

A. Landscaping Plan

- (1) All graded and disturbed areas on the subject site shall be planted and maintained for erosion control purposes within (60) days of receipt of the certificate of occupancy for the residence. To minimize the need for irrigation all landscaping shall consist primarily of native/drought resistant plants as listed by the California Native Plant Society, Santa Monica Mountains Chapter, in their document entitled Recommended List of Plants for Landscaping in the Santa Monica Mountains, dated February 5, 1996. Invasive, non-indigenous plant species which tend to supplant native species shall not be used. All graded & disturbed areas on the subject site shall be planted and maintained for erosion

control purposes within (60) days of receipt of the certificate of occupancy for the residence.

- (2) All cut and fill slopes shall be stabilized with planting at the completion of final grading. Plantings should be of native plant species indigenous to the Santa Monica Mountains using accepted planting procedures, consistent with fire safety requirements. Such planting shall be adequate to provide 90 percent coverage within two (2) years, and this requirement shall apply to all disturbed soils.
- (3) Plantings will be maintained in good growing condition throughout the life of the project and, whenever necessary, shall be replaced with new plant materials to ensure continued compliance with applicable landscape requirements.
- (4) The Permittee shall undertake development in accordance with the final approved plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Coastal Commission - approved amendment to the coastal development permit, unless the Executive Director determines that no amendment is required.
- (5) Vegetation within 50 feet of the proposed house may be removed to mineral earth, vegetation within a 200 foot radius of the main structure may be selectively thinned in order to reduce fire hazard. However, such thinning shall only occur in accordance with an approved long-term fuel modification plan submitted pursuant to this special condition. The fuel modification plan shall include details regarding the types, sizes and location of plant materials to be removed, and how often thinning is to occur. In addition, the applicants shall submit evidence that the fuel modification plan has been reviewed and approved by the Forestry Department of Los Angeles County. Irrigated lawn, turf and ground cover planted within the fifty foot radius of the proposed house shall be selected from the most drought tolerant species or subspecies, or varieties suited to the Mediterranean climate of the Santa Monica Mountains.

B. Interim Erosion Control Plan

- (1) The plan shall delineate the areas to be disturbed by grading or construction activities and shall include any temporary access roads, staging areas and stockpile areas. The natural areas on the site shall be clearly delineated on the project site with fencing or survey flags.
- (2) The plan shall specify that should grading take place during the rainy season (November 1 – March 31) the applicants shall install or construct temporary sediment basins (including debris basins, desilting basins or silt traps), temporary drains and swales, sand bag barriers, silt fencing, stabilize any stockpiled fill with geofabric covers or other appropriate cover, install geotextiles or mats on all cut or fill slopes and close and stabilize open trenches as soon as possible. These erosion measures shall be required on the project site prior to or concurrent with

the initial grading operations and maintained through out the development process to minimize erosion and sediment from runoff waters during construction. All sediment should be retained on-site unless removed to an appropriate approved dumping location either outside the coastal zone or to a site within the coastal zone permitted to receive fill.

- (3) The plan shall also include temporary erosion control measures should grading or site preparation cease for a period of more than 30 days, including but not limited to: stabilization of all stockpiled fill, access roads, disturbed soils and cut and fill slopes with geotextiles and/or mats, sand bag barriers, silt fencing; temporary drains and swales and sediment basins. The plans shall also specify that all disturbed areas shall be seeded with native grass species and include the technical specifications for seeding the disturbed areas. These temporary erosion control measures shall be monitored and maintained until grading or construction operations resume.

C. Monitoring

Five years from the date of the receipt of the Certificate of Occupancy for the residence the applicants shall submit for the review and approval of the Executive Director, a landscape monitoring report, prepared by a licensed Landscape Architect or qualified Resource Specialist, that certifies the on-site landscaping is in conformance with the landscape plan approved pursuant to this Special Condition. The monitoring report shall include photographic documentation of plant species and plant coverage.

If the landscape monitoring report indicates the landscaping is not in conformance with or has failed to meet the performance standards specified in the landscaping plan approved pursuant to this permit, the applicants, or successors in interest, shall submit a revised or supplemental landscape plan for the review and approval of the Executive Director. The revised landscaping plan must be prepared by a licensed Landscape Architect or a qualified Resource Specialist and shall specify measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan.

4. Wildfire Waiver of Liability

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

IV. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

A. Project Description and Background

The applicants are proposing to demolish an existing two-story residence and to construct a one-story, 18 ft. high, 3,602 sq. ft. single family residence with an attached two-car garage, new driveway, septic system, and retaining walls (Exhibits 3-6). The proposed project also includes 980 cu. yds. of grading (260 cu. yds. cut, 720 cu. yds. fill, 460 cu. yds. import), and 830 cu. yds. of overexcavation.

The project site is a vacant 17,431 sq. ft. parcel located on the ocean side of Birdview Avenue (Exhibit 2) in the Point Dume Area of the City of Malibu (Exhibit 1). The subject site is a relatively level bluff top parcel presently developed with a two-story single family residence. Though the parcel is a bluff top lot located on the ocean side of Birdview Avenue, the subject site is not situated at the bluff edge. An additional vacant parcel exists seaward of the subject site (Exhibit 2), therefore, the proposed development does not include new development at or near the bluff edge. The seaward property line of the subject parcel is located approximately 140 ft. to 150 ft. from the top of bluff and the proposed development is located more than 220 ft. from the top of bluff. As such, the proposed project has a more than adequate setback from the bluff edge and is not expected to be subject to the typical, inherent hazards of bluff top development such as bluff failure. Overall the subject site descends northeasterly less than 20 ft. from Birdview Avenue to the adjacent property fronting the bluff edge.

Vegetation at the subject site consists primarily of domestic shrubs, some natural grasses, trees, and a lawn that surrounds the existing residence. No significant natural vegetation or designated environmentally sensitive habitat area exist on the site. The area surrounding the subject site is intensely developed with single family homes and residential landscaping, therefore, fuel modification requirements for the proposed structure will not result in thinning or removal of natural vegetation on or adjacent to the property. As such, the proposed project will not result in significant removal of natural vegetation or adverse impacts to sensitive habitat area.

As mentioned, the area surrounding the project site is an intensely developed area which consists of numerous single family residences. The project site is set back from the bluff edge and will not be visible from the beach located at the base of the bluff, nor will the development be visible from any designated scenic highway or scenic public viewing area. The proposed development will be consistent with surrounding development. Therefore, the proposed project will not result in a significant adverse impact on scenic resources.

B. Geology and Wildfire Hazard

The proposed development is located in the Santa Monica Mountains/Malibu area, 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 and Malibu 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 be sited and designed to provide geologic stability and structural integrity, and to minimize risks to life and property in areas of high geologic, flood, and fire hazard. The applicants have submitted an Engineering Geologic Report, dated 3/29/99 and Addendum Engineering Geologic Report #1, dated 8/30/99 by Mountain Geology, Inc., and a Geotechnical Engineering Investigation Report, dated 3/31/99 and Response to Geotechnical Engineering Review Sheet from City of Malibu, dated 7/19/99 by Coastline Geotechnical Consultants which evaluate the geologic stability of the subject site in relation to the proposed development. Based on their evaluation of the site's geology and project design the consultants have found that the project site is suitable for the proposed project. The project's consulting engineering geologist Mountain Geology states in the Engineering Geologic Report, dated 3/29/99:

Based upon our investigation, the proposed development will be free from geologic hazards such as landslides, slippage, active faults, and settlement. The proposed development and installation of the private sewage disposal system 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.

Additionally, the consulting geotechnical engineer for the proposed project Coastline Geotechnical Consultants state in the Geotechnical Engineering Investigation Report, dated 3/31/99:

Based on the findings summarized in this report, and provided the recommendations of this report are followed, and the designs, grading and construction are properly and adequately executed, it is our opinion that construction within the building site behind the geotechnical setback line would not be subject to geotechnical hazards from landslides, slippage, or excessive settlement. Further, it is our opinion that the proposed building and anticipated site grading would not adversely effect the stability of the site, or adjacent properties, with the same provisos listed above. (Note: The referenced geotechnical setback line has been established by the consultants on the adjacent parcel fronting the bluff edge for a separate development on that parcel which is not a part of this coastal permit application).

The geology consultants conclude that the proposed development is feasible and will be free from geologic hazards provided their recommendations are incorporated into the proposed development. The Engineering Geologic Report, dated 3/29/99 and Addendum Engineering Geologic Report #1, dated 8/30/99 by Mountain Geology, Inc., and a Geotechnical Engineering Investigation Report, dated 3/31/99 and Response to Geotechnical Engineering Review Sheet from City of Malibu, dated 7/19/99 by Coastline Geotechnical Consultants contain several recommendations to be incorporated into project construction, design, drainage, and sewage disposal to ensure the stability and geologic safety of the proposed project. To ensure that the recommendations of the consultants have been incorporated into all proposed development the Commission, as specified in **Special Condition One (1)**, requires the applicants 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 consultants shall be in substantial conformance with the plans approved by the Commission. Any substantial changes to the proposed development, as approved by the Commission, which may be recommended by the consultants shall require an amendment to the permit or a new coastal development permit.

Though the proposed project is conditioned to incorporate all recommendations of the geology consultants for site stability and safety, the Commission finds that minimization of site erosion will add to the geologic stability of the project site and that erosion will be minimized by incorporating adequate drainage, erosion control, and appropriate landscaping into the proposed development. To ensure that adequate drainage and erosion control is included in the proposed development the Commission requires the applicants to submit drainage and erosion control plans certified by the consulting engineering geologist and geotechnical engineer, as specified in **Special Conditions Two (2) and Three (3)**.

Additionally, landscaping of graded and disturbed areas on the subject site will reduce erosion and serve to enhance and maintain the geologic stability of the site. Therefore, **Special Condition Three (3)** requires the applicants 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/foliage weight. The Commission notes that non-native and invasive plant species with high surface/foliage weight and shallow root structures do not serve to stabilize slopes and that such vegetation results in potential adverse effects to the stability of the project site. Native species, alternatively, tend to have a deeper root structure than non-native and invasive species, and once established aid in preventing erosion. 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 Three (3).

The Commission finds that the proposed project, as conditioned, will serve to minimize potential geologic hazards of the project site and adjacent properties.

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 applicants assume the liability from these associated risks. Through **Special Condition Four (4)**, the wildfire waiver of liability, the applicants acknowledge the nature of the fire hazard which exists on the site and which may affect the safety of the proposed development. Moreover, through acceptance of Special Condition Four (4), the applicants also agree to indemnify the Commission, its officers, agents and employees against any and all expenses or liability arising out of the acquisition, design, construction, operation, maintenance, existence, or failure of the permitted project.

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

C. 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, increase of 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 described, the proposed project includes demolition of an existing two-story residence and construction of a one-story, 18 ft. high, 3,602 sq. ft. single family residence with attached two-car garage, new driveway, septic system, retaining walls, 980 cu. yds. grading (260 cu. yds. cut, 720 cu. yds. fill, 460 cu. yds. import), and 830 cu. yds. overexcavation. The project site is a developed 17,431 sq. ft. parcel located on a relatively level bluff top parcel.

The proposed development will result in an increase in impervious surface at the subject site, which in turn decreases the infiltrative function and capacity of existing permeable land on site. 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 85th 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 Two (2)**, 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 measures 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 Three (3)** is necessary to ensure the proposed development will not adversely impact water quality or coastal resources.

Finally, the proposed development includes the installation of an on-site private sewage disposal system with a 2,500 gallon tank to serve the residence. The applicants' residential wastewater disposal system consultant and geologic consultants have performed and reviewed infiltration tests and evaluated the proposed septic system. The consultants conclude that the site is suitable for the septic system and that no adverse impact to the site or surrounding areas will result from the use of 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, as conditioned, is consistent with Section 30231 of the Coastal Act.

D. LOCAL COASTAL PROGRAM

Section 30604 of the Coastal Act states:

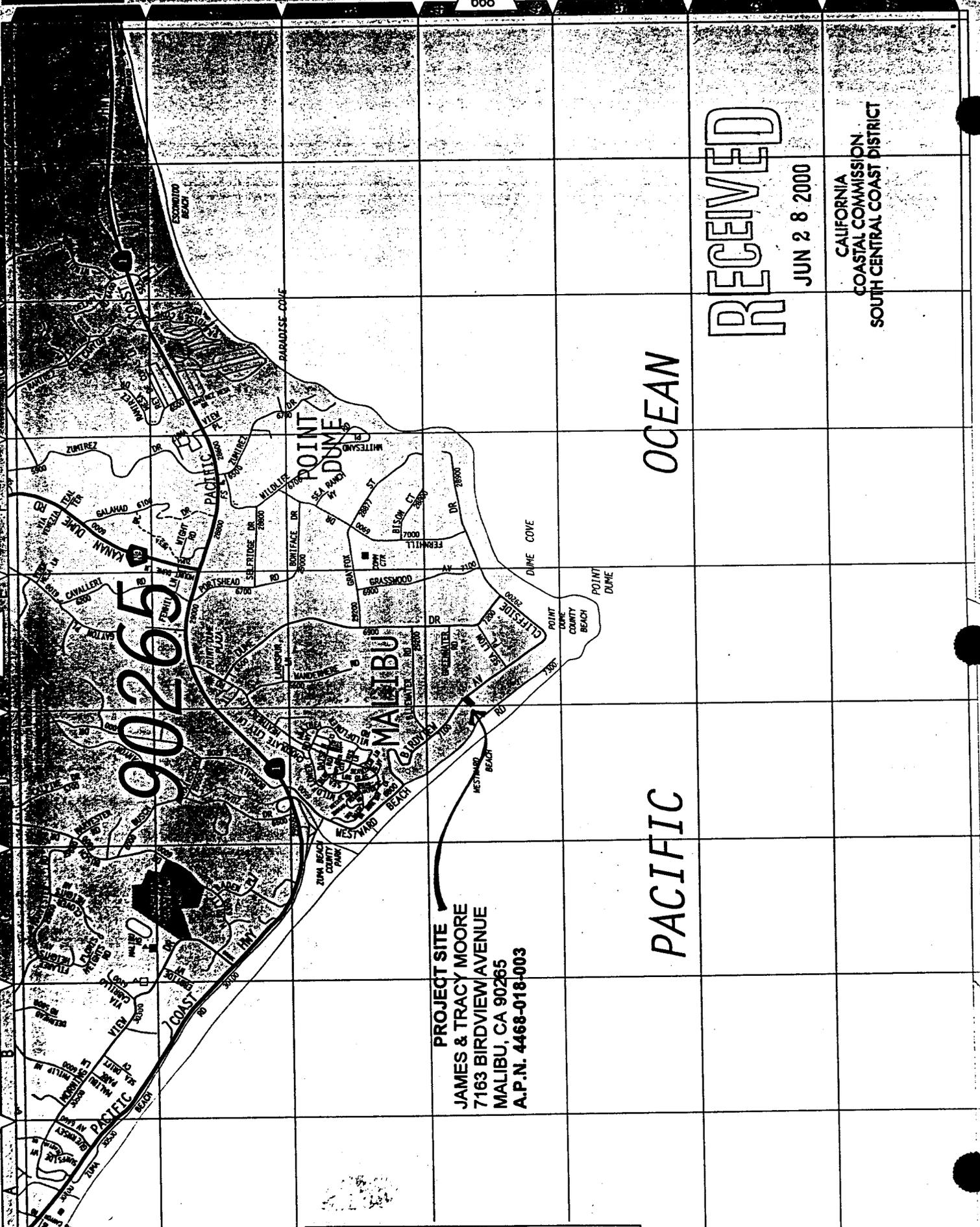
- A) Prior to certification of the local coastal program, a coastal development permit shall be issued if the issuing agency, or the Commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the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

Section 30604(a) of the Coastal Act provides that the Commission shall issue a Coastal Permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act. The preceding sections provide findings that the proposed project will be in conformity with the provisions of Chapter 3 if certain conditions are incorporated into the project and accepted by the applicants. 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 Malibu and Santa Monica Mountains area, which is also consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

E. CALIFORNIA ENVIRONMENTAL QUALITY ACT

Section 13096(a) of the Commission's administrative regulations requires Commission approval of a Coastal Development Permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California 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 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.



PROJECT SITE
JAMES & TRACY MOORE
7163 BIRDVIEW AVENUE
MALIBU, CA 90265
A.P.N. 4468-018-003

OCEAN

PACIFIC

RECEIVED

JUN 28 2000

CALIFORNIA
 COASTAL COMMISSION
 SOUTH CENTRAL COAST DISTRICT

EXHIBIT 1

CDP #4-00-149

Vicinity Map



REVISED
 11-27-55
 11-2-60
 9-17-62
 6602058-58
 681115
 701118
 710505-66
 9/05/06
 9/5/2008

SCALE IN 1/10 OF AN INCH

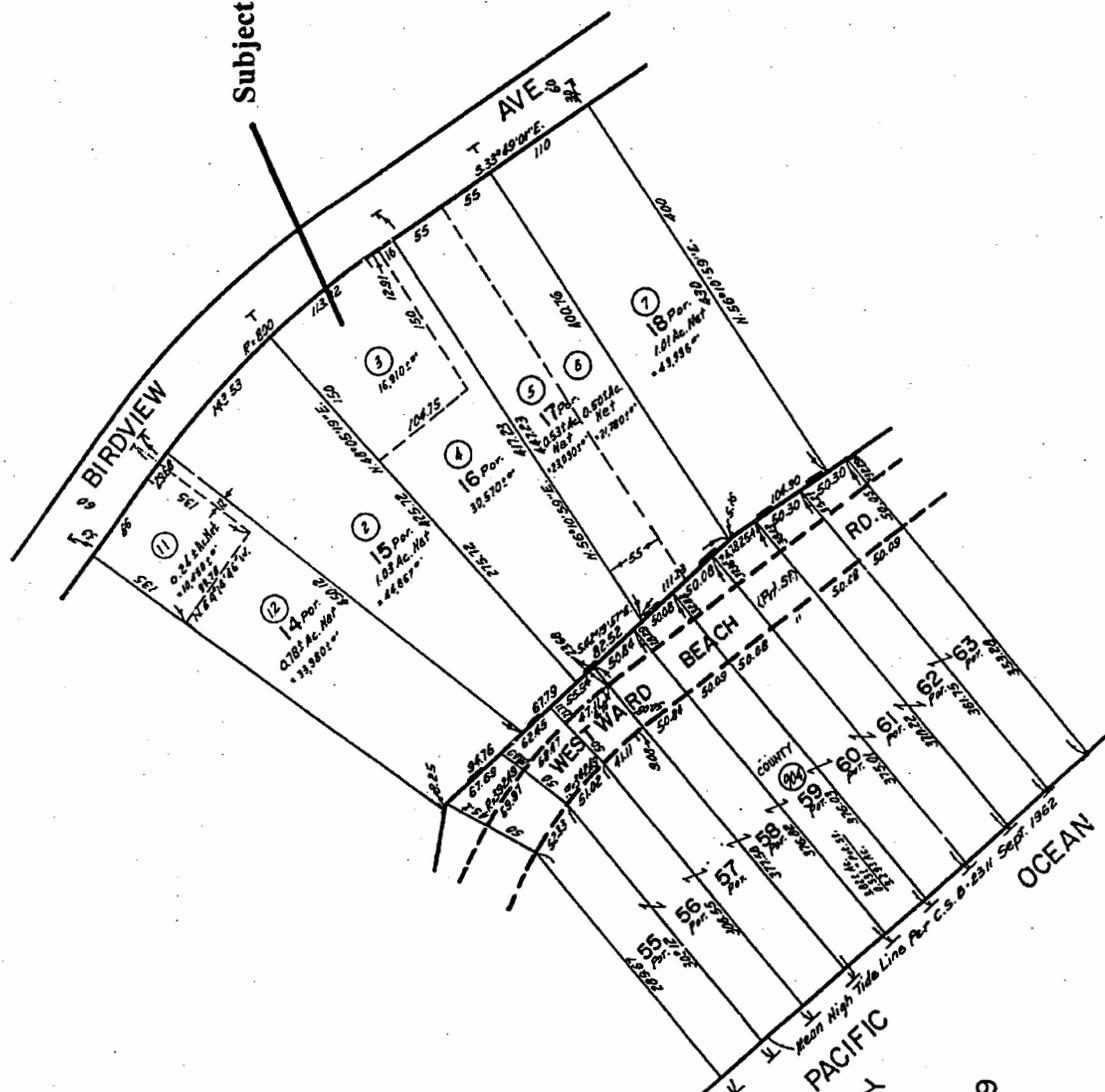


1-800-345-7334

1996

4468 18
 SCALE 1" = 100'

Subject Parcel



DEC 22 1995

ASSESSOR'S MAP
 COUNTY OF LOS ANGELES, CALIF.

RECORD OF SURVEY

R.S. 57-40-41

TRACT NO. 13619

M.B. 282-26-23

CODE 10860

FOR PREY. ASSMT. SEE: 482-309,310 & 332

EXHIBIT 2
 CDP # 4-00-149
 Parcel Map

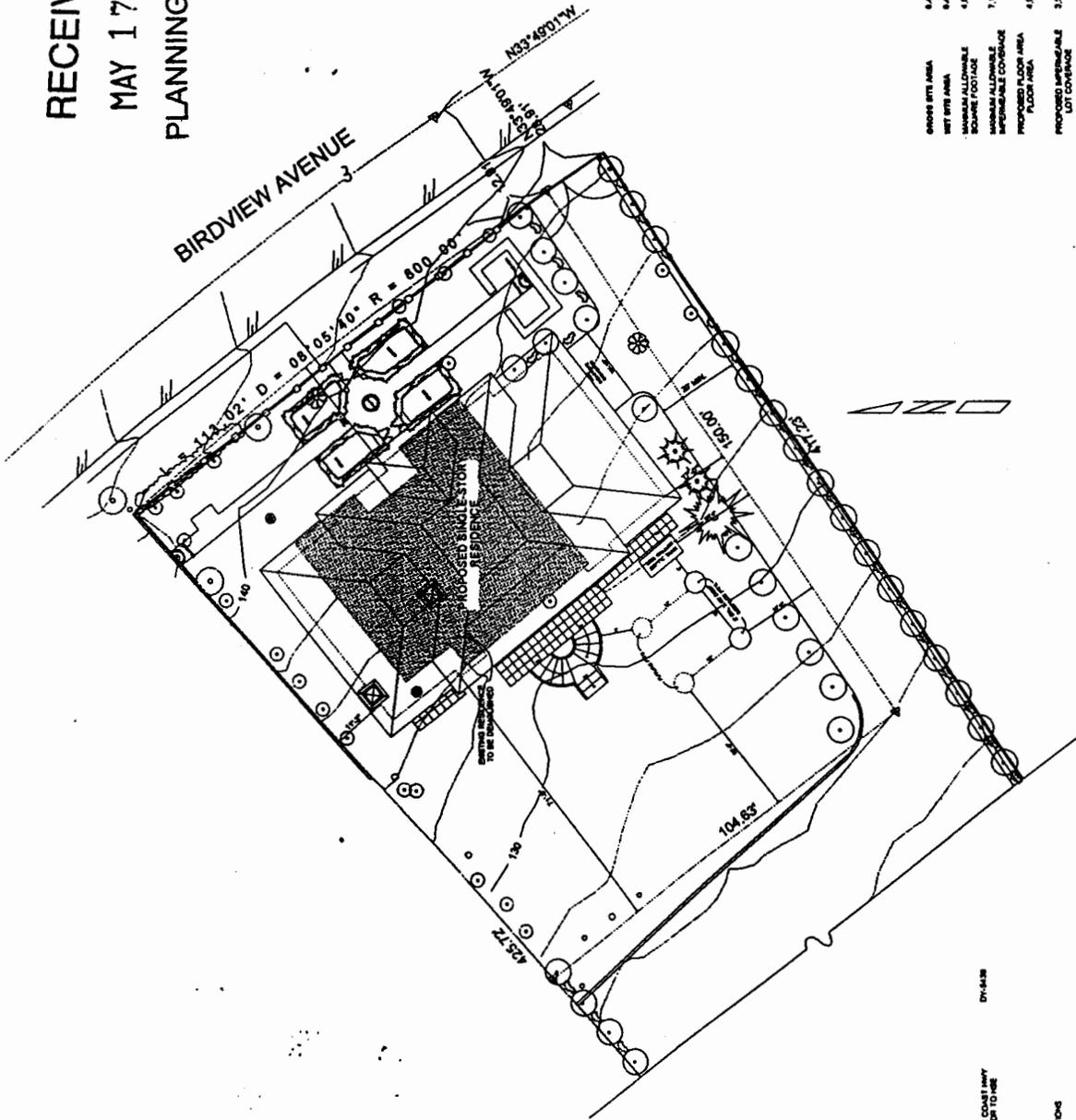
1	REVISIONS
2	REVISIONS
3	REVISIONS
4	REVISIONS
5	REVISIONS
6	REVISIONS
7	REVISIONS
8	REVISIONS
9	REVISIONS
10	REVISIONS
11	REVISIONS
12	REVISIONS
13	REVISIONS
14	REVISIONS
15	REVISIONS
16	REVISIONS
17	REVISIONS
18	REVISIONS
19	REVISIONS
20	REVISIONS
21	REVISIONS
22	REVISIONS
23	REVISIONS
24	REVISIONS
25	REVISIONS
26	REVISIONS
27	REVISIONS
28	REVISIONS
29	REVISIONS
30	REVISIONS
31	REVISIONS
32	REVISIONS
33	REVISIONS
34	REVISIONS
35	REVISIONS
36	REVISIONS
37	REVISIONS
38	REVISIONS
39	REVISIONS
40	REVISIONS
41	REVISIONS
42	REVISIONS
43	REVISIONS
44	REVISIONS
45	REVISIONS
46	REVISIONS
47	REVISIONS
48	REVISIONS
49	REVISIONS
50	REVISIONS
51	REVISIONS
52	REVISIONS
53	REVISIONS
54	REVISIONS
55	REVISIONS
56	REVISIONS
57	REVISIONS
58	REVISIONS
59	REVISIONS
60	REVISIONS
61	REVISIONS
62	REVISIONS
63	REVISIONS
64	REVISIONS
65	REVISIONS
66	REVISIONS
67	REVISIONS
68	REVISIONS
69	REVISIONS
70	REVISIONS
71	REVISIONS
72	REVISIONS
73	REVISIONS
74	REVISIONS
75	REVISIONS
76	REVISIONS
77	REVISIONS
78	REVISIONS
79	REVISIONS
80	REVISIONS
81	REVISIONS
82	REVISIONS
83	REVISIONS
84	REVISIONS
85	REVISIONS
86	REVISIONS
87	REVISIONS
88	REVISIONS
89	REVISIONS
90	REVISIONS
91	REVISIONS
92	REVISIONS
93	REVISIONS
94	REVISIONS
95	REVISIONS
96	REVISIONS
97	REVISIONS
98	REVISIONS
99	REVISIONS
100	REVISIONS

PROPOSED SINGLE FAMILY RESIDENCE FOR:
JIM AND TRACY MOORE
 7169 BIRDVIEW AVENUE
 MALIBU, CALIFORNIA 90265

CLIVE DAWSON A.I.A.
 architecture and planning
 2025 Pacific Coast Highway, Malibu, California 90265 310.509.1923

1	DATE
2	DATE
3	DATE
4	DATE
5	DATE
6	DATE
7	DATE
8	DATE
9	DATE
10	DATE
11	DATE
12	DATE
13	DATE
14	DATE
15	DATE
16	DATE
17	DATE
18	DATE
19	DATE
20	DATE
21	DATE
22	DATE
23	DATE
24	DATE
25	DATE
26	DATE
27	DATE
28	DATE
29	DATE
30	DATE
31	DATE
32	DATE
33	DATE
34	DATE
35	DATE
36	DATE
37	DATE
38	DATE
39	DATE
40	DATE
41	DATE
42	DATE
43	DATE
44	DATE
45	DATE
46	DATE
47	DATE
48	DATE
49	DATE
50	DATE
51	DATE
52	DATE
53	DATE
54	DATE
55	DATE
56	DATE
57	DATE
58	DATE
59	DATE
60	DATE
61	DATE
62	DATE
63	DATE
64	DATE
65	DATE
66	DATE
67	DATE
68	DATE
69	DATE
70	DATE
71	DATE
72	DATE
73	DATE
74	DATE
75	DATE
76	DATE
77	DATE
78	DATE
79	DATE
80	DATE
81	DATE
82	DATE
83	DATE
84	DATE
85	DATE
86	DATE
87	DATE
88	DATE
89	DATE
90	DATE
91	DATE
92	DATE
93	DATE
94	DATE
95	DATE
96	DATE
97	DATE
98	DATE
99	DATE
100	DATE

RECEIVED
 MAY 17 2000
 PLANNING DEPT.



EXISTING LOT AREA	6,348 SQ FT (17,481 SQ. FT.)
NET LOT AREA	6,348 SQ FT (17,481 SQ. FT.)
MINIMUM LOT AREA	4,284 SQ FT *
MINIMUM LOT AREA	7,195 SQ FT
MINIMUM ALLOWABLE	
PERMISSIBLE COVERAGE	
PROPOSED FLOOR AREA	4,887 SQ FT
PROPOSED FLOOR AREA	2,294 SQ FT
PROPOSED IMPERMEABLE	
LOT COVERAGE	

- LEGS
- PROPERTY LINE
- STREET CENTERLINE (CS)
- MONUMENT
- ENCROACHMENT (ENCR)
- CLEAR (CLR)
- STREET LIGHT (STLT)
- ASPHALT (AC)
- BUILDING
- CONCRETE (CONC)
- MANHOLE (MH)
- IRRIGATION CONTROL VALVE (CV)
- TREES

PROPERTY ADDRESS:
 7169 BIRDVIEW AVENUE
 MALIBU, CA 90265
 ASSessor'S PARCEL NO.:
 4448-016-003

DATE OF RECORD:
 THE RECORD OF THIS PLAN IS FILED IN THE OFFICE OF THE COUNTY CLERK OF MALIBU COUNTY, CALIFORNIA, AND IS AVAILABLE FOR EXAMINATION IN THE OFFICE OF THE COUNTY CLERK OF MALIBU COUNTY, CALIFORNIA, AND IS AVAILABLE FOR EXAMINATION IN THE OFFICE OF THE COUNTY CLERK OF MALIBU COUNTY, CALIFORNIA.

NOTES:
 1) SETBACKS TO PROPERTY AND TO ADJACENT PROPERTY ARE SHOWN ON THIS MAP. GROUND ELEVATIONS AT CRITICAL POINTS CONTROLLING THE DESIGN SHOULD BE OBTAINED FROM THE DESIGNER.
 2) UTILITIES LOCATED ARE BY SURFACE EVIDENCE ONLY (MANHOLES, WATER METER, GAS METER, POWER POLE, ETC.)

EXHIBIT A

EXHIBIT 3
 CDP # 4-00-149
 Site Plan

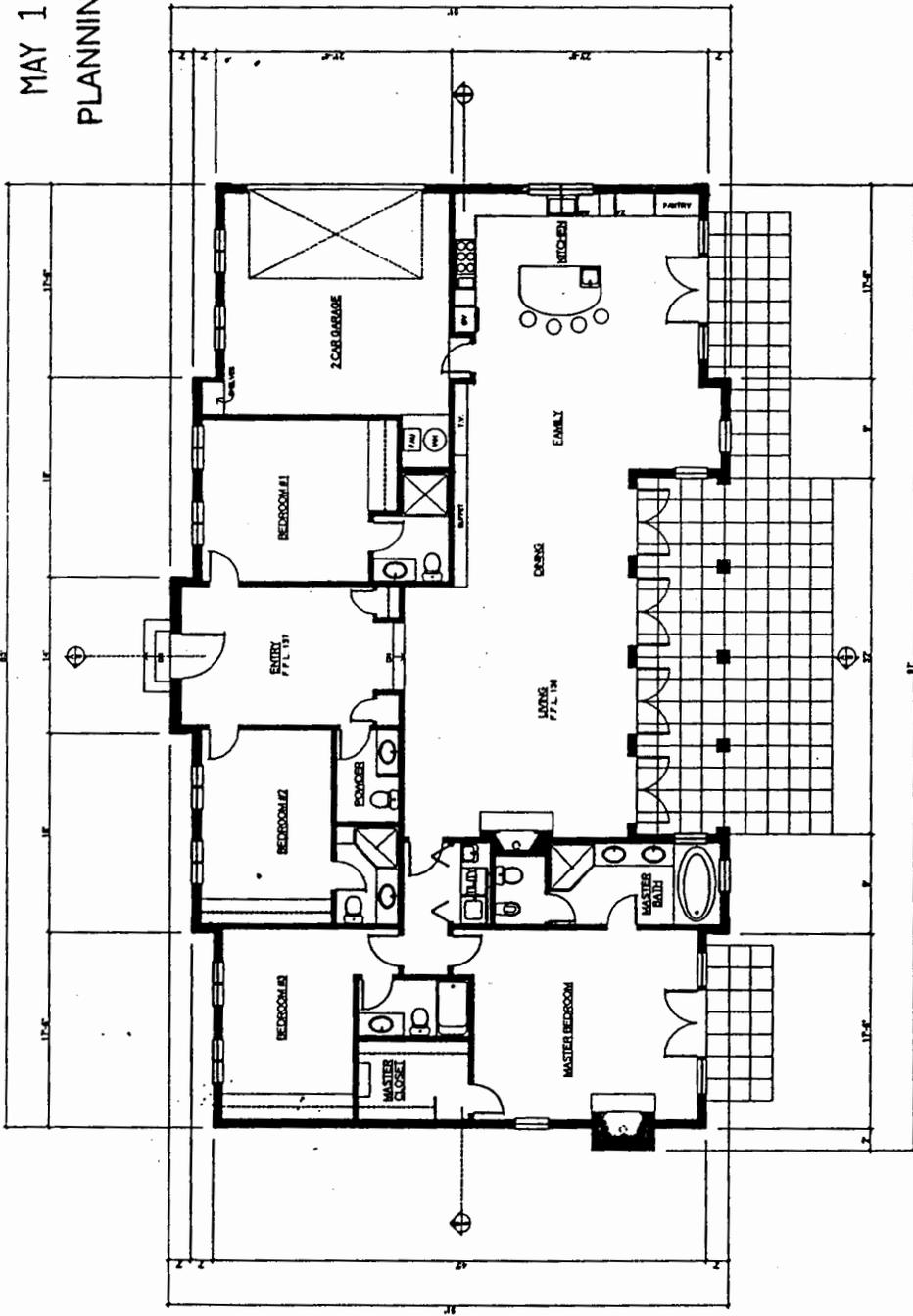
DATE	
REVISION	
NO.	
DATE	
BY	
DESCRIPTION	
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	
32	
33	
34	
35	
36	
37	
38	
39	
40	
41	
42	
43	
44	
45	
46	
47	
48	
49	
50	
51	
52	
53	
54	
55	
56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
70	
71	
72	
73	
74	
75	
76	
77	
78	
79	
80	
81	
82	
83	
84	
85	
86	
87	
88	
89	
90	
91	
92	
93	
94	
95	
96	
97	
98	
99	
100	

PROPOSED SINGLE FAMILY RESIDENCE FOR:
 JIM AND TRACY MOORE
 7163 BIRDVIEW AVENUE
 MALIBU, CALIFORNIA 90265

CLIVE DAWSON A.I.A.
 architecture and planning
 28278 Pacific Coast Highway, Malibu, California 90263 310.309.1323

NO. 2
 DATE
 DRAWN BY
 CHECKED BY
 SCALE
 SHEET NO.

RECEIVED
 MAY 17 2000
 PLANNING DEPT.



FLOOR PLAN
 4,057 SQ. FT.

EXHIBIT 4
CDP # 4-00-149
Floor Plan

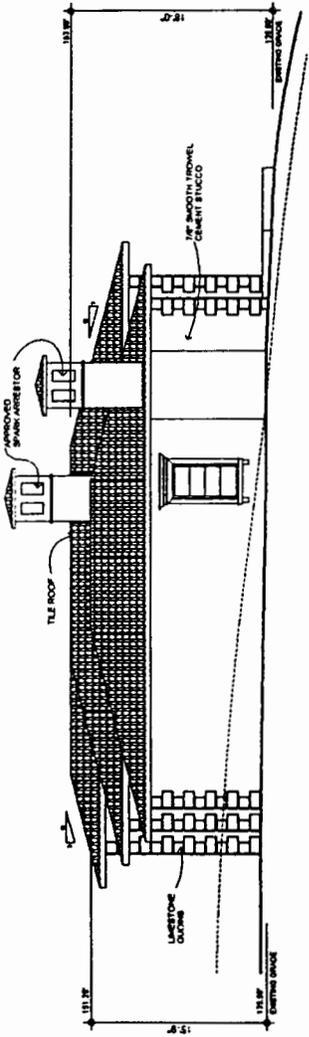
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	
32	
33	
34	
35	
36	
37	
38	
39	
40	
41	
42	
43	
44	
45	
46	
47	
48	
49	
50	
51	
52	
53	
54	
55	
56	
57	
58	
59	
60	
61	
62	
63	
64	
65	
66	
67	
68	
69	
70	
71	
72	
73	
74	
75	
76	
77	
78	
79	
80	
81	
82	
83	
84	
85	
86	
87	
88	
89	
90	
91	
92	
93	
94	
95	
96	
97	
98	
99	
100	

PROPOSED SINGLE FAMILY RESIDENCE FOR:
 JIM AND TRACY MOORE
 7163 BIRDVIEW AVENUE
 MALIBU, CALIFORNIA 90265

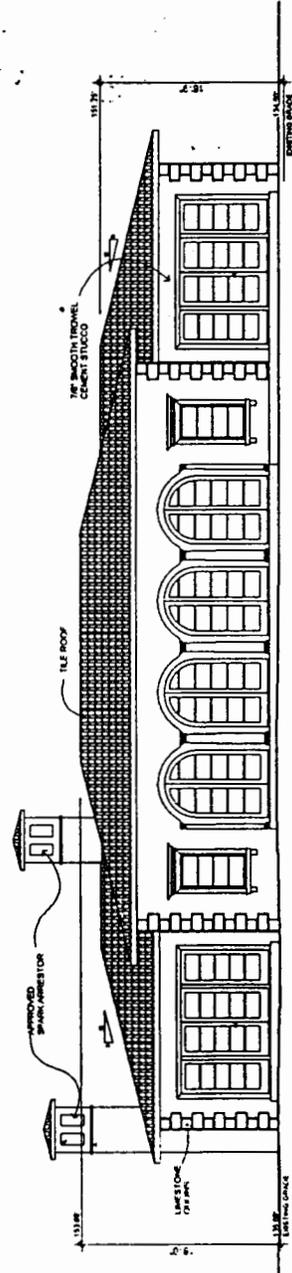
CLIVE DAWSON A.I.A.
 architecture and planning
 28222 Pacific Coast Highway, Malibu, California 90263 310.996.1223

DATE	05/17/00
BY	CLM
CHECKED BY	CLM
SCALE	AS SHOWN
SHEET NO.	5

RECEIVED
 MAY 17 2000
 PLANNING DEPT.



WEST ELEVATION



SOUTH ELEVATION

EXHIBIT 6
CDP # 4-00-149
Elevations

