

**CALIFORNIA COASTAL COMMISSION**

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

Filed: 8/3/01  
49th Day: 9/21/01  
180th Day: 1/30/02  
Staff: AAV  
Staff Report: 8/23/01  
Hearing Date: 9/11/01  
Commission Action:



## RECORD PACKET COPY

### STAFF REPORT: REGULAR CALENDAR

**APPLICATION NO.:** 4-00-128

**APPLICANTS:** Chris and Georgia Farinella

**AGENT:** Susan Robles

**PROJECT LOCATION:** 25700 Mulholland Highway, Calabasas, Los Angeles County

**PROJECT DESCRIPTION:** Construction of an 834 sq. ft. horse barn with approximately 48 cu. yds. of grading (cut and fill) and after-the-fact approval for an 11,000 sq. ft. sand horse arena with approximately 50 cu. yds. of grading (cut and fill).

|                            |               |
|----------------------------|---------------|
| <b>Lot area:</b>           | 1.94 acres    |
| <b>Building coverage:</b>  | 3,107 sq. ft. |
| <b>Pavement coverage:</b>  | 2,960 sq. ft. |
| <b>Landscape coverage:</b> | 8,541 sq. ft. |
| <b>Unimproved area:</b>    | 6,812 sq. ft. |

**LOCAL APPROVALS RECEIVED:** County of Los Angeles Department of Regional Planning, Approval In Concept 3-28-98; County of Los Angeles Fire Department, Preliminary Fuel Modification Plan Approval 6/26/01.

**SUBSTANTIVE FILE DOCUMENTS:** Coastal Development Permit P-77-673 (Wright), Report of Geologic Reconnaissance, dated 2/13/98, GeoPlan, Inc.

#### SUMMARY OF STAFF RECOMMENDATION

Staff recommends **approval** of the proposed project with 6 Special Conditions regarding 1) Geologic Recommendations, 2) Drainage and Polluted Run-off Control Plans, 3) Revised Plans, 4) Final Approved Fuel Modification Plans, 5) Wildfire Waiver of Liability, and 6) Condition Compliance.

The applicants are proposing to construct an 834 sq. ft. horse barn with approximately 48 cu. yds. of grading (cut and fill) and are requesting after-the-fact approval for an 11,000 sq. ft. sand horse arena with approximately 50 cu. yds. of grading (cut and fill). A Fuel Modification Plan with Preliminary Approval of the County of Los Angeles Fire Department Forestry Division

submitted for the proposed project indicates that construction of the barn in the proposed location will require vegetation clearance/thinning for fuel modification that will exceed the fuel modification requirements presently imposed on the site for the existing residence. Based on the submitted plan, the extended fuel modification zone required for the proposed barn will result in brush clearance on three naturally vegetated, undeveloped parcels to the west and south of the subject site that are presently not affected by vegetation clearance requirements for the existing development. As such, the proposed barn will result in new adverse impacts on natural vegetation surrounding the site. To minimize adverse impacts on natural vegetation surrounding the site, **Special Condition 3** of the subject permit requires the applicant to submit revised plans which show that the horse barn is deleted from the plans, is modified with respect to building materials, or is relocated to the area of the approved horse arena, such that fuel modification requirements for the barn do not exceed that which is currently required for the residence. Additionally, the Commission requires the applicants to submit Final Fuel Modification Plans approved by the County of Los Angeles Fire Department Forestry Division, as described in **Special Condition 4**, to ensure that fuel modification requirements for the proposed horse barn, as revised to be consistent with **Special Condition 3**, do not exceed that necessary to protect the single family residence.

The Commission notes that the proposed 11,000 sq. ft. horse arena is located in an area subject to fuel modification for the existing residence, and does not require additional fuel modification measures on the site or on adjacent property. Therefore, the proposed horse arena will not adversely impact significant natural vegetation surrounding the project site.

As conditioned, the proposed project is consistent with all applicable policies of the Coastal Act.

## **STAFF RECOMMENDATION:**

**MOTION:**     *I move that the Commission approve Coastal Development Permit No. 4-00-128 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 Recommendations**

All recommendations contained in the Report of Geologic Reconnaissance, dated 2/13/98, prepared by GeoPlan, Inc. shall be incorporated into all final design and construction including foundations, grading, and drainage. Final plans must be reviewed and approved by the project's consulting engineering geologist. Prior to issuance of the coastal development permit, the applicants shall submit, for review and approval of the Executive Director, evidence of the consultant's review and approval of all project plans.

The final plans approved by the consultant 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 consultant shall require an amendment to the permit or a new coastal permit.

## 2. Drainage and Polluted Runoff Control Plans

Prior to issuance of Coastal Development Permit 4-00-128, the applicants shall submit to the Executive Director for review and written approval, final drainage and runoff control plans for any improved area on the property accommodating location and construction of the proposed horse barn consistent with **Special Condition 3**. 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 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 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 identify an area for animal waste containment and shall specify provisions to contain and prevent off-site migration of animal waste due to wind, rain, or run-off. The plan shall include drainage devices and BMPs which will ensure that run-off from the proposed horse barn shall be collected and directed through a system of vegetated and/or gravel filter strips or other media filter devices. The filter devices shall be designed to trap sediment, particulates and other solids, and remove or mitigate contaminants through infiltration and/or biological uptake.

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 applicants/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. Revised Plans

Prior to issuance of Coastal Development Permit 4-00-128, the applicants shall submit, for the review and approval of the Executive Director, revised project plans which show that the proposed 834 sq. ft. horse barn is deleted from the plans, is modified with respect to building material, or is relocated on the subject site to the area of the horse arena approved pursuant to this coastal permit, such that the structure does not require fuel modification which exceeds that currently necessary to protect the existing single family residence.

#### **4. Final Approved Fuel Modification Plans**

*Prior to issuance of Coastal Development Permit 4-00-128, the applicants shall submit Final Approved Fuel Modification Plans approved by the County of Los Angeles Fire Department Forestry Division, for the review and approval of the Executive Director, which indicate that fuel modification requirements for the proposed horse barn shall not exceed beyond that necessary to protect the single family residence.*

#### **5. Wildfire Waiver of Liability**

*Prior to the issuance of Coastal Development Permit 4-00-128, 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.*

#### **6. Condition Compliance**

Within 120 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 applicants shall satisfy all requirements specified in the conditions hereto that the applicants are required to satisfy prior to issuance of this permit. Failure to comply with this requirement may result in the institution of enforcement action under the provisions of Chapter 9 of the Coastal Act.

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

The Commission hereby finds and declares:

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

The applicants are proposing to construct an 834 sq. ft. horse barn with approximately 48 cu. yds. of grading (cut and fill) and are requesting after-the-fact approval for an 11,000 sq. ft. sand horse arena with approximately 50 cu. yds. of cut and fill grading (Exhibit 3). Project plans submitted by the applicants also indicate that approximately 510 sq. ft. of structural additions are planned for the existing 1,971 sq. ft. residence. The proposed additions to the residence will not require grading and are an improvement to the existing single family residence that is not located in the area between the sea and the first public road or within 300 feet of the inland extent of any beach, and is not located in a designated environmentally sensitive habitat area. As such, the proposed additions to the existing residence are exempt from coastal permitting requirements (Section 13250(b)(4) of 14 Cal. Admin. Code).

The project site is a rectangular 1.94 acre (83,420 sq. ft) parcel located on the south side of Muholland Highway in the Santa Monica Mountains (Exhibits 1,2). The area surrounding the project site is characterized by natural hillside terrain and is moderately developed with custom single family residences. The project site is currently developed with a single family residence and attached garage, driveway, sand horse arena, and graded terraces (Exhibit 3). Development at the project site was approved and constructed under Coastal Development Permit P-77-673 (Wright), and included the residence and garage, driveway, and appurtenances which included the terraced and landscaped yard. The existing residence and driveway are located on a graded ridge that descends with moderate gradients to the west, south, and east. A private road has been graded and paved along an access easement that runs parallel to the west property boundary of the site.

No designated environmentally sensitive habitat area exists at the site. The project site is located north of the Cold Creek Resource Management Area and a mapped USGS blue line stream originates in a minor drainage located north-west of the site (Exhibit 4). The entire parcel is subject to fuel modification requirements imposed for fire hazard protection of the existing residence, therefore, no significant natural or sensitive vegetation is present at the site. Adjacent parcels to the north and east of the subject site are also subject to fuel modification requirements, however, significant natural vegetation remains on undeveloped parcels to the west and south of the site.

The applicants are proposing to construct a new 834 sq. ft. horse barn at the south-west corner of the subject site that will require approximately 48 cu. yds. of cut and fill grading. A Fuel Modification Plan with Preliminary Approval of the County of Los Angeles Fire Department Forestry Division indicates that regular fuel modification requirements will be imposed for the proposed barn. The Fuel Modification Plan indicates that, due to the location of the proposed barn at the south-west property boundary, vegetation clearance/thinning requirements will exceed the fuel modification requirements presently imposed on the site for the existing residence (Exhibit 5). Based on the submitted plan, the extended fuel modification zone required for the proposed barn will result in brush clearance on three undeveloped parcels to the west and south of the subject site that are presently not affected by vegetation clearance requirements for the existing development, but which retain a significant amount of natural vegetative coverage. Currently, brush clearance for the existing residence overlaps with other fuel modification requirements imposed on adjacent development to the north and east of the site, but extends approximately 27 ft. on one adjacent parcel directly south of the site's south-east property boundary (Exhibit 5). As such, project plans submitted for the proposed barn indicate that vegetation clearance/thinning requirements for fire protection of the proposed structure will result in new adverse impacts on natural vegetation surrounding the site.

The applicants are also requesting after-the-fact approval for an 11,000 sq. ft. sand horse arena located on a level pad area at the north-west portion of the property. Construction of the horse arena includes approximately 50 cu. yds. of cut and fill grading. The horse arena is located in an area currently subject to vegetation disturbance associated with fuel modification required for the existing residence and does not result in additional fuel modification requirements at the site or on adjacent properties. As such, the horse arena does not result in any new adverse impacts to significant vegetation. Additionally, the horse arena includes minimal grading (50 cu. yds. cut and fill), nominal landform alteration, and does not result in an increase of impervious structures at the site. Therefore, the proposed horse arena will not adversely affect site drainage or result in increased run-off and erosion.

The project site is located just south of Mulholland Highway, a designated scenic highway in the certified Malibu/Santa Monica Mountains Land Use Plan. Due to existing vegetation and natural topography surrounding the site, development at the site is minimally visible from Mulholland Highway. Therefore, the proposed project will not have a new significant adverse impact on visual resources.

## **B. Geology and Wildfire Hazard**

The proposed development is located in the Santa Monica Mountains 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 area include landslides, erosion, and flooding. In addition, fire is an inherent threat to the indigenous chaparral community of the coastal mountains. Wildfires 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 minimize risks to life and property in areas of high geologic, flood, and fire hazard. The project site is a parcel comprised of an existing building pad and graded terraces surrounded by moderately descending slopes. The subject site is presently developed with a single family home, garage, driveway, and sand horse arena. The applicants are proposing to construct an 834 sq. ft. horse barn at the south-west portion of the property requiring approximately 48 cu. yds. of grading, and is requesting after-the-fact approval for construction of an 11,000 sq. ft. sand horse arena at the north-west portion of the property. As previously described, construction of the horse arena includes 50 cu. yds. of grading, with minimal landform alteration, and does not result in additional impervious surfaces at the site. As such, construction of the horse arena does not adversely affect site drainage or result in increased run-off and erosion. Therefore, the sand horse arena will not have a significant adverse impact on the geologic stability of the project site.

In addition, the applicants have submitted a Report of Geologic Reconnaissance, dated 2/13/98, prepared by GeoPlan, Inc. which evaluates the geologic stability of the subject site in relation to the existing and proposed development. Based on their evaluation of the subject site and geologic conditions at the site, the consultants have found that the project site is suitable

for the proposed development. The Report of Geologic Reconnaissance, dated 2/13/98, prepared by GeoPlan, Inc. states:

*It is concluded from the reconnaissance and review of records that at the time of the reconnaissance examination 257000 Mulholland Highway was free of evidence of large-scale geologic hazards including landslide, erosion, settlement, subsidence, inundation, mudflow or seismic damage including liquefaction.*

The Report of Geologic Reconnaissance, dated 2/13/98, prepared by GeoPlan, Inc. contains several recommendations to be incorporated into project construction, design, and drainage of newly constructed permanent structures, to ensure the stability and geologic safety of the proposed project site and adjacent property. To ensure that the recommendations of the consultant have been incorporated into all proposed development the Commission, as specified in **Special Condition 1**, requires the applicants to submit project plans certified by the consulting geologist 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, as 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 further finds that controlling and diverting run-off in a non-erosive manner from the proposed structure and new impervious surfaces will also add to the geologic stability of the project site. Therefore, in order to minimize erosion and ensure stability of the project site, and to ensure that adequate drainage and erosion control is included in the proposed development, the Commission requires the applicants to submit drainage and run-off control plans certified by the engineering geologic consultant, as specified in **Special Condition 2**.

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 5**, 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 5**, 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. Sensitive Habitat and Water Quality**

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 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, 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.***

Sections 30230 and 30231 of the Coastal Act require that the biological productivity and the quality of coastal waters and streams be maintained and, where feasible, restored through means such as minimizing adverse effects of waste water discharge and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flows, maintaining natural buffer areas that protect riparian habitats, and minimizing alteration of natural streams. In addition, Section 30240 of the Coastal Act states

that environmentally sensitive habitat areas must be protected against disruption of habitat values.

To assist in the determination of whether a project is consistent with Section 30230, 30231, and 30240 of the Coastal Act, the Commission has relied in past permit decisions on the certified LUP, which contains numerous policies designated to protect sensitive resource areas from the individual and cumulative impacts of development. The certified LUP has been found to be consistent with the Coastal Act and provides specific standards for development in Malibu and the Santa Monica Mountains. In its findings regarding the certification of the Malibu/Santa Monica Mountains LUP, the Commission emphasized the importance placed by the Coastal Act on protection of sensitive environmental resources and found that:

***Coastal canyons in the Santa Monica Mountains require protection against significant disruption of habitat values, including not only the riparian corridors located in the bottoms of the canyons, but also the chaparral and coastal sage biotic communities found on the canyon slopes.***

No designated environmentally sensitive habitat area exists at the project site, however, the site lies north of the Cold Creek Resource Management Area, which is a designated sensitive habitat area in the Malibu/Santa Monica Mountains LUP (Exhibit 4). In addition, a mapped USGS blue line stream originates near the project site within a minor, disturbed drainage located north-west of the subject property. The blue line stream drains to a significant coastal canyon within the Cold Creek Resource Management Area (Exhibit 4).

The applicants have submitted a Fuel Modification Plan for the proposed development. The Commission notes that no fuel modification will occur within environmentally sensitive habitat areas of the Cold Creek Resource Management Area located south of the project site. However, the Fuel Modification Plan indicates that fuel modification requirements for the horse barn in its proposed location will result in disturbance of native vegetation on adjacent properties, beyond that which is required to protect the existing residence.

The Commission notes that a majority of project site is subject to fuel modification requirements imposed for fire hazard protection of the existing residence. Developed parcels to the north and east of the subject site are also subject to fuel modification requirements imposed for adjacent development on those parcels (Exhibit 5). However, significant natural vegetation remains on adjacent parcels to the west and south of the site, which are currently only subject to a ten ft. wide brush clearance zone along a private access road. The applicants are proposing to construct a new 834 sq. ft. horse barn at the south-west corner of the subject site. A Fuel Modification Plan with Preliminary Approval of the County of Los Angeles Fire Department Forestry Division indicates that regular fuel modification requirements will be imposed for the proposed barn. The Fuel Modification Plan indicates that, due to the location of the proposed barn at the south-west property boundary, vegetation clearance/thinning requirements will exceed the fuel modification requirements presently imposed for the existing residence by approximately 160 ft. at the south-west portion of the property. The extended fuel modification zone required for the proposed barn would result, on average, in approximately 100 ft. of brush clearance on three adjacent parcels to the west and south of the subject site, parcels that are presently not affected by vegetation clearance requirements for the existing development, which retain significant natural vegetation (Exhibit 5). Currently, the brush clearance zone for the existing residence overlaps with other fuel modification requirements imposed on adjacent development to the north and east of the site, but extends approximately 27 ft. on one adjacent parcel directly south of the site's south-east property boundary. As such, project plans

submitted for the proposed barn indicate that vegetation clearance/thinning requirements for fire protection of the proposed structure will result in new adverse impacts on natural vegetation existing to the west and south of the site. To ensure that the proposed project does not result in adverse impacts to significant natural vegetation surrounding the site, the Commission finds that revised plans shall be required, as stated in **Special Condition 3**, which show that the horse barn is deleted from the plans, is modified with respect to building materials, or is relocated to the area of the approved horse arena, such that fuel modification requirements for the barn do not exceed that which is currently required for the residence. Additionally, the Commission requires the applicants to submit Final Fuel Modification Plans approved by the County of Los Angeles Fire Department Forestry Division, as described in **Special Condition 4**, to ensure that fuel modification requirements for the proposed horse barn, as revised to be consistent with **Special Condition 3**, do not exceed that necessary to protect the single family residence.

The applicants are also requesting after-the-fact approval for an 11,000 sq. ft. sand horse arena located on a level pad area at the north-west portion of the property. Construction of the horse arena includes approximately 50 cu. yds. of cut and fill grading. The horse arena is located in an area currently subject to vegetation disturbance associated with fuel modification required for the existing residence and does not result in additional fuel modification requirements at the site or on adjacent properties. As such, the horse arena does not result in any new adverse impacts to significant vegetation.

The Commission notes that seasonal streams and drainages, such as the blueline stream originating south-west of 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 in close proximity 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 proposed project includes minimal grading with no significant landform alteration. However, all grading activities at the project site have the potential to increase erosion on site and increase sedimentation into the natural drainage course and ultimately downstream areas. Minimizing site erosion will reduce the project's individual and cumulative potential to adversely affect sensitive resources located downstream of the project site. Therefore, the Commission finds that potential adverse effects of the proposed development on downstream areas may be minimized through the implementation of a drainage and polluted runoff control plan, which will ensure that erosion is minimized and polluted run-off from the site is controlled and filtered before it reaches natural drainage courses within the watershed. Therefore, the Commission requires **Special Condition 2**, the Drainage and Polluted Run-off Control Plan, which requires the applicants to incorporate appropriate drainage devices and Best Management Practices (BMPs) to ensure that run-off from the proposed structures and impervious surfaces is conveyed off-site in a non-erosive manner and is treated/filtered to reduce pollutant load before it reaches coastal waterways.

In addition to controlling and treating run-off from the site to reduce potential impacts on water quality and sensitive habitats, **Special Condition 2** also requires the applicants to identify an area for animal waste containment and ensure that run-off from the proposed horse facilities

and waste containment area is treated and/or filtered prior to leaving the site. Animal husbandry, including horse facilities, is a recognized cause of non-point source pollution as such facilities concentrate the occurrence of animal waste which may adversely impact water quality if conveyed to coastal waterways. Therefore, **Special Condition 2** also requires that run-off from the horse barn and animal waste containment area be collected and directed through a system of vegetated and/or gravel filter strips or other media filter devices to reduce the nutrient load of this run-off and further minimize the potential adverse impacts which may result from the occurrence of horses at the site. The Commission finds that controlling and treating run-off from the site as described will reduce potential adverse impacts on water quality and will therefore prevent impacts that would significantly degrade sensitive resources located downstream of the project site.

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.

#### **D. Violations**

Unpermitted development has taken place prior to submission of this permit application including construction of an 11,000 sq. ft. sand horse arena with approximately 50 cu. yds. of cut and fill grading. The applicants request after-the-fact approval for the horse arena, and approval to construct an 834 sq. ft. horse barn with 48 cu. yds. of cut and fill grading. In order to ensure that the unpermitted development is resolved in a timely manner, **Special Condition 6** requires that the applicants satisfy all conditions of this permit which are prerequisite to the issuance of this permit within 120 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.

#### **E. Local Coastal Plan**

Section 30604 of the Coastal Act states:

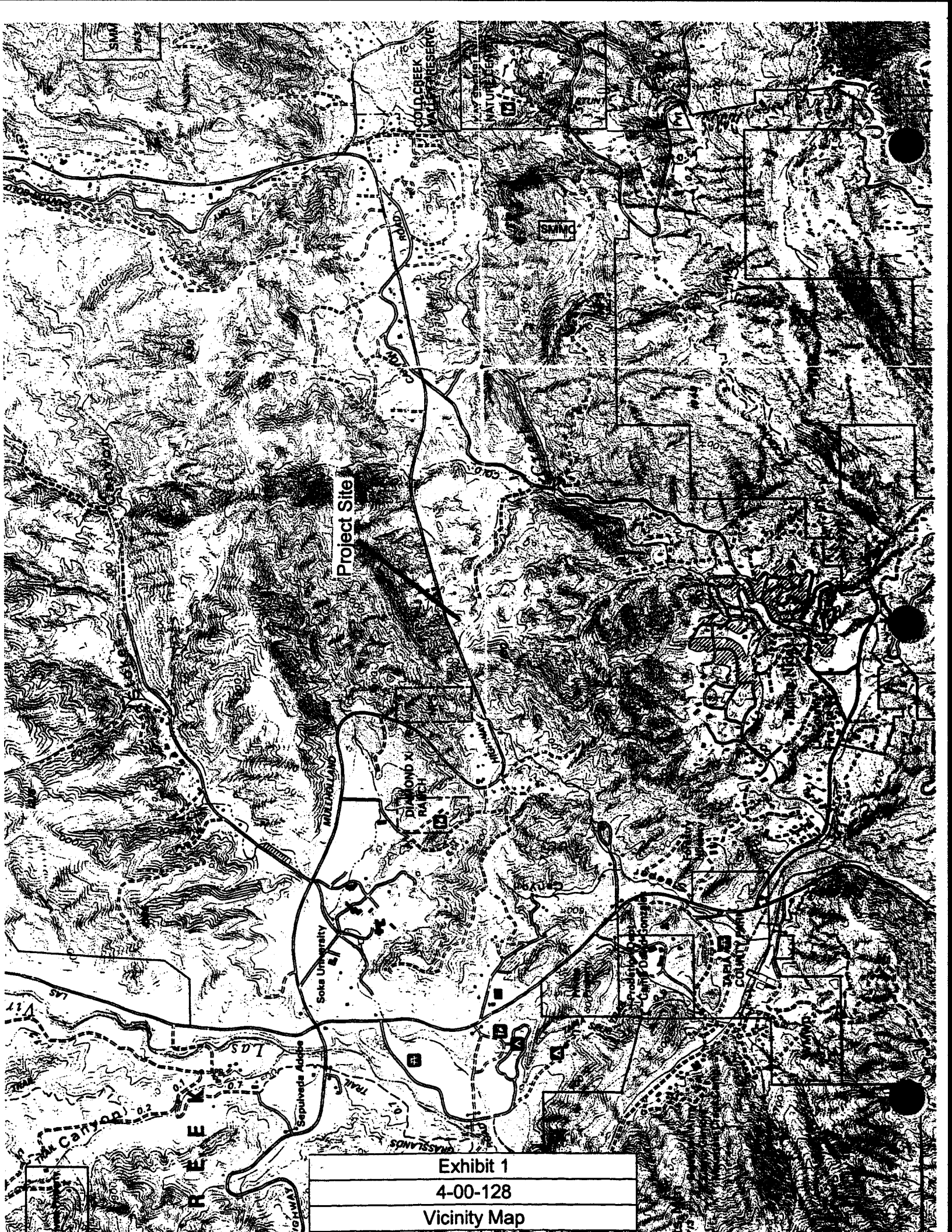
- A) *Prior to certification of the local coastal program, a coastal development permit shall be issued if the issuing agency, or the Commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the 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 County'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).

#### **F. 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

Soka University

Sepulveda Adobe

DIAMOND X RANCH

COLD CREEK VALLEY RESERVE

Exhibit 1  
4-00-128  
Vicinity Map

RE

TAPE COUNTY

SWMC

MATURE BERRY

University of California

GRASSLANDS

TRAIL

SWMC

1100

1500

1000

1000

145

100

1900

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000

1000



74.83± Ac.

1.94± Ac.  
0.33± S.Ease.  
1.61± Ac.

MULHOLLAND HWY  
Slope  
Slope

4.96± Ac.  
0.32± S. Ease.  
0.06± Fut. St.  
3.58± Ac.

4.38± Ac.  
0.05 ± S. Ease.  
0.01 ± Fut. St.  
4.32± Ac.

U.S.A  
504  
19.90± Ac.

N. 1/2 S. 1/2 NW. 1/4

1041.70

58

17  
23.99± Ac.  
0.16± S. Ease.  
23.83± Ac.

28

37

34

38

31

33

± 80.22±  
N. 0° 06' 14" W. 511.50± O.W.

Subject Parcel

5.750±  
583 Ac.  
-1.43± S. Ease.  
-0.06± Fut. St.  
4.54 Ac.

5.07 Ac.  
-0.23± S. Ease.  
-0.06± Fut. St.  
4.82 Ac.

C.F. 2454-3-3

Slope Ease.

Slope Ease.  
838.63

MULHOLLAND HWY

17

2.30± Ac.  
1.37± S. Ease.  
.93± Ac.

1.94± Ac.  
0.03± S. Ease.  
1.85± Ac.

2.36± Ac.  
0.07± S. Ease.  
2.29± Ac.

2.71± Ac.  
0.08± S. Ease.  
2.63± Ac.

RECEIVED

MAY 31 2000

CALIFORNIA  
COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT

T. 1 S., R. 17 W.

PARCEL MAP

P. M. 75-3-4

4-00-128

CODE  
4988

PREPARED BY  
55-16

Exhibit 2  
4-00-128

City in. W. 1/2 of the W 1/2 of the NE 1/4.

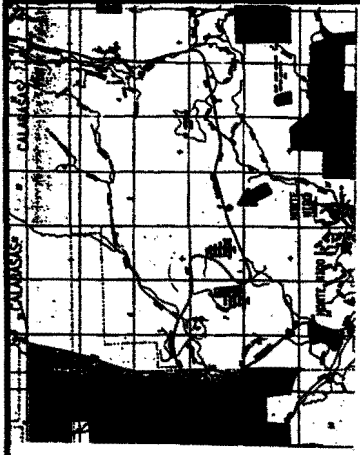
City in. W. 1/2 of the W 1/2 of the NE 1/4.

ADDITION & RENOVATION  
23700 HILLHOLLAND HIGHWAY  
CALIFORNIA, CALIFORNIA

REVISIONS

SITE PLAN

|     |      |    |          |
|-----|------|----|----------|
| NO. | DATE | BY | REVISION |
| 1   |      |    |          |



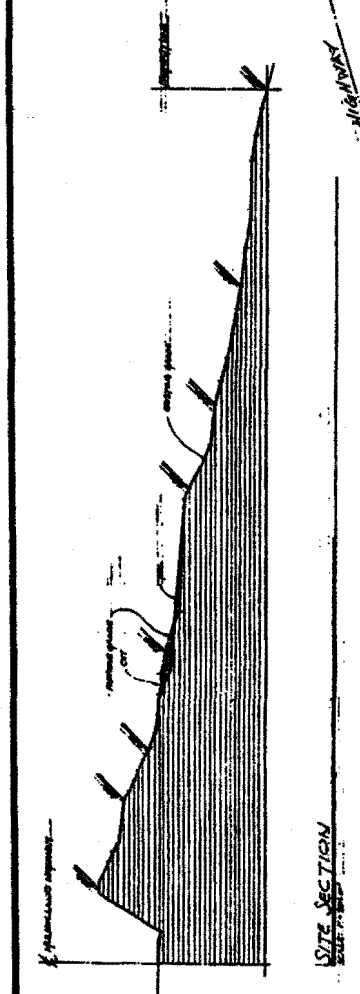
VICINITY MAP

Existing two-story residence with access garage to be demolished with addition to be constructed on site. The existing residence is located on the east side of the lot. The new addition will be located on the west side of the lot. The existing residence is located on the east side of the lot. The new addition will be located on the west side of the lot.

Percent of Lot Area to be Demolished to Accommodate existing of 20% 45% S. of 17' N. 00' 00"  
Percent of Lot Area to be Demolished to Add to Existing House 45% S. of 20' N. 00' 00"  
Roof of Garage to be removed for /replaced /any Address

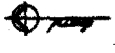
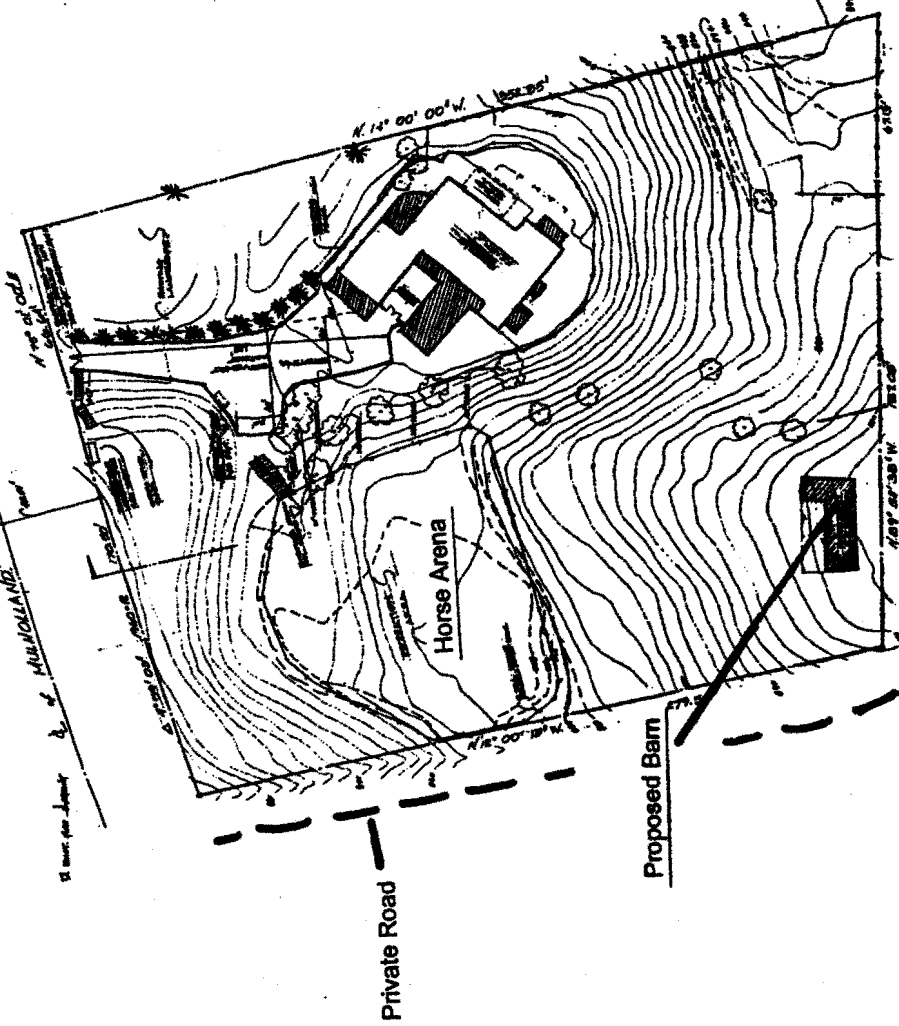
|                               |                     |
|-------------------------------|---------------------|
| Existing /High /Patio House   | 79000 sq. ft.       |
| Existing Attached Garage      | 10000 sq. ft.       |
| Existing Footprint            | 20000 sq. ft.       |
| Additional to House           | 90000 sq. ft.       |
| Total to House                | 100000 sq. ft.      |
| Area of Lot                   | 748800 sq. ft.      |
| Street Frontage with Addition | 20000 sq. ft. 1.50% |
| Street Frontage               | 20000 sq. ft. 1.50% |
| Maximum Floor Area            | 20000 sq. ft. 1.50% |
| Proposed Floor Area           | 20000 sq. ft. 1.50% |
| Maximum Floor Area / Total    | 20000 sq. ft. 1.50% |
| Maximum Floor Area / Total    | 20000 sq. ft. 1.50% |

Owner: Cook & Company Friends  
2000 Hillside Highway  
Culverton, CA 91023  
(909) 880-2854  
Occupancy Group: Single Family R-1 Group (H)  
Type of Construction: V-V



SITE SECTION

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



RECEIVED








APR 10 2001

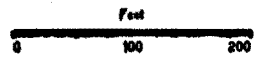
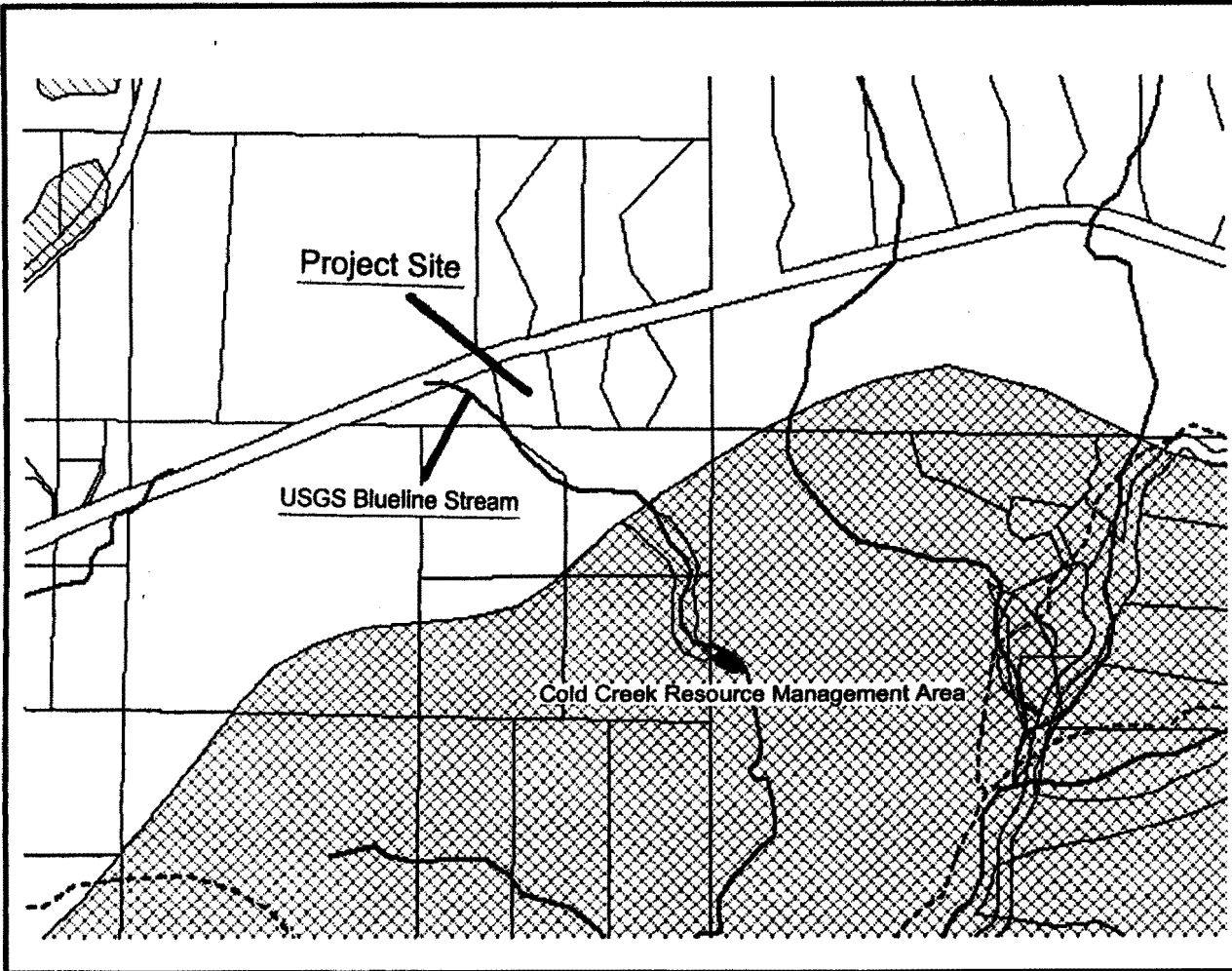
CALIFORNIA  
COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT

Exhibit 3  
4-00-128  
Site Plan






4-00-128 (Farinella)

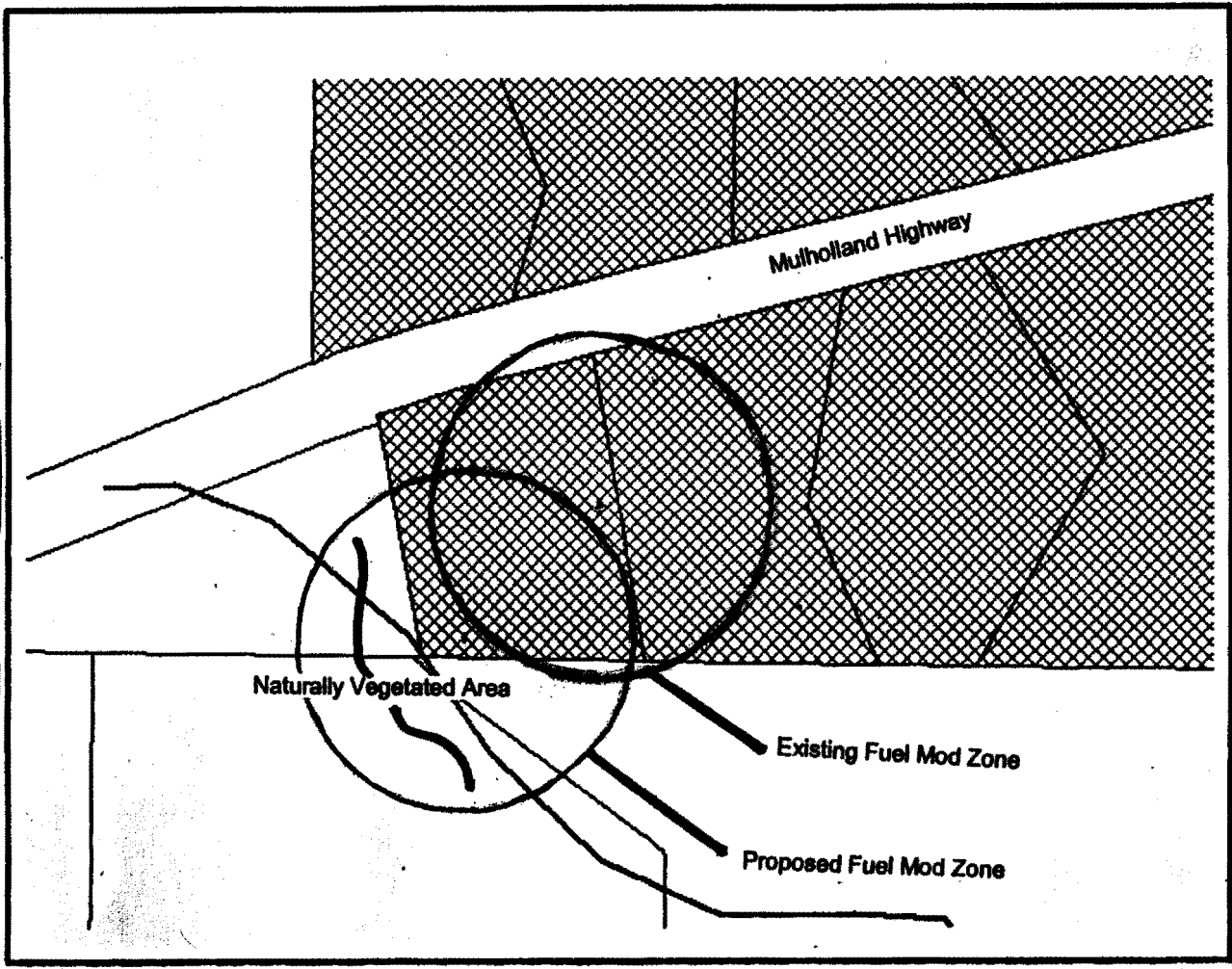
-  trailslacoplan
-  StrmsCCC
-  laprcls
- esha (ESHA)
  -  Coldcreek management area
  -  inland
  -  locally disturbed resources
  -  oak woodlands and savannahs



Sensitive Resource Map  
4-00-128  
Exhibit 4

# 4-00-128 Farinella

-  StrmsCCC
-  laprcls (RECAPVACAN)  
Not Vacant
-  Vacant



Wednesday, Aug 22 2001

Fuel Modification Exhibit

4-00-128

Exhibit 5