CALIFORNIA COASTAL COMMISSION
SOUTH CENTRAL COAST AREA
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585-1800

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Commission Action:	

STAFF REPORT: REGULAR CALENDAR

APPLICATION NO. **4-01-104**

APPLICANT: **Malibu Investors**

AGENT: **Bill Crawford**

PROJECT LOCATION: **27439 Latigo Bay View Drive, Malibu, Los Angeles County**

PROJECT DESCRIPTION: Construct a 5,250 sq. ft., two story, 23.5 ft. high, single family residence, including an attached 3-car garage, swimming pool, spa, patios and landscaping, septic system, retaining wall, and 698 cu. yds. of grading (all cut) with excess material to be disposed of at the Calabasas Landfill.

Lot Area:	88,369 sq. ft. (2.03 acre)
Building Coverage:	3,147 sq. ft.
Pavement Coverage:	7,260 sq. ft.
Landscaped Area:	77,962 sq. ft.
Parking Spaces:	3 (garage)
Plan Designation:	Rural Residential
Zoning:	One du/1 acre
Project Density:	One du/2 acre
Ht. abv ext grade:	21.5 feet maximum.

LOCAL APPROVALS RECEIVED: Approval in Concept, City of Malibu Planning Department, dated May 30, 2001; In Concept Approval (Septic System), City of Malibu Environmental Health Department, dated February 7, 2000; Los Angeles County Fire Department, Preliminary Approval, dated June 26, 2001; Approval in Concept, City of Malibu Geology and Engineering Review, dated February 24, 2000; City of Malibu Biological Review, dated April 3, 2000.

SUBSTANTIVE FILE DOCUMENTS: Malibu/Santa Monica Mountains Land Use Plan, Coastal Development Permit 5-89-1149 (Thorne); 4-97-120 (Malibu Investors); 4-97-

121 (Malibu Investors); 4-97-157 (Malibu Investors); 4-97-189 (Segal); 4-98-274 (Feinstein); 4-98-275 (Malibu Investors); 4-98-276 (Malibu Investors); 4-98-277 (Malibu Investors); 4-98-317 (Malibu Investors); 4-98-318 (Malibu Investors); 4-99-110 (Newman); 4-00-058 (Malibu Investors); 4-00-080 (Malibu Investors); 4-00-141 (Malibu Investors); 4-00-171 (Malibu Investors); Building Plan Review, Lot 15, Tract 46851, 27439 Latigo Bay View Drive, Malibu, California by GeoSystems, dated November 30, 1999; Response to City of Malibu Geology and Geotechnical Engineering Review Sheet dated January 17, 2000, Lot 15, Tract 46851, 27439 Latigo Bay View Drive, Malibu, California by GeoSystems, dated February 9, 2000; Update letter by GeoSystems, dated June 28, 2001.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends approval of the project with seven (7) special conditions addressing: Geologic Recommendations, Wildfire Waiver of Liability, Landscaping and Erosion Control, Drainage and Polluted Runoff, Pool Drainage and Maintenance, Color Restriction, and Future Improvements.

I. STAFF RECOMMENDATION

MOTION: I move that the Commission approve Coastal Development Permit No. 4-01-104 pursuant to the staff recommendation.

STAFF RECOMMENDATION OF APPROVAL:

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

RESOLUTION TO APPROVE THE PERMIT:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.

2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.

3. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.

4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

1. Plans Conforming to Geologic Recommendations

(a) All recommendations contained in the Building Plan Review, Lot 15, Tract 46851, 27439 Latigo Bay View Drive, Malibu, California by GeoSystems, dated November 30, 1999; Response to City of Malibu Geology and Geotechnical Engineering Review Sheet dated January 17, 2000, Lot 15, Tract 46851, 27439 Latigo Bay View Drive, Malibu, California by GeoSystems, dated February 9, 2000; and update letter by GeoSystems, dated June 28, 2001 shall be incorporated into all final design and construction including recommendations concerning grading, foundation and building setbacks, foundations, friction piles, lateral design, pre-saturation, temporary excavation slopes, retaining walls, floor slabs, pavement, swimming pool, swimming pool subdrainage, drainage protection, and the private sewage disposal system. All plans must be reviewed and approved by the consulting geologists.

PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for review and approval of the Executive Director, evidence of the consultants' review and approval of all project plans. Such evidence shall include affixation of the consulting geologists' stamp and signature to the final project plans and designs, including the landscape and erosion control plan required pursuant to **Special Condition Three (3)**, and the drainage and runoff control plan required pursuant to **Special Condition Four (4)**.

(b) The final plans approved by the consulting geologists shall be in substantial conformance with the plans approved by the Commission relative to construction, grading, drainage, and sewage disposal. Any substantial changes in the proposed development approved by the Commission which may be required by the consultants shall require an amendment to the permit or a new coastal permit. The Executive Director shall determine whether required changes are "substantial."

2. Wildfire Waiver of Liability

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit a signed document which shall indemnify and hold harmless the California Coastal Commission, its officers, agents, and employees against any and all claims, demands, damages, costs, expenses, and liability arising out of the acquisition, design, construction, operations, maintenance, existence, or failure of the permitted project in an area where an extraordinary potential for damage or destruction from wildfire exists as an inherent risk to life and property.

3. Landscaping and Erosion Control Plan

PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit two (2) sets of 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 landscaping and erosion control plans shall be reviewed and approved by the consulting geologists to ensure that the plans are in conformance with the consulting geologists' recommendations. The plans shall incorporate the following criteria:

A) Landscaping Plan

(1) 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. 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.

(2) All cut and fill slopes shall be stabilized with planting at the completion of final grading. Planting 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 shall be maintained in good growing condition throughout the life of the project and, whenever necessary, shall be replaced with new plant materials to ensure continued compliance with applicable landscape requirements.

(4) Plantings shall include vertical elements to screen and soften the visual impact of the residence and garage as seen from Latigo Canyon Road, Pacific Coast Highway, the Ramirez Canyon Connector Trail, and Escondido Canyon.

(5) The landscape plan shall include an irrigation plan that employs a drip irrigation system. Sprinkler systems shall not be used.

(6) All development approved herein shall be undertaken in accordance with the final approved plans. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the said plans shall occur without a Coastal Commission - approved amendment to the coastal development permit, unless the Executive Director determines that no amendment is required.

(7) 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 applicant 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 shall be selected from the most drought tolerant species or subspecies, or varieties suited to the Mediterranean climate of the Santa Monica Mountains. Areas of existing native coastal sage scrub and chaparral vegetation within a 200 foot radius of the proposed structures shall be preserved, consistent with fire safety requirements.

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 applicant 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

(1) Five years from the date of the receipt of the Certificate of Occupancy for the residence the applicant shall submit for the review and approval of the Executive Director, a landscape monitoring report, prepared by a licensed landscape architect or qualified resource specialist, that certifies that 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.

(2) 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

applicant, or successors in interest, shall submit a revised or supplemental landscape plan for the review and approval of the Executive Director. The revised landscaping 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. Drainage and Polluted Runoff Control Plan

PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for the review and approval of the Executive Director, two (2) sets of 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 geologists to ensure the plan is in conformance with the consulting geologists' recommendations. In addition to the specifications above, the plan shall be in substantial conformance with the following requirements:

(a) Selected BMPs (or suites of BMPs) shall be designed to treat, infiltrate or filter stormwater from each runoff event, up to and including the 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.

(d) The plan shall include provisions for maintaining the drainage system, including structural BMPs, in a functional condition throughout the life of the approved development. Such maintenance shall include the following: (1) BMPs shall be inspected, cleaned and repaired when necessary prior to the onset of the storm season, no later than September 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 applicant shall submit a repair and restoration plan to the Executive Director to determine if an amendment or new coastal development permit is required to authorize such work.

5. Pool Drainage and Maintenance

PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the

applicant shall submit, for review and approval of the Executive Director, a written plan to mitigate the potential for leakage and discharge from the proposed swimming pool and spa. The plan shall at a minimum: 1) provide a separate water meter for the pool and spa to allow monitoring of water levels for the pool and spa, 2) identify the materials, such as plastic linings or specially treated concrete to be used to waterproof the underside of the pool and spa to prevent leakage, and information regarding past success rates of these materials, 3) identify methods to control pool and spa drainage and to control infiltration and run-off resulting from pool and spa drainage and maintenance activities, 4) identify methods for periodic disposal of pool and spa water for maintenance purposes outside designated Significant Watersheds or Environmentally Sensitive Habitat Areas. The Permittee shall undertake development and maintenance in compliance with the mitigation plan approved by the Executive Director. No changes shall be made to the plan unless they are approved by the Executive Director.

6. Color Restriction

PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for the review and approval of the Executive Director, a color palette and material specifications for the outer surface of all structures authorized by the approval of coastal development permit 4-01-104. The palette samples shall be presented in a format not to exceed 8½" X 11"X ½" in size. The palette shall include the colors proposed for the roof, trim, exterior surfaces, driveways, retaining walls, or other structures authorized by this permit. Acceptable colors shall be limited to colors compatible with the surrounding environment (earth tones) including shades of green, brown and gray with no white or light shades and no bright tones. All windows shall be comprised of non-glare glass.

The approved structures shall be colored with only the colors and window materials authorized pursuant to this special condition. Alternative colors or materials for future repainting or resurfacing or new windows may only be applied to the structures authorized by coastal development permit 4-01-104 if such changes are specifically authorized by the Executive Director as complying with this special condition.

PRIOR TO THE ISSUANCE THE COASTAL DEVELOPMENT PERMIT, the applicant shall execute and record a deed restriction, in a form and content acceptable to the Executive Director, that reflects the restrictions stated above on the proposed development. The document shall run with the land for the life of the structures approved in this permit, binding all successors and assigns, and shall be recorded free of prior liens and encumbrances that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

7. Future Development Restriction

This permit is only for the development described in coastal development permit No. 4-01-104. Pursuant to Title 14 California Code of Regulations §13250 (b)(6), the exemptions otherwise provided in Public Resources Code §30610 (a) shall not apply to the entire parcel. Accordingly, any future improvements to the entire property, including but not limited to the permitted residence, garage, swimming pool, spa, any change of use to the permitted structures, and any grading, clearing or other disturbance of vegetation other than as provided for in the approved landscape plan prepared pursuant to **Special Condition No. Three (3)**, shall require an amendment to Permit No. 4-01-104 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 legal descriptions of the applicant's entire parcel. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

IV. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

A. Project Description and Background

The proposed project site is located at 27439 Latigo Bay View Dr. (APN 4460-034-005), about one mile inland and north of the Pacific Ocean, and west of Latigo Canyon Road **(Exhibit 1)**. The building site on the subject 2.03 acre parcel is a previously graded pad constructed pursuant to Coastal Development Permit 5-89-1149 (Thorne) for the underlying subdivision. Access to the pad is from a private driveway off of Latigo Bay View Drive, a private road that intersects Latigo Canyon Road.

The applicant proposes to construct a 5,250 sq. ft., two story, 23.5 ft. high, single family residence, including an attached 3-car garage, swimming pool, spa, patios and landscaping, septic system, retaining wall, and 698 cu. yds. of grading (all cut) with excess material to be disposed of at the Calabasas Landfill **(Exhibits 3-6)**. The additional grading is required to lower the existing pad two feet, in consideration of neighboring views, and to excavate the swimming pool/spa location.

The subject parcel is one of nineteen lots created by a subdivision approved by the Commission in 1990 (CDP 89-1149 (Thorne)) **(Exhibit 7)**. Many of the parcels in the subdivision, which is now known as "Malibu Pacifica," are subject to extensive open

space and geologic restricted use areas. The subject parcel (Lot 15), however, is not among these.

The pad for Lot 15 is located on a southeast trending ridge above and to the east of Escondido Canyon, at approximately 850 feet above sea level. The project will be visible from scenic vistas along Latigo Canyon Road (east of the subdivision). These vista points are designated in the certified Malibu/Santa Monica Mountains Land Use Plan (LUP). The proposed project is also visible from the Ramirez Canyon Connector Trail (De Butts Terrace) and is minimally visible from Pacific Coast Highway. The proposed project is also visible from Escondido Canyon, which contains the Escondido Falls Trail, a popular hiking route **(Exhibit 2)**.

Surface runoff from Lot 15 descends through existing concrete swales to catch basins on Latigo Bay View Drive. The runoff is then directed through energy dissipating devices onto the eastern slopes of Escondido Canyon (to the west) and into an unnamed blue line drainage (to the southeast). The unnamed drainage is tributary to Escondido Canyon Creek and ultimately to the Pacific Ocean less than one mile downgradient of the site **(Exhibit 2)**. The creek is flanked by inland wetlands designated as Environmentally Sensitive Habitat Areas in the Malibu/Santa Monica Mountains LUP maps, as well as designated Disturbed Sensitive Resource Areas. In addition, the nearshore marine environment affected by the outflow of Escondido Canyon Creek contains kelp beds also designated as ESHAs on the LUP maps.

The Commission has approved the development of single family residences on thirteen of the lots in this subdivision within the past four years, including Lots 1, 2, 3, 4, 7, 11, 12, 13, 14, 16, 17, 18, and 19.

B. Geology and Hazards

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, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.***

The proposed development is located in the Santa Monica Mountains, an area that is generally considered to be subject to an unusually high amount of natural hazards. Geologic hazards common to the Santa Monica Mountains include landslides, erosion, and flooding. In addition, fire is an inherent threat to the indigenous chaparral community of the coastal mountains. Wild fires often denude hillsides in the Santa

Monica Mountains of all existing vegetation, thereby contributing to an increased potential for erosion and landslides on property.

1. Geology

Section 30253 of the Coastal Act requires that new development assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area. The applicant has submitted geology reports titled Building Plan Review, Lot 15, Tract 46851, 27439 Latigo Bay View Drive, Malibu, California by GeoSystems, dated November 30, 1999; Response to City of Malibu Geology and Geotechnical Engineering Review Sheet dated January 17, 2000, Lot 15, Tract 46851, 27439 Latigo Bay View Drive, Malibu, California by GeoSystems, dated February 9, 2000; and an update letter by GeoSystems, dated June 28, 2001.

The applicant proposes to construct a 5,250 sq. ft., two story, 23.5 ft. high, single family residence, including an attached 3-car garage, swimming pool, spa, patios and landscaping, septic system, retaining wall, and 698 cu. yds. of grading (all cut) with excess material to be disposed of at the Calabasas Landfill. Although the building pad was previously constructed, the additional grading is proposed in order to lower the existing pad two feet, in consideration of neighboring views, and to excavate the swimming pool/spa location.

The proposed building site is an approximately 7,500 square foot pad constructed pursuant to the Commission's previous approval of the underlying subdivision. As such, the Commission in its previous permit action on CDP 5-89-1149 (Thorne) has already considered the general geologic competence of the site and the suitability of performing the landform alterations associated with the underlying subdivision.

The building site for the proposed project is located along the north and west side of the subject parcel. According to the Building Plan Review by GeoSystems, dated November 30, 1999 the entire building pad is located midslope on a 2:1 buttress fill slope, and is underlain by 18-40 feet of compacted fill. The fill material was placed following the removal of a landslide during site grading in 1991. To the north of the building pad, a compacted fill slope, approximately 40 feet in height, descends at a 2:1 gradient from the crest of the ridge to the pad. Southeast of the building pad, a compacted fill slope descends 70 feet at a 2:1 gradient from the pad to Latigo Bay View Drive. To the south of the building pad, a 2:1 compacted fill slope descends approximately 30 feet to an existing single family residence on Lot 14. To the west of the building pad, the slope descends into Escondido Canyon.

The northern side of the building pad is supported by a five foot high retaining wall, as are the northern and northeastern edges of the driveway entrance and turn-around. The applicant proposes an additional retaining wall, also five feet in height, immediately north of the existing wall on the northern side of the building pad. The proposed retaining wall allows setbacks from the slope to be reduced in order to minimize view

impacts to upslope properties. The applicant has received a variance from the City of Malibu to place the retaining wall on a slope less than 2 ½:1.

The Geosystems reports make numerous recommendations regarding grading, foundation and building setbacks, foundations, friction piles, temporary excavation slopes, retaining walls, floor slabs, pavement, swimming pool, swimming pool subdrainage, drainage protection, and sewage disposal, and other considerations potentially affecting site stability.

The Geosystems update letter concludes that:

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

Based on the recommendations of the Geosystems geologists and soils engineers, therefore, the Commission finds that the proposed development, as conditioned herein, minimizes risks to life and property from geologic hazards and assures stability and structural integrity, as required by Section 30253 of the Coastal Act, so long as the recommendations set forth in the Geosystems report are incorporated into the project plans. Therefore, the Commission finds it necessary to require the applicant to submit project plans that have been certified in writing by the geotechnical consultants as conforming to their recommendations, as stated in **Special Condition One (1)**.

2. Erosion

Section 30253 of the Coastal Act requires that new development neither create nor contribute significantly to erosion. As noted above, the proposed development is located on a site that consists of compacted fill and includes steep (2:1) slopes above and below the building pad. In addition, the proposed project will result in 10,407 sq. ft. of impervious surface area on the site, increasing both the volume and velocity of storm water runoff. Unless surface water is controlled and conveyed off of the site in a non-erosive manner, this runoff will result in increased erosion on and off the site.

As noted in Section A. of this report, and as discussed below in Section D., the subject parcel drains, through a system of concrete swales, catch basins, and energy dissipating devices, onto the eastern slopes of Escondido Canyon (to the west) and into an unnamed drainage (to the southeast). The unnamed drainage is tributary to Escondido Canyon Creek. Escondido Canyon Creek, a blue line stream designated on the U.S. Geological Survey quadrangle maps, empties into the Pacific Ocean less than one mile downgradient of the proposed project site **(Exhibit 2)**. The creek is flanked by inland wetlands designated as Environmentally Sensitive Habitat Areas in the Malibu/Santa Monica Mountains LUP maps, as well as designated Disturbed Sensitive Resource Areas. In addition, the nearshore marine environment affected by the outflow

of Escondido Canyon Creek contains kelp beds also designated as ESHAs on the LUP maps.

Uncontrolled erosion leads to sediment pollution of downgradient water bodies. Surface soil erosion has been established by the United States Department of Agriculture, Natural Resources Conservation Service, as a principal cause of downstream sedimentation known to adversely affect riparian and marine habitats. Suspended sediments have been shown to absorb nutrients and metals, in addition to other contaminants, and transport them from their source throughout a watershed and ultimately into the Pacific Ocean. The construction of single family residences in sensitive watershed areas has been established as a primary cause of erosion and resultant sediment pollution in coastal streams.

In order to ensure that erosion and sedimentation from site runoff are minimized, the Commission requires the applicant to submit a drainage plan, as defined by **Special Condition Four (4)**. **Special Condition Four (4)** requires the implementation and maintenance of a drainage plan designed to ensure that runoff rates and volumes after development do not exceed pre-development levels and that drainage is conveyed in a non-erosive manner. Fully implemented, the drainage plan will reduce or eliminate the resultant adverse impacts to the water quality and biota of coastal streams. This drainage plan is fundamental to reducing on-site erosion and the potential impacts to coastal streams. Additionally, the applicant must monitor and maintain the drainage and polluted runoff control system to ensure that it continues to function as intended throughout the life of the development.

The Geosystems report dated November 30, 1999 states that the subdrain system for the swimming pool will collect and discharge overspillage from the pool via a drainage system exiting on the face of the adjacent slope. However, the drainage plan submitted by the applicant notes that

> ***Swimming pool drainage shall be accomplished via non-erosive device from the swimming pool circulating pump thru (sic) the site drainage system to the previously-constructed drain system....Swimming pool drainage shall never be accomplished by pumping the drained effluent onto adjacent open areas or slopes.***

The drainage plan does not state how maintenance or emergency drainage of the swimming pool's full capacity would be managed, or how the potential for leakage will be mitigated. Drainage on or into the adjacent slope could saturate or erode the slope, resulting in slope destabilization and potential failure. To protect the integrity of the constructed slopes and thereby ensure the geologic stability of the site, **Special Condition Five (5)** requires the applicant to prepare and submit for the Executive Director's approval a swimming pool drainage plan that mitigates the potential for leakage and discharge from the proposed swimming pool and spa. Implementation of the drainage plan required by **Special Condition Five (5)** will ensure that swimming pool drainage is managed in a non-erosive manner consistent with preserving the

stability of the site.

In addition, the Commission finds that temporary erosion control measures implemented during construction will further minimize erosion and enhance site stability. **Special Condition Three (3)** therefore requires the applicant to implement interim erosion control measures should grading take place during the rainy season. Such measures include stabilizing any stockpiled fill with geofabric covers or other erosion-controlling materials, installing geotextiles or mats on all cut and fill slopes, and closing and stabilizing open trenches to minimize potential erosion from wind and runoff water.

The Commission also finds that 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, provided that minimal surface irrigation is required. Therefore, **Special Condition Three (3)** requires the applicant to submit landscaping plans, including irrigation plans, certified by the consulting geologists as in conformance with their recommendations for landscaping of the project site. **Special Condition Three (3)** also requires the applicant to utilize and maintain native and noninvasive plant species compatible with the surrounding area for landscaping the project site.

Invasive and non-native plant species are generally characterized as having a shallow root structure in comparison with their high surface/foliage weight. The Commission finds that non-native and invasive plant species with high surface/foliage weight and shallow root structures do not serve to stabilize slopes and that the use of 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, invasive species and therefore aid in preventing erosion.

In addition, the use of invasive, non-indigenous plant species tends to supplant species that are native to the Malibu/Santa Monica Mountains area. Increasing urbanization in this area has caused the loss or degradation of major portions of the native habitat and loss of native plant seed banks through grading and removal of topsoil. Moreover, invasive groundcovers and fast growing trees that originate from other continents that have been used as landscaping in this area have invaded and seriously degraded native plant communities adjacent to development. Such changes have resulted in the loss of native plant species and the soil retention benefits they offer. Therefore as noted the implementation of **Special Condition Three (3)** will ensure that primarily native plant species are used in the landscape plans and that potentially invasive non-native species are avoided.

Therefore, the Commission finds that in order to ensure site stability and erosion control, the disturbed and graded areas of the site shall be landscaped with appropriate native plant species, as specified in **Special Condition Three (3)**. In addition, in order to ensure that future site development, including additional vegetation clearance, is reviewed for its potential to create or contribute to erosion, the Commission finds it necessary to impose **Special Condition Seven (7)**, which requires the applicant to obtain a coastal development permit for any future development on the site, including

improvements that might otherwise be exempt from permit requirements.

The control of erosion in conjunction with the construction and maintenance of the proposed project as required by **Special Conditions One (1), Three (3), Four (4),** and **Five (5),** together with the required planting of appropriate, locally native species in accordance with **Special Condition Three (3)**, and the requirement of obtaining a permit for any additional vegetation clearance not specifically authorized in this permit approval (**Special Condition Seven (7)**), will therefore minimize erosion and associated adverse impacts upon sensitive habitat areas and resources.

Therefore, for all of the reasons set forth above, the Commission finds that the proposed project as conditioned by **Special Conditions One (1), Three (3), Four (4),** and **Five (5),** and **Seven (7)** will be consistent with the requirements of Coastal Act Section 30253 applicable to geology and site stability.

3. Wild Fire

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

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

As a result of the hazardous conditions that exist for wildfires in the Santa Monica Mountains area, the Los Angeles County Fire Department requires the submittal of fuel modification plans for all new construction to reduce the threat of fires in high hazard areas. Typical fuel modification plans for development within the Santa Monica Mountains require setback, irrigation, and thinning zones that extend 200 feet from combustible structures. The applicant has submitted fuel modification plans, approved by the Los Angeles County Fire Department, that include a 200-foot fuel modification zone around the proposed house site. The 200-foot brush clearance radius for the site encompasses parts of two adjacent developed properties, as well as two properties on which single family residences are currently under construction. The approval of the project will not result in significant additional brush clearance in the vicinity of the site.

Much of the Malibu Pacifica subdivision, including the applicant's parcel, burned during the 1993 Malibu Fire. Due to the fact that the proposed project is located in an area subject to an extraordinary potential for damage or destruction from wild fire, the Commission can only approve the project if the applicant assumes the liability from these associated risks. Through **Special Condition Two (2)**, the wild fire waiver of liability, the applicant acknowledges the nature of the fire hazard which exists on the site and which may affect the safety of the proposed development. Moreover, through acceptance of **Special Condition Two (2)**, the applicant agrees to indemnify the Commission, its officers, agents and employees against any and all claims, demands, damages, costs, expenses or liability arising out of the acquisition, design, construction, operation, maintenance, existence, or failure of the permitted project in an area where an extraordinary potential for damage or destruction from wild fire exists as an inherent risk

The Commission finds that only as conditioned by **Special Condition Two (2)** is the proposed project consistent with Section 30253 of the Coastal Act applicable to hazards from wildfire.

C. Visual Resources

Section 30251 of the Coastal Act states:

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

Section 30251 of the Coastal Act requires that visual resources be protected and alteration of natural land forms be minimized.

1. Visual Resources

Section 30251 of the Coastal Act requires scenic and visual qualities to be considered and protected. As stated previously, the applicant proposes to construct a 5,250 sq. ft., two story, 23.5 ft. high, single family residence, including an attached 3-car garage, swimming pool, spa, patios and landscaping, septic system, retaining wall, and 698 cu. yds. of grading (all cut) with excess material to be disposed of at the Calabasas Landfill. The grading is proposed in order to lower the existing pad two feet, in consideration of neighboring views, and to excavate the swimming pool/spa location. The subject site is

located within a 19 unit subdivision containing single family residences of similar bulk and appearance. The subdivision is located within a rural area characterized by expansive mountain vistas.

The subject site is visible from some public vistas along Latigo Canyon Road, which parallels the eastern side of the subdivision. These vista points are designated in the certified Malibu/Santa Monica Mountains LUP. The site is also visible from Pacific Coast Highway, a designated scenic highway; the Ramirez Canyon Connector Trail (De Butts Terrace); and from Escondido Canyon, which contains a popular hiking trail, the Escondido Falls Trail.

The Commission finds it necessary to require that the proposed residence be subject to the specific design restrictions set forth in **Special Condition Six (6)**. The purpose of these restrictions is to reduce the impacts of the proposed project on public coastal views from Latigo Canyon Road, Pacific Coast Highway, the Ramirez Canyon Connector Trail, and Escondido Canyon. These restrictions limit the color of the proposed residence, garage, and associated roofs to colors compatible with the surrounding environment, and require the use of non-glare glass for all windows. If fully implemented, **Special Condition Six (6)** will ensure that the effects of the project on public coastal views are minimized.

In addition, **Special Condition Three (3)**, discussed in Section B above, requires immediate stabilization and planting of all disturbed areas with native plant species. The condition requires the applicant to prepare a landscape plan that draws upon a palette of locally native plants for the landscape design of the subject parcel. The appropriate choice of use of native plant materials will not only minimize the potential for erosion (as discussed previously) and resultant adverse visual impacts, but will ensure that any residual visual effects of the proposed project on public coastal views are minimized. To further mitigate any residual impacts on public views that may be caused by the proposed development, **Special Condition Three (3)** further requires that the approved planting plan include vertical elements to screen and soften the visual impact of the proposed development as seen from public viewing areas.

Finally, to ensure that future development of the site is reviewed for potentially adverse effects on coastal visual resources, the Commission finds it necessary to impose **Special Condition Seven (7)**, which requires the applicant to obtain a coastal development permit for any future development of the site, including improvements that might otherwise be exempt from coastal permit requirements.

The Commission finds that the proposed project, as conditioned to incorporate the specified design restrictions and landscaping plans required by **Special Conditions Three (3), Six (6)** and **Seven (7)**, is consistent with Section 30251 of the Coastal Act.

2. Landform Alteration

As stated previously, the proposed site has already been graded to construct the existing approximately 7,500 square foot building pad pursuant to the previously approved subdivision. The applicant proposes under this application to grade an additional 698 cu. yds. of material (all cut) to lower the existing pad and to excavate the location for the proposed swimming pool. The applicant states that the cuttings will be disposed of at the Calabasas Landfill, which is authorized to receive such material. Although the proposed grading is relatively minimal, and confined to the previously disturbed pad, any disturbance on or near the highly erosive, constructed slopes can lead to significant erosion and produce scarring effects on the slopes. Such effects would comprise the panoramic mountain views of the Latigo Canyon Road area. To ensure that these potentially adverse effects are fully mitigated or avoided, **Special Condition Three (3)**, as discussed above, requires immediate stabilization of the excavated area and replanting of residual disturbed areas with locally native plant species after grading and swimming pool installation.

Additionally, the applicant's consulting geologist has addressed measures to prevent erosion in the report cited above, and **Special Condition One (1)** requires the applicant to submit evidence that the final project plans and designs incorporate all of the recommendations provided by the consultants and referenced herein. The control of erosion and use of native plant species for erosion control and landscaping will minimize the adverse effects on public coastal views that might otherwise be caused by the proposed project.

The Commission finds that as conditioned by **Special Conditions One (1), Three (3), Six (6)**, and **Seven (7)**, to minimize or avoid landform alteration and erosion, to utilize a palette of native plant species on site, and to conform to specified design restrictions, the proposed project thereby minimizes landform alteration, erosion and impacts to public views to and along the coast and thus is consistent with the requirements of Coastal Act Section 30251.

D. Water Quality and Sensitive Resources

Section 30230 of the Coastal Act states:

> ***Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.***

Section 30231 of the Coastal Act states:

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 of the Coastal Act states:

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those 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 those areas, and shall be compatible with the continuance of those habitat and recreation areas.

(Amended by Ch. 285, Stats. 1991.)

Sections 30230 and 30231 of the Coastal Act require that the biological productivity and quality of coastal waters and the marine environment be maintained and, where feasible, restored. Section 30240 requires the protection of environmentally sensitive habitat areas against significant disruption of habitat values.

As described in Sections A. and B. above, the subject parcel is located on a ridge between Escondido Canyon Creek to the west and a natural, unnamed drainage course that is tributary to Escondido Canyon Creek on the east. Surface runoff from the subject parcel travels through existing concrete swales to catch basins on Latigo Bay View Drive. The runoff is then directed through energy dissipating devices onto the eastern slopes of Escondido Canyon (to the west) and into an unnamed blue line drainage (to the southeast). The unnamed drainage is a tributary to Escondido Canyon Creek. Escondido Canyon Creek, designated as a blue line stream on the U.S. Geological Survey quadrangle maps, empties into the Pacific Ocean less than one mile downgradient of the proposed project site. The creek is flanked by inland wetlands designated as Environmentally Sensitive Habitat Areas in the Malibu/Santa Monica Mountains LUP maps, as well as designated Disturbed Sensitive Resource Areas. In addition, the nearshore marine environment affected by the outflow of Escondido Canyon Creek contains kelp beds also designated as ESHAs on the LUP maps.

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.

As described above, the proposed project includes construction of a 5,250 sq. ft., two story, 23.5 ft. high, single family residence, including an attached 3-car garage, swimming pool, spa, patios and landscaping, septic system, retaining wall, and 698 cu. yds. of grading (all cut) with excess material to be disposed of at the Calabasas Landfill.

The proposed development will result in an increase in impervious surface, which in turn decreases the infiltrative function and capacity of existing permeable land on site. The reduction in permeable space therefore leads to an increase in the volume and velocity of stormwater runoff that can be expected to leave the site. Furthermore, 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.

Such cumulative impacts can be minimized through the implementation of drainage and polluted runoff control measures. In addition to ensuring that runoff is conveyed from the site in a non-erosive manner, drainage and water pollution control measures should also include opportunities for runoff to infiltrate into the ground. Methods such as vegetated filter strips, gravel filters, and other media filter devices allow for infiltration. Because much of the runoff from the site is returned to the soil, overall runoff volume is reduced. Slow surface flow of runoff allows sediment and other pollutants to settle into the soil where they can be filtered. The reduced volume of runoff takes longer to reach streams and its pollutant load is greatly reduced.

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 project is conditioned, under **Special Condition Four (4)**, to implement and maintain a drainage plan designed to ensure that runoff rates and volumes after development do not exceed pre-development levels and that drainage is conveyed in a non-erosive manner. This drainage plan is required in order to ensure that risks from geologic hazard are minimized and that erosion, sedimentation, and polluted runoff are minimized to reduce potential impacts to coastal streams. Such a plan will allow for the infiltration and filtering of runoff from the developed areas of the site, most importantly capturing the initial "first flush" flows that occur as a result of the first storms of the season. This flow carries with it the highest concentration of pollutants that have been deposited on impervious surfaces during the dry season. Additionally, the applicant must monitor and maintain the drainage and polluted runoff control system to ensure that it continues to function as intended throughout the life of the development.

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 Four (4)**, 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.

The proposed project includes an approximately 15 foot wide and 35 foot long swimming pool and spa. Swimming pools can have deleterious effects on aquatic habitat if nor properly maintained and drained outside of the watershed. Chlorine and other chemicals are commonly added to pools and spas to maintain water clarity, quality, and pH levels. The Commission notes that both leakage and periodic maintenance of the proposed pool, if not monitored and/or conducted in a controlled manner, may result in excess runoff and erosion potentially causing instability of the site and adjacent properties and may result in the transport of chemicals, such as chlorine, into coastal waters. In order to minimize adverse impacts from the proposed pool on the DSR within the project site, the Commission requires the applicant to submit a pool drainage and maintenance plan, as detailed in **Special Condition Five (5)**. The plan

shall include a separate water meter for the pool and spa which will serve to monitor water levels of the pool and spa and identify leakage. The plan shall also include a description of the materials to be utilized to prevent leakage of the pool and spa shell and shall identify methods to control infiltration and run-off from periodic pool and spa drainage and regular maintenance activities. The Commission finds that, as conditioned to minimize potential impacts of the proposed pool and spa, the project is consistent with Sections 30230, 30231, and 30240 of the Coastal Act.

The project also includes construction of a new 3,000 gallon septic system as shown on the plans approved by the City of Malibu on February 7, 2000. The conceptual approval by the City of Malibu Environmental Health Department indicates that the sewage disposal system for the project in this application complies with all minimum requirements of the Uniform Plumbing Code.

The Commission has found in past permit actions that compliance with the health and safety codes will minimize any potential for wastewater discharge that could adversely impact coastal waters. In addition, the applicant's geotechnical consultants have provided specific recommendations for the sewage disposal system that will be incorporated into the final project plans and designs as required by **Special Condition One (1)**.

Thus, the Commission finds that approval of the proposed project is consistent with the ESHA and coastal resource protection policies of Sections 30230, 30231, and 30240 of the Coastal Act only if the project is conditioned in accordance with the requirements of **Special Conditions One (1)**, **Three (3)**, **Four (4)**, and **Five (5)**.

F. Local Coastal Program

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

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

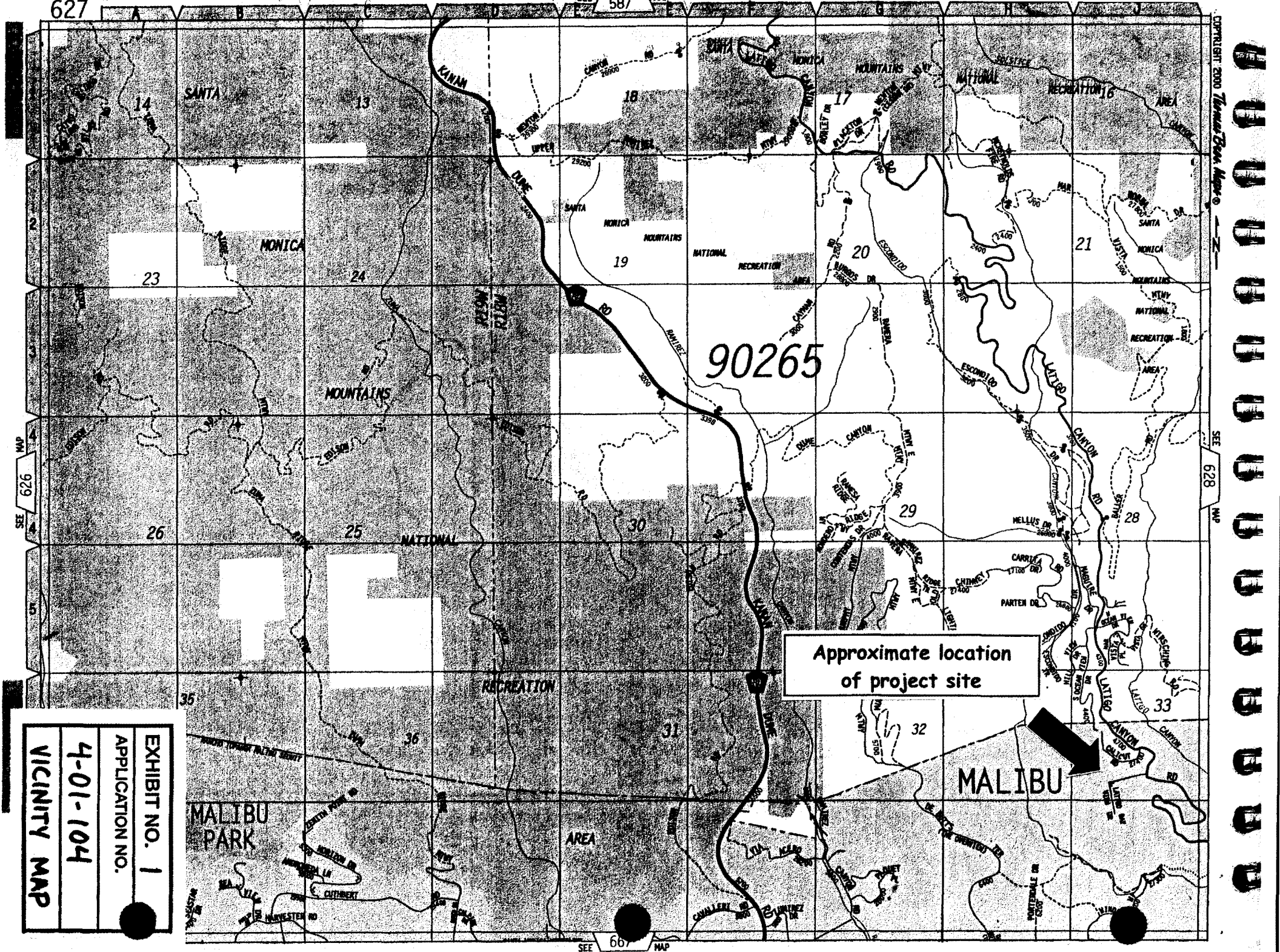
Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal development permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act. The preceding sections provide findings that the proposed project will be in conformity with the provisions of Chapter 3 if certain conditions are incorporated into the project and accepted by the applicant. As conditioned, the proposed development will not create adverse impacts and is found to

be consistent with the applicable policies contained in Chapter 3. Therefore, the Commission finds that approval of the proposed development, as conditioned, will not prejudice the City's ability to prepare a Local Coastal Program for Malibu which is also consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

G. California Environmental Quality Act

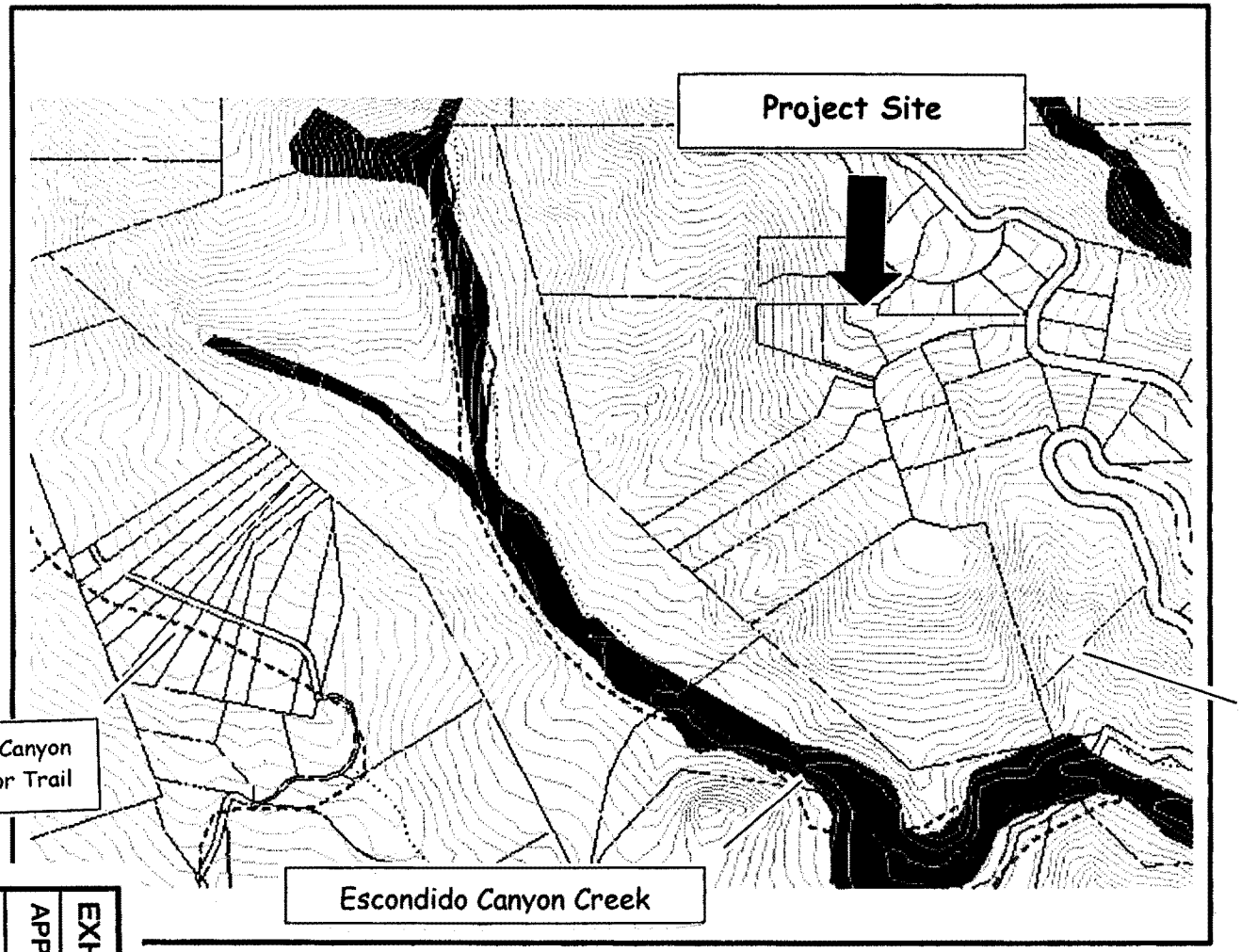
Section 13096(a) of the Commission's administrative regulations requires Commission approval of a Coastal Development Permit application to be supported by a finding showing the application, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act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

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


627
587
90265
Approximate location of project site
MALIBU
MALIBU PARK
SEE 629 MAP
SEE 628 MAP
SEE 667 MAP
COPYRIGHT 2000 Thomas Bros. Maps®
EXHIBIT NO. 1
APPLICATION NO.
4-01-104
VICINITY MAP

ESRI ArcExplorer 1.1

4-01-104 (Malibu Investors) 27439 Latigo Bay View Drive



contours @ 20ft
Trails - Tom Harrison
Trails - LA County LUP
Blue Line Streams
laprcls
esha

Sunday, Aug 19 2001

EXHIBIT NO. 2
APPLICATION NO.
4-01-104
COASTAL RESOURCES

PROJECT:
MALIBU PACIFICA, LOT 15
27430 LATIGO BAY VIEW DRIVE, MALIBU, CA 90265

PROJECT OWNER:
MALIBU INVESTORS, LLC
2716 OCEAN PARK BLVD., SUITE 1044, SANTA MONICA, CA 90405
TELEPHONE: (310) 396-4116 FAX: (310) 392-2117

ARCHITECT:
ARCHWEST DEVELOPMENTS, INC.
2716 OCEAN PARK BLVD., SUITE 1044, SANTA MONICA, CA 90405
TELEPHONE: (310) 396-4116 FAX: (310) 392-2117

site plan

site section

EXHIBIT NO. 3
APPLICATION NO.
4-01-104
SITE PLAN

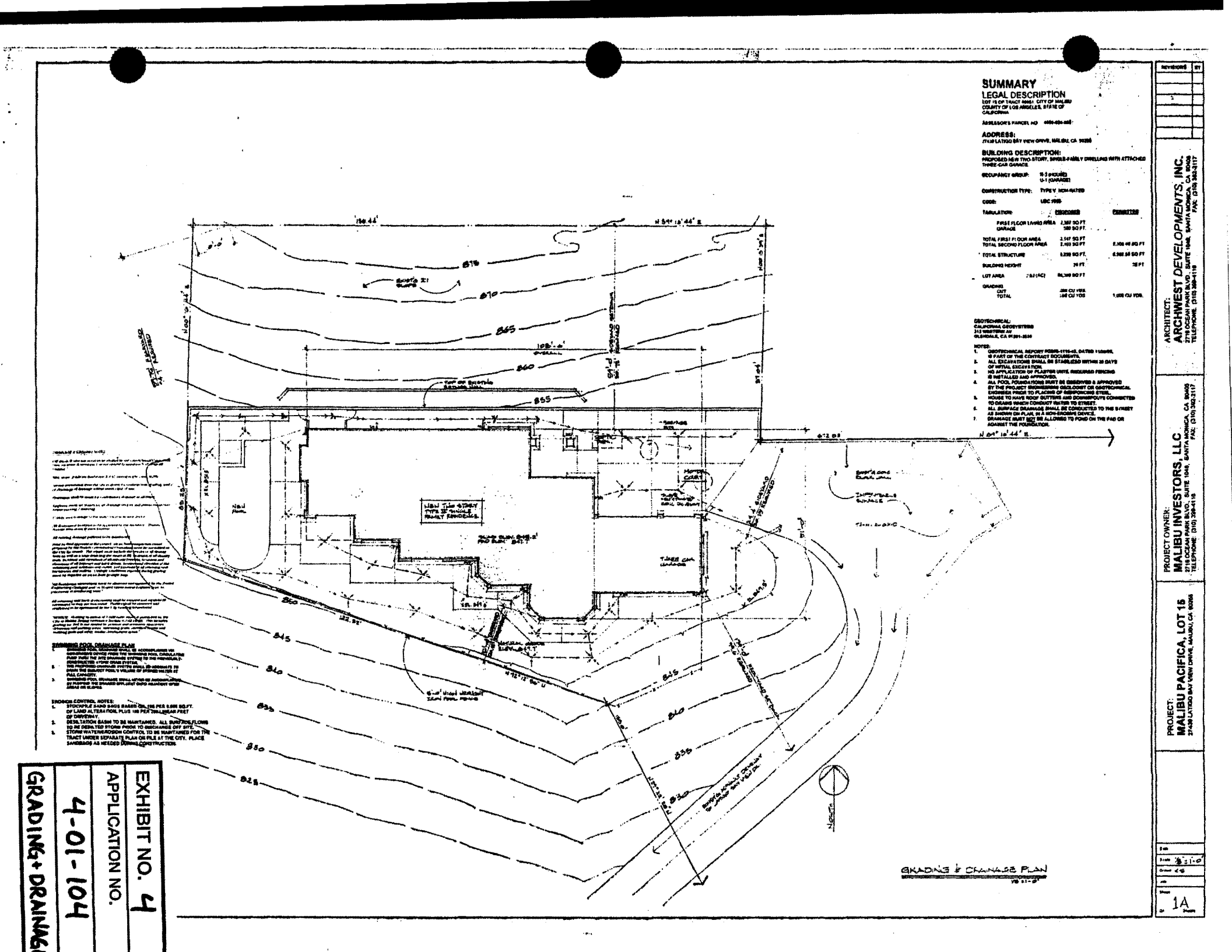

SUMMARY
LEGAL DESCRIPTION
ADDRESS:
BUILDING DESCRIPTION:
GRADING & DRAINAGE PLAN
PROJECT OWNER:
MALIBU INVESTORS, LLC
PROJECT:
MALIBU PACIFICA, LOT 15
ARCHITECT:
ARCHWEST DEVELOPMENTS, INC.
EXHIBIT NO. 4
APPLICATION NO.
4-01-104
GRADING + DRAINAGE PLAN

EXHIBIT NO. 5
APPLICATION NO.
4-01-104
ELEVATIONS

EXHIBIT NO. 6

APPLICATION NO.

4-01-104

ELEVATIONS

right side elevation

rear elevation

PROJECT:
MALIBU PACIFICA, LOT 15
27436 LATIGO BAY VIEW DRIVE, MALIBU, CA 90265

PROJECT OWNER:
MALIBU INVESTORS, LLC
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ARCHITECT:
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EXHIBIT NO. 7
APPLICATION NO.
4-01-104
PLOT PLAN