

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
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 Hearing Date: 9/11/01
 Comm Action:

STAFF REPORT: CONSENT CALENDAR

APPLICATION NO.: 4-01-068

APPLICANT: Mrs. N. D. Srivastava

AGENT: David Dunphy

PROJECT LOCATION: 2175 Cold Canyon Road, Calabasas, Los Angeles County

PROJECT DESCRIPTION: Construct a two story, 25 feet high, 1,256 sq. ft. addition to an existing, 29 feet high, 4,522 sq. ft. single family residence with two car garage. Rebuild existing stucco fence to accommodate addition, construct retaining wall to increase back yard area, increase capacity of existing septic system from 1,500 gallon tank to 2,500 gallon tank with four new seepage pits, grade 174 cubic yards of overexcavation, 174 cubic yards of recompaction, 63 cubic yards of cut, and 63 cubic yards of fill.

Lot area:	3.1 acres
Building coverage:	4,580 sq. ft.
Pavement coverage:	6,661 sq. ft.
Landscape coverage:	13,720 sq. ft.
Parking spaces:	2 covered 2 open
Ht abv fin grade:	29 ft.
Plan Designation:	Residential I
Zoning:	1 dwelling unit/1 acre
Project Density	one du/3 acres

SUMMARY OF STAFF RECOMMENDATION

The applicants request approval to construct a two story addition to an existing single family residence and garage accessed from a driveway from Cold Canyon Road. Staff recommends approval of the proposed project with Special Conditions addressing: a wildfire waiver of liability; revised landscape, erosion control and fuel modification plans; revised future development deed restriction; drainage and polluted runoff control plan; plans conforming to engineering recommendation; and a revised color restriction deed restriction. The project, as conditioned, will therefore be consistent with the Coastal Act.

LOCAL APPROVALS RECEIVED: Approval in Concept: Los Angeles County Regional Planning Department dated 10/5/2000; Los Angeles County Department of Health Services, dated 3/22/2001 for septic system.

SUBSTANTIVE FILE DOCUMENTS: Limited Soils Engineering Investigation, dated October 18, 2000, by GeoConcepts, Inc.; Coastal Permit No. 4-98-110, Stroeber; Coastal Permit No. 4-00-076, Wilkins; Certified Malibu/Santa Monica Mountains Land Use Plan, Los Angeles County.

STAFF RECOMMENDATION:

MOTION: *I move that the Commission approve Coastal Development Permit No. 4-01-068 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.

I. RESOLUTION TO APPROVE THE PERMIT:

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

II. Standard Conditions.

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

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

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

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

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

III. **Special Conditions**

1. **WILDFIRE WAIVER OF LIABILITY**

PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit a signed document which shall indemnify and hold harmless the California Coastal Commission, its officers, agents and employees against any and all claims, demands, damages, costs, expenses, of liability arising out of the acquisition, design, construction, operations, 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.

2. **REVISED LANDSCAPE, EROSION CONTROL, AND FUEL MODIFICATION PLANS**

PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit revised 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 revised plans shall incorporate the following criteria:

A) **Landscaping and Erosion Control Plans**

1) All graded & disturbed areas and the existing graded building pad 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 residential addition. 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 disturbed areas on the subject site 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. The plan shall include vertical elements, such as trees and shrubs, which partially screen and soften the appearance of the proposed residence addition from public trails located to the south, west, and east of the subject site of the residence addition and along the northern portion of the stucco wall that may be seen from Mulholland Drive to the north.;
- 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) The Permittee shall undertake development in accordance with the final approved plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Coastal Commission - approved amendment to the coastal development permit, unless the Executive Director determines that no amendment is required.
- 5) Vegetation within 20 feet of the proposed residence garages and driveway 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 final 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 Final Fuel Modification Plan has been reviewed and approved by the Los Angeles County Fire Department, Forestry Division, Fire Prevention Bureau. Any irrigated lawn, turf and ground cover planted within the fifty foot radius of the proposed house shall be selected from the most drought tolerant species or subspecies, or varieties suited to the Mediterranean climate of the Santa Monica Mountains.
- 6) The final drainage/erosion control plan shall be implemented within 30 days of completion of final grading. By acceptance of this permit, the applicant agrees to maintain the drainage devices on a yearly basis in order to ensure that the system functions properly. Should the devices fail or any erosion result from the drainage from the project, the applicant or successor in interests shall be responsible for any necessary repairs and restoration.

B) Interim Erosion Control Plan

- 1) The landscape/erosion control 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 to be left

undisturbed such as native trees and vegetation 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 geo-fabric covers or other appropriate cover, install geo-textiles 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 geo-textiles and/or mats, sand bag barriers, silt fencing; temporary drains and swales and sediment basins. The plans shall also specify that all disturbed areas shall be seeded with native grass species and include the technical specifications for seeding the disturbed areas. These temporary erosion control measures shall be monitored and maintained until grading or construction operations resume.

C) Monitoring

Five (5) 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 the on-site landscaping is in conformance with the landscape plan approved pursuant to this Special Condition. The monitoring report shall include photographic documentation of plant species and plant coverage.

If the landscape monitoring report indicates the landscaping is not in conformance with or has failed to meet the performance standards specified in the landscaping plan approved pursuant to this permit, the 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.

3. FUTURE DEVELOPMENT DEED RESTRICTION

- A.** This permit is only for the development described in Coastal Development Permit No. 4-00-068. Pursuant to Title 14 California Code of Regulations Section 13250(b)(6), the exemptions otherwise provided in Public Resources Code Section 30610 (a) shall apply to the entire property. Accordingly, any future improvements to the entire property including the permitted addition to the residence and the existing residence and garage, and clearing of vegetation or grading, other than as provided for in the approved fuel modification landscape and erosion control plan prepared pursuant to Special Condition Number Two (2), shall require an amendment to Permit No. 4-01-068 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.
- B.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall execute and record a deed restriction that shall supercede and replace the Deed Restriction recorded on October 5, 1998 as Instrument No. 98-1813093, in a form and content acceptable to the Executive Director, which reflects the above restrictions on development in the deed restriction and 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.

4. DRAINAGE AND POLLUTED RUNOFF CONTROL PLAN

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for the review and approval of the Executive Director, final drainage and runoff control plans, including supporting calculations. The plan shall be prepared by a licensed engineer and shall incorporate structural and non-structural Best Management Practices (BMPs) designed to control the volume, velocity and pollutant load of stormwater leaving the developed site. 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. PLANS CONFORMING TO ENGINEERING RECOMMENDATION

PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and approval by the Executive Director, evidence of the Engineering consultant's review and approval of all project plans. All recommendations contained in the submitted report titled: Limited Soils Engineering Investigation, dated October 18, 2000, by GeoConcepts, Inc. shall be incorporated into all final design and construction including: specific, drainage and maintenance, grading and earthwork, foundations, settlement, excavations, and slabs on grade. All plans must be reviewed and approved by the consultant.

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

6. COLOR RESTRICTION DEED 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 4-01-068. 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, stucco wall, 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. Night lighting, if any, shall be directed downward, be of low intensity, at low height and shielded; security lighting, if any, shall be controlled by motion detector.

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 4-01-068 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, that shall supercede and replace the Deed Restriction recorded on October 5, 1998 as Instrument No. 98-1813093, in a form and content acceptable to the Executive Director, which reflects the restrictions stated above on the proposed development. The document shall run with the land for the life of the structures approved in this permit, binding all successors and assigns, and shall be recorded free of prior liens and encumbrances that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

IV. Findings and Declarations.

A. Project Description

The project site is located approximately four miles inland of the coast bounded by Mulholland Highway on the north and a loop of Cold Canyon Road on the south (Exhibits 1 and 2). The building site is designated as Rural Land I by the Malibu/Santa Monica Mountains Land Use Plan allowing one residence per acre. There are numerous residences on the surrounding parcels.

The Commission approved a two story, 28 feet high, 4,504 sq. ft. single family residence with attached garage, deck, swimming pool, and septic system (Coastal Permit No. 4-98-110, Stroeber). The residence and garage was constructed in 1999, however, the pool has not been constructed at this date.

The applicants propose to construct a two story, 25 feet high, 1,256 sq. ft. addition to the existing, 29 feet high, 4,522 sq. ft. single family residence with two car garage. The applicants also propose to rebuild an existing stucco fence to accommodate addition, construct a retaining wall to increase back yard area, increase the capacity of existing septic system from 1,500 gallon tank to 2,500 gallon tank with four new seepage pits, and grade 174 cubic yards of overexcavation, 174 cubic yards of recompaction, 63 cubic yards of cut for the stucco wall, and 63 cubic yards of fill for the residential addition and surrounding area (Exhibits 3- 6). The proposed addition is located on the northeast portion of the existing residence and will bring this portion of this residence about 30 feet closer to Mulholland Drive.

The project site is located north of the LUP designated Cold Creek Resource Management Area. There is an existing natural swale and flood hazard area located to the west and a smaller natural swale located on the east of the subject site. The swale on the west is designated environmentally sensitive habitat (ESHA) on the Sensitive Resources Map of the LUP (Exhibit 7). The elevations on the site range from 1020 and 1040 foot elevation above sea level.

Although there are no mapped hiking or riding trails crossing the subject property, there are two mapped trails to the south, one the Calabasas – Cold Creek Trail includes one loop located along a portion of Cold Canyon Road fronting the western

portion of the subject property. The other trail is the Stunt High Trail located as close as about 3,000 feet along the ridge to the south of the subject site.

B. Individual and Cumulative Impacts in Sensitive Resource Areas

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

New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

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

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

Section 30231 of the Coastal Act is designed to protect and enhance, or restore where feasible, marine resources and the biologic productivity and quality of coastal waters, including streams. Section 30231 of the Coastal Act states as follows:

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.

In addition, Section 30240 of the Coastal Act states that environmentally sensitive habitat areas must be protected against disruption of habitat values:

(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.

Coastal Act Section 30250 provides for three tests to determine whether new development is appropriately located from the standpoint of cumulative impacts. The first test is whether or not the proposed new development is located within, contiguous or in close proximity to an existing developed area. If the proposed development does not meet the first test, an analysis of whether it meets the second test is necessary. The second test is whether or not the location of the new development is in an area able to accommodate it or with adequate public services. The third test is whether or not the proposed project will or will not have significant adverse effects, either individually or cumulatively, on coastal resources.

Regarding the first test, the proposed project is located about four miles inland of the coast within the watershed of Cold Creek within the Santa Monica Mountains. This inland area of the western Santa Monica Mountains is partially developed with residential and public recreational land uses. The Commission considers this portion of the Santa Monica Mountains to not be a developed area, including the subject site, and therefore it does not meet the first test. The analysis of the proposed development with respect to the second test is needed.

The second test is whether or not the location of the new development is in an area able to accommodate it or with adequate public services. The applicant proposes to construct a two story, 25 feet high, 1,256 sq. ft. addition to an existing, 29 feet high, 4,522 sq. ft. single family residence with two car garage. Rebuild existing stucco fence to accommodate addition, construct retaining wall to increase back yard area, increase capacity of existing septic system from 1,500 gallon tank to 2,500 gallon tank with four new seepage pits, grade 174 cubic yards of overexcavation, 174 cubic yards of recompaction, 63 cubic yards of cut, and 63 cubic yards of fill. Because there is an existing residence on the site, the site is served with adequate public and private services including public road access, water, electricity and telephone. An existing septic system on site serves the residence and its capacity will be increased in size to accommodate the addition. The applicant has provided an 'Approval in Concept' for the septic system from the Los Angeles County Health Department. Therefore, the Commission finds that the proposed project, as conditioned, meets the guidance provided by the Los Angeles County Land Use Plan and meets the second test required in Section 30250, that the development will be located in an area able to accommodate it.

The third test of Section 30250 examines whether or not the proposed project will have significant adverse effects, either individually or cumulatively, on coastal resources and is discussed below.

The Commission has found that minimizing the cumulative impacts of new development is especially critical in the Malibu/Santa Monica Mountains area because of the large number of lots which already exist, many in remote, rugged mountain and canyon areas. From a comprehensive planning perspective, the potential development of thousands of existing undeveloped and poorly sited parcels in these

mountains would create cumulative impacts on coastal resources and public access over time. Because of the larger number of existing undeveloped parcels and potential future development, the demands on road capacity, public services, recreational facilities, and beaches is expected to grow tremendously.

The Los Angeles County Malibu/Santa Monica Mountains Land Use Plan, certified by the Commission, provides guidance for the Commission to consider in this application. The LUP includes a New Development Policy (P271), which notes that new development in the Malibu coastal zone will be guided by the LCP Land Use Plan map and all pertinent overlay categories. The policy also notes that all properties are designated for a specific use that reflects the mandates of the California Coastal Act, all policies contained in this Local Coastal Plan, and the constraints and sensitivities of resources present in the coastal zone. Further, the policy states that the land use plan map presents a base land use designation for all properties overlaid by three resource protection and management designations. For those parcels overlaid by a resource management designation, development must adhere to the special policies, standards, and provisions of the pertinent designation.

Staff's previous review of Coastal Permit No. 4-98-110, Stroeber, indicated that there were no designated ESHA on the subject site. However, based on more detailed staff review, the LUP Sensitive Resource Map indicates that the subject site includes a natural swale that is designated as a disturbed ESHA on the western portion of the subject parcel. Neither the swale on the west or the east portion of the subject parcel are designated as a blue line stream, rather they are designated as flood hazard areas on the County Assessors Map. The proposed addition is set back about 70 feet from the flood hazard area of the eastern swale. The parcel is located outside the LUP Cold Canyon Creek Resource Management Area. Since the parcel includes a resource protection designation for ESHA and drains to Cold Creek and into the designated Cold Creek Resource Management Area, which is located about one quarter of a mile to the south, residential development must adhere to the special policies, standards, and provisions of the underlying land use designation.

1. Protection of Environmental Resources

The Land Use Plan (LUP) includes several policies designed to protect the environmentally sensitive habitat areas (ESHA's) and address stream protection and erosion control, from both the individual and cumulative impacts of development. These policies include:

P68 Environmentally sensitive habitat areas (ESHA's) shall be protected against significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas. Residential use shall not be considered a resources dependent use.

P74 New development shall be located as close as feasible to existing roadways, services, and existing development to minimize the effects on sensitive environmental resources.

P82 Grading shall be minimized for all new development to ensure the potential negative effects of runoff and erosion on these resources are minimized.

P84 In disturbed areas, landscaping plans shall balance long-term stability and minimization of fuel load. For instance, a combination of taller, deep-rooted plants and low-growing covers to reduce heat output may be used. Within ESHA's and Significant Watersheds, native plant species shall be used, consistent with fire safety requirements.

P88 In ESHA's and Significant Watersheds and other areas of high potential erosion hazard, require site design to minimize grading activities and reduce vegetation removal based on the following guidelines:

Structures should be clustered.

Grading for access roads and driveways should be minimized; the standard new on-site access roads shall be a maximum of 300 feet or one-third the parcel depth, whichever is less. Longer roads may be allowed on approval of the County Engineer and Environmental Review Board and the determination that adverse environmental impacts will not be incurred. Such approval shall constitute a conditional use.

Designate building and access envelopes on the basis of site inspection to avoid particularly erodible areas.

Require all sidecast material to be recompact to engineering standards, re-seeded, and mulched and/or burlapped.

P91 All new development shall be designed to minimize impacts and alterations of physical features, such as ravines and hillsides, and processes of the site (i.e., geological, soils, hydrologic, water percolation and runoff) to the maximum extent feasible.

P96 Degradation of the water quality of groundwater basins, nearby streams, or wetlands shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other harmful waste shall not be discharged into or alongside coastal streams or wetlands.

Past permit actions taken by the Commission generally reflect the goals contained in the certified LUP policies towards development in areas near ESHA's. Where the Commission has found that single-family development, including accessory structures, would not cumulatively or individually create adverse impacts on habitat or other coastal resources, or that adequate mitigation could be provided, it has been permitted.

The applicant proposes to construct a two story, 25 feet high, 1,256 sq. ft. addition to an existing, 29 feet high, 4,522 sq. ft. single family residence with two car garage.

Rebuild existing stucco fence to accommodate addition, construct retaining wall to increase back yard area, increase capacity of existing septic system from 1,500 gallon tank to 2,500 gallon tank with four new seepage pits, grade 174 cubic yards of overexcavation, 174 cubic yards of recompaction, 63 cubic yards of cut, and 63 cubic yards of fill.

The existing residence is located on the central portion of the parcel on a small knoll between two natural swales on the west and east portions of the parcel. The proposed addition is located on the northeastern side of the residence within the flat footprint of the building site. West of the existing residence, the natural drainage swale, a tributary of Cold Creek which is designated as an ESHA, is located within about 120 feet of the existing residence and 220 feet of the subject addition to the residence. This swale drains into the ESHA designated Cold Canyon Resource Management Area and into Cold Creek. Due to the distance, the proposed addition to the residence, which is located on the opposite side of the existing residence from the designated ESHA, as conditioned, will not directly affect these ESHA and Creek habitats as the proposed project is not located within or nearby the designated ESHA's.

3. Cumulative and Individual Impacts of Development

In analyzing the proposed project for conformance with the resource protection policies of the Coastal Act and the Land Use Plan, one can address the project with regard to each policy in sequence.

For instance, Policy P 68 specifies that ESHA's shall be protected against significant disruption of habitat values and only uses dependent on such resources shall be allowed within such areas. The applicant's proposed addition to the residence and other development is not located within an ESHA and is separated by from the ESHA by about 220 feet.

Policy P74 specifies that new development be located as close as feasible to existing roadways, services and existing development to minimize the effects on sensitive environmental resources. The applicant's proposed addition to the residence is located as close as 180 feet from Cold Canyon Road, the existing garage is accessed via an existing driveway.

Policy P82 specifies that grading be minimized for all new development to ensure the potential negative effects of runoff and erosion on these resources are minimized. Policy P91 specifies that all new development be designed to minimize impacts and alterations of physical features, such as ravines and hillsides. The applicant proposes to construct the addition to the residence by 63 cubic yards of fill grading on site, 174 cubic yards of overexcavation and 174 cubic yards of recompaction as recommended by the applicant's engineer. The construction of the stucco wall requires a cut of 63 cubic yards of material. The Commission finds that the proposed grading is the minimum necessary to construct the proposed project and meets the guidance provided in Policies P82 and P91.

Policy P 84 specifies that in disturbed areas, landscaping plans balance long-term stability and minimization of fuel load. Policy P 88 specifies that in areas of high potential erosion hazard, site design is required to minimize grading activities and reduce vegetation removal based on guidelines that: 1) structures should be clustered, 2) grading for access roads and driveways should be minimized and new on-site access roads be a maximum of 300 feet or one third the depth of the parcel, whichever is less. Policy P91 specifies that all new development be designed to minimize impacts and alterations of physical features, such as ravines and hillsides and processes of the site to the maximum extent feasible. The applicant's proposed addition to the residence is located adjacent to the existing residence on the flat building pad area of the subject parcel. No new driveway is proposed as one exists to the existing garage. The proposed project will be a clustered residence with the addition and attached garage. Therefore, the proposed addition to the residence meets the guidance provided in Policy P88.

However, to address the need for a landscape plan, minimize erosion hazards for the disturbed and graded areas proposed for the addition, and minimize the alteration of physical features, Special Condition Number Two is necessary. Special Condition Number Two will help to ensure that the biological productivity and quality of coastal streams, such as Cold Creek, is maintained and that the habitat values of the subject site are protected against significant disruption. Therefore, to ensure that no adverse impacts on the site and beyond the subject site will occur from increased runoff, Special Condition Number Two requires a revised landscape, erosion control and Final Fuel Modification Plan (revised from the one approved with Coastal Permit No. 4-98-110, Stroeber) to landscape all disturbed areas on the project site including the requirement to revegetate the building pad on the areas beyond the developed area of the building pad allowed for development. The revised landscape plan and fuel modification plan needs the language of these Special Conditions also added to the final approved plans. Special Condition Number Two also requires the applicant to implement a landscape plan with native plant species to stabilize and vegetate the site. The Commission further notes that the use of non-native and/or invasive plant species for residential landscaping results in both direct and indirect adverse effects to native plants species indigenous to the Malibu/Santa Monica Mountains area. Direct adverse effects from such landscaping result from the direct occupation or displacement of native plant community habitat by new development and associated non-native landscaping. Indirect adverse effects include offsite migration and colonization of native plant species habitat by non-native/invasive plant species (which tend to outcompete native species) adjacent to new development. The Commission notes that the use of exotic plant species for residential landscaping has already resulted in significant adverse effects to native plant communities in the Malibu/Santa Monica Mountains area. Therefore, in order to minimize adverse effects to the indigenous plant communities of the Malibu/Santa Monica Mountains area, Special Condition Number Two also requires that all landscaping consist primarily of native plant species and that invasive plant species shall not be used. Special Condition Number Two further requires an interim erosion control plan to minimize erosion of the site and sedimentation offsite during the construction of the project and requires a landscape monitoring report five years from the date of receipt of the Certificate of Occupancy for the addition to the residence.

The Commission has repeatedly emphasized the need to address the cumulative impacts of new development in the significant watersheds of the Malibu/Santa Monica Mountains region through past permit actions. This is due to the potential for future expansions of individual residential and related development which would be exempt from coastal development permit requirements. The Commission notes concern about the potential for future impacts on coastal resources that may occur as a result of further development of the subject property. Specifically, the expansion of the building site and developed area would require more vegetation removal as required for fuel modification by the Los Angeles County Fire Department or may adversely affect the designated ESHA on the subject site. Further, adding impervious surfaces to the site through future development or expansion could have adverse impacts on the existing drainage of the site, which in turn would have significant impacts on the Cold Creek watershed due to increased erosion and sedimentation. Therefore, the Commission finds it is necessary to require the applicant to record a Future Development Deed Restriction to ensure that expanded development at this site that would otherwise be exempt from Commission permit requirements will be reviewed for consistency with the coastal resource policies of the Coastal Act. Special Condition Number Three is necessary to ensure that any future additions, or vegetation removal, which otherwise may be exempt from coastal permit requirements will be consistent with the Coastal Act.

a. Water Quality

The Commission recognizes that new development in the Santa Monica Mountains has the potential to adversely impact coastal water quality through the removal of native vegetation, increase of impervious surfaces, increase of runoff, erosion, and sedimentation, introduction of pollutants such as petroleum, cleaning products, pesticides, and other pollutant sources, as well as effluent from septic systems. Section 30231 of the Coastal Act requires that the biological productivity and quality of coastal waters and streams be maintained and restored by minimizing the effects of waste water discharges and controlling runoff, among other means.

As described above, the proposed project includes the construction of a two story, 25 feet high, 1,256 sq. ft. addition to an existing, 29 feet high, 4,522 sq. ft. single family residence with two car garage. Rebuild existing stucco fence to accommodate addition, construct retaining wall to increase back yard area, increase capacity of existing septic system from 1,500 gallon tank to 2,500 gallon tank with four new seepage pits, grade 174 cubic yards of overexcavation, 174 cubic yards of recompaction, 63 cubic yards of cut, and 63 cubic yards of fill. Further, use of the site for additional residential purposes introduces potential sources of pollutants such as petroleum, household cleaners, and pesticides, as well as other accumulated pollutants from rooftops and other impervious surfaces.

The removal of natural vegetation and placement of impervious surfaces allows for less infiltration of rainwater into the soil thereby increasing the rate and volume of runoff causing increased erosion and sedimentation. Infiltration of precipitation into the soil allows for the natural filtration of pollutants. When infiltration is impeded by

impervious surfaces, pollutants in runoff are quickly conveyed to coastal streams and to the ocean. Thus, new development can cause cumulative impacts to the hydrologic cycle of an area by increasing and concentrating runoff leading to stream channel destabilization, increased flood potential, increased concentration of pollutants, and reduced groundwater levels.

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, such 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 would be allowed to return to the soil, overall runoff volume is reduced and more water is available to replenish groundwater and maintain stream flow. The slow 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 will be greatly diminished.

In order to ensure that adverse impacts to coastal water quality do not result from the proposed project, the Commission finds it necessary to require the applicant, through Special Condition Number Four, to incorporate filter elements that intercept and infiltrate or treat the runoff from the site that may be incorporated into the applicant's proposed storm water runoff plan. Such a revised 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. 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 Number Four, 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.

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. Therefore, the Commission finds that the proposed project, as conditioned to incorporate and maintain a revised drainage and polluted runoff control plan for the proposed addition and existing residence, is consistent with Section 30231 of the Coastal Act.

Lastly, the County of Los Angeles Environmental Review Board (ERB) did not review this development project as the project was considered a minor addition to an existing residence not located within any ESHAs, Significant Watersheds, Wildlife Corridors, Significant Oak Woodlands, and Degraded Sensitive Resource Area. However, the project site is located in an area adjacent to a designated ESHA.

The certified Los Angeles County Land Use Plan provides guidance to the Commission to consider. Therefore, the Commission finds that the project, as conditioned, is in conformance with the guidance provided in the LUP policies that pertain to locating development near designated ESHA's, while protecting streams and ESHA's from disturbance to the greatest extent possible. Therefore, the project site is not located within any of the three resource protection and management categories, thus, development can proceed according to the base land use classification and in conformance with all policies and standards contained in the Los Angeles County Land Use Plan as guidance. The subject property is located within the Residential I land use designation, thus, since the parcel is three acres in size, the proposed project is conforming with the density guidance provided by the Land Use Plan designation.

The Commission's standard of review for this project are the policies of the Coastal Act. Regarding Section 30250 of the Coastal Act, the proposed project is located in an area that is not considered a "developed area" and does not meet the first test of Section 30250. Therefore, the Commission finds that the project is located in an "other area with adequate public services" and meets the second test of Section 30250. We move on to the third test. The Commission finds that the biological productivity and quality of coastal waters, riparian habitat, and ESHA will be protected as a result of the proposed project, as conditioned, and as required by Sections 30231 and 30240 of the Coastal Act. The Commission finds that the proposed project is also in conformance, as conditioned, with the guidance provided by the County Land Use Plan. Lastly, the Commission finds that the project will not have significant adverse effects, either individually or cumulatively, on coastal resources to meet the third test of Section 30250. Thus, the proposed project, as conditioned, will result in development that is consistent with and conforms with Sections 30231, 30240, and 30250(a) of the Coastal Act.

C. Geologic and Fire Hazards

Section 30253 of the Coastal Act states:

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.

The proposed development is located in the Malibu area which is generally considered to be subject to an unusually high number of natural hazards. Geologic hazards common to the Malibu area include landslides, erosion, and flooding. In addition, fire is an inherent threat to the indigenous chaparral community of the

coastal mountains. Wild fires often denude hillsides in the Santa Monica Mountains of all existing vegetation, thereby contributing to an increased potential for erosion and landslides on property.

The Commission reviews the proposed project's risks to life and property in areas where there are geologic, flood and fire hazards. Regarding the geologic hazard, the applicant submitted an engineering report titled: Limited Soils Engineering Investigation dated October 18, 2000, by GeoConcepts, Inc. This report states:

Based on the results of this investigation and a thorough review of the proposed development, as discussed, the site is suitable for the intended use provided the following recommendations are incorporated into the design and subsequent construction of the project.

This report concluded that:

It is the finding of this corporation, based upon the subsurface data, that the proposed project will be safe from landslide, settlement or slippage and will not adversely affect adjacent property, provided this corporation's recommendations and those of the Uniform Building Code are followed and maintained.

The recommendations in this engineering report addresses the following issues: specific, drainage and maintenance, grading and earthwork, foundations, settlement, excavations, and slabs on grade. Based on the findings and recommendations of the consulting engineer, the Commission finds that the development is consistent with Section 30253 of the Coastal Act so long as all recommendations regarding the proposed development 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 these consultants as conforming to their recommendations, as noted in Special Condition Number Five for the final project design, grading, and drainage plans for the proposed project.

Minimizing erosion of the site is important to reduce geological hazards on the site and minimize sediment deposition in the drainages leading to Cold Creek. Coastal Permit No. 4-98-110 includes an approved Landscape Plan for the approved residence and garage. This plan needs to be revised to include the proposed residential addition and be approved by the Los Angeles County Fire Department, Forestry Division, Fire Prevention Bureau as a Final Fuel Modification Plan. These revised plans need to incorporate the use of native species and illustrate how these materials will be used to provide erosion control to those areas of the site disturbed by development activities. These plans also illustrate that vegetation will be "thinned" rather than "cleared" for fuel modification purposes, thus allowing for the continued use of existing native plant materials for on-site erosion control. The thinning, rather than complete removal, of native vegetation helps to retain the natural erosion control properties, such as extensive and deep root systems, provided by these species. Special Condition Number Two requires that this Fuel Modification Plan be revised to

reflect the proposed revised project and approved by the Los Angeles County Fire Department, Forestry Division, Fire Prevention Bureau as a Final Plan.

Regarding non-point source pollution, the Los Angeles County Land Use Plan Policy P96 specifies that degradation of the water quality of groundwater basins, nearby streams, or wetlands shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other harmful waste shall not be discharged into or alongside coastal streams or wetlands. Policy P82 specifies that grading be minimized to ensure the potential negative effects of runoff and erosion on these resources are minimized.

The proposed addition to the residence will increase the amount of impervious coverage on-site which may increase both the quantity and velocity of stormwater runoff. If not controlled and conveyed off-site in a non-erosive manner, this runoff may result in increased erosion, affect site stability, and impact downslope water quality in the drainage swale on the east and the ESHA designated Cold Creek and Cold Creek Resource Management Area. As a result, site drainage needs to be collected and distributed in a non-erosive manner. Because of the slopes on-site and the resultant potential for significant water velocities and soil erosion, it is important to adequately control site drainage through runoff detention, velocity reduction, and/or other best management practices (BMPs). Interim erosion control measures implemented during construction will minimize short-term erosion and enhance site stability. Coastal Permit No. 4-98-110 includes an erosion control plan that can be revised to address the proposed addition together with the existing residence, garage and driveway. To ensure that runoff is conveyed off-site in a non-erosive manner, the Commission finds it necessary to require the applicant, through Special Conditions Numbers Two and Four, to submit drainage / erosion control plans conforming to the recommendations of the consulting engineer for review and approval by the Executive Director and to assume responsibility for the maintenance of all drainage devices on-site.

In addition to controlling erosion during grading operations, landscaping of the graded and disturbed areas of the project will enhance the stability of the site. Long-term erosion can be minimized by requiring the applicant to revegetate the site with native plants compatible with the surrounding environment. 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 has found that such plant species do not serve to stabilize slopes and may adversely affect the overall stability of a project site. Native species, alternatively, tend to have a deeper root structure and aid in preventing erosion. Invasive, non-indigenous plant species tend to supplant species that are native to the Malibu / Santa Monica Mountains area. Increasing urbanization in this area has already caused the loss or degradation of major portions of native habitat and native plant seed banks through grading and removal of topsoil. Moreover, invasive and fast-growing trees and groundcovers originating from other continents which have been used for landscaping in this area have seriously degraded native plant communities adjacent to development. Therefore, the Commission finds that in order to ensure site stability, all disturbed,

graded, and sloped areas on-site shall be landscaped primarily with appropriate native plant species, as specified in Special Condition Number Two.

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

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

Due to the fact that the proposed project is located in an area subject to an extraordinary potential for damage or destruction from wild fire, the Commission can only approve the project if the applicant assumes the liability from these associated risks. Through the Wildfire Waiver of Liability special condition, the applicant acknowledges and appreciates the nature of the fire hazard which exists on the site and which may affect the safety of the proposed development, as incorporated by Special Condition Number One.

The Commission finds that, only as conditioned, is the proposed project consistent with Section 30253 of the Coastal Act.

D. Visual Resources.

Section 30251 of the Coastal Act states that:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character 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 Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

In addition, the certified LUP contains the following policies regarding landform alteration and the protection of visual resources which are applicable to the proposed development:

P91 All new development shall be designed to minimize impacts and alterations of physical features, such as ravines and hillsides, and processes of the site (i.e., geological, soils, hydrological, water percolation and runoff) to the maximum extent feasible.

P125 New development shall be sited and designed to protect public views from LCP-designated scenic highways to and along the shoreline and to scenic coastal areas, including public parklands. Where physically and economically feasible, development on sloped terrain should be set below road grade.

P130 In highly scenic areas and along scenic highways, new development (including buildings, fences, paved areas, signs, and landscaping) shall:

be sited and designed to protect views to and along the ocean and to and along other scenic features, as defined and identified in the Malibu LCP.

minimize the alteration of natural landforms.

Be landscaped to conceal raw-cut slopes.

P135 Ensure that any alteration of the natural landscape from earthmoving activity blends with the existing terrain of the site and the surroundings.

The applicant proposes to construct a two story, 25 feet high, 1,256 sq. ft. addition to an existing, 29 feet high, 4,522 sq. ft. single family residence with two car garage. Rebuild existing stucco fence to accommodate addition, construct retaining wall to increase back yard area, increase capacity of existing septic system from 1,500 gallon tank to 2,500 gallon tank with four new seepage pits, grade 174 cubic yards of overexcavation, 174 cubic yards of recompaction, 63 cubic yards of cut, and 63 cubic yards of fill.

In the review of this project, the Commission reviews the publicly accessible locations where the proposed development is visible to assess potential visual impacts to the public. The Malibu/Santa Monica Mountains Land Use Plan protects visual resources in the Santa Monica Mountains. The proposed addition and stucco wall is located along the Mulholland Scenic Corridor. The potential impact on this scenic corridor includes a vista point designated a few hundred feet to the east along the same side of the Highway which will not have a view of the subject site. In addition, there are two public trails located to the south of the subject site which have public views of the proposed residential addition. The following reviews the development impact on the scenic and visual resources and the proposed landform alternation.

The Commission examines the building site, the proposed grading, and the size of the building pad and proposed structures. The development of the residence, addition and the stucco wall raises two issues regarding the siting and design: one, whether or not public views from public roadways will be adversely impacted, or two, whether or not public views from public trails or lands will be impacted.

The project site is not located within a designated "Viewshed" on the Visual Resources Map (Exhibit 8) which is part of the certified Malibu/Santa Monica Mountains Land Use Plan. The project site for the residence addition is located about 70 feet and for the stucco wall about 45 feet south of Mulholland Highway on an elevation about two feet lower, separated by a small knob hill which partially screens the residence and addition from public view along the Highway. Due to the small knob hill along the Highway, the proposed development's visibility is limited from the Highway. The proposed residence addition will be visible from Cold Creek Road at a distance as close as about 180 feet.

Regarding public trails, the proposed residence and garage will be highly visible from portions of the Calabazas - Cold Creek Trail (Exhibit 9) traverses east to west along separate loops. One loop of this trail is located along Cold Creek Road fronting the western portion of the property. The project site for the residential addition is located on the opposite side of the existing residence on its northeast portion of the residence. Another public trail, the Stunt High Trail, is located as close as about 3,000 feet south the of the subject site, the visibility of the proposed 25 foot high two story residential addition to an existing 29 foot high residence and garage will be limited due to the greater than one half mile distance.

The residence addition will be located on the existing flat building pad area, except for the overexcavation and recompaction grading, the 63 cubic yards of cut for the stucco wall and the 63 cubic yards of fill for the foundation and surrounding area of the residential addition is determined to be a minimal amount of grading to construct the project.

The Commission has found that the use of native plant materials in landscaping plans can soften the visual impact of construction in the Santa Monica Mountains. The use of native plant materials to revegetate graded and restored areas reduces the adverse affects of erosion, which can degrade visual resources in addition to causing siltation pollution in ESHA's, and soften the appearance of development within areas of high scenic quality. As required by Special Condition Number Two, the disturbed and restored areas will be replanted with native plants. Also required by Special Condition Number Two, the landscape plan will be designed with vertical elements to partially screen and soften the visual impact of the structures with trees and shrubs as viewed from public trails located to the south, west and east of the subject site and along the northern portion of the stucco wall that may be seen from Mulholland Drive to the north.

In order to ensure that the structural appearance, i.e. color of the residential addition, roof and stucco wall and the potential glare of the glass windows, will not create adverse visual impacts, the Commission finds it necessary to require the applicant to

use colors compatible with the colors found in the surrounding area for exterior materials of the proposed structure and non-glare glass for all proposed windows as required by Special Condition Number Six. In addition, Special Condition Number Six requires that night lighting, if any, shall be directed downward, be of low intensity, at low height and shielded; security lighting, if any, shall be controlled by motion detector to avoid creating adverse night time visual impacts. The restriction on night lighting is necessary to protect the night time rural character of this portion of the Santa Monica Mountains consistent with the scenic and visual qualities of this coastal area. In addition, low intensity lighting and security lighting controlled by a motion detector will assist in minimizing the disruption of wildlife traversing this area at night that are commonly found in this rural and relatively undisturbed area.

Therefore, the Commission finds that the project, as conditioned, minimizes impacts to public views to and along the coast. Therefore, the Commission finds that the proposed project, as conditioned, is consistent with Section 30251 of the Coastal Act.

E. Septic System

The Commission recognizes that the potential build-out of lots in the Santa Monica Mountains, and the resultant installation of septic systems, may contribute to adverse health effects and geologic hazards in the local area. Section 30231 of the Coastal Act states that:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, minimizing alteration of natural streams.

The applicant is proposing to construct a larger septic system to accommodate the sewage of the existing residence and proposed residential addition. The applicant has submitted a design approval from the County of Los Angeles Department of Health Services stating that the proposed septic system is in conformance with the minimum requirements of the County of Los Angeles Uniform Plumbing Code. The County of Los Angeles' minimum health code standards for septic systems have been found protective of coastal resources and take into consideration the percolation capacity of soils within the Santa Monica Mountains, among other criteria. Therefore, the Commission finds that the proposed project is consistent with Section 30231 of the Coastal Act.

F. Local Coastal Program

Section 30604 of the Coastal Act states that:

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

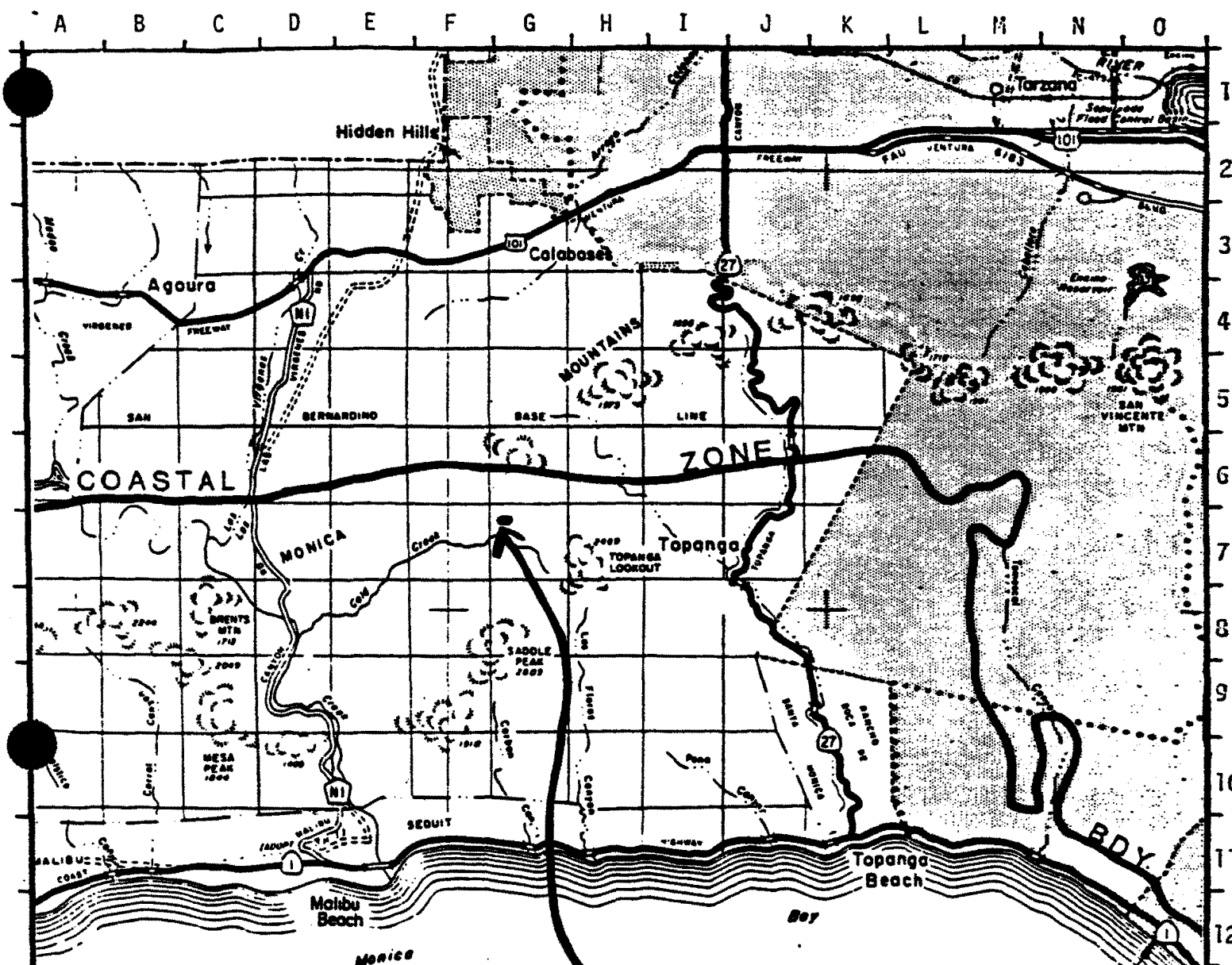
Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act. The preceding sections provide findings that the proposed project will be in conformity with the provisions of Chapter 3 if certain conditions are incorporated into the project and accepted by the applicant. As conditioned, the proposed 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 County of Los Angeles's ability to prepare a Local Coastal Program for this area of Malibu that is also consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

G. California Environmental Quality Act (CEQA)

Section 13096(a) of the Commission's administrative regulations requires Commission approval of 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.

401068srivastavareport



Project
Vicinity

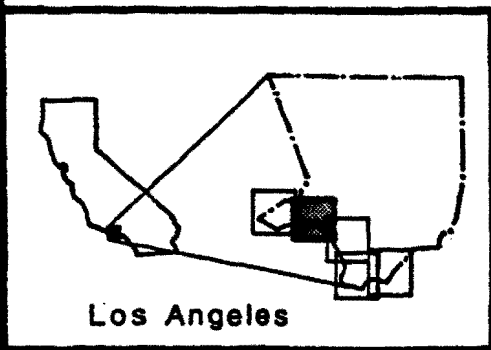
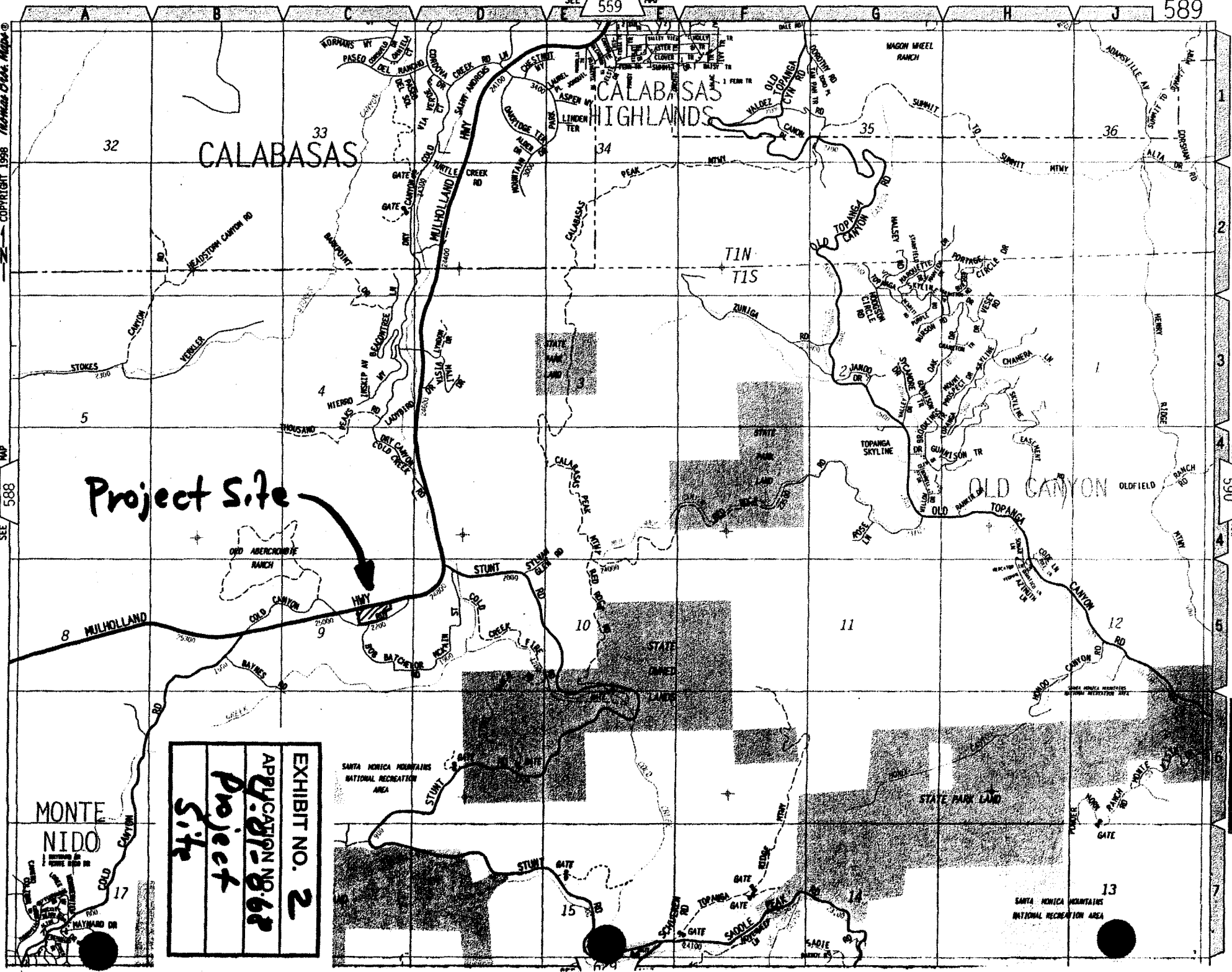


EXHIBIT NO.	1
APPLICATION NO.	4-01-068
Project Vicinity	

California Coastal Commission

LOCATION MAP





Project Site

Project Site	EXHIBIT NO. 2
	APPLICATION NO. 8-68

DATE	
BY	
CHECKED	
APPROVED	

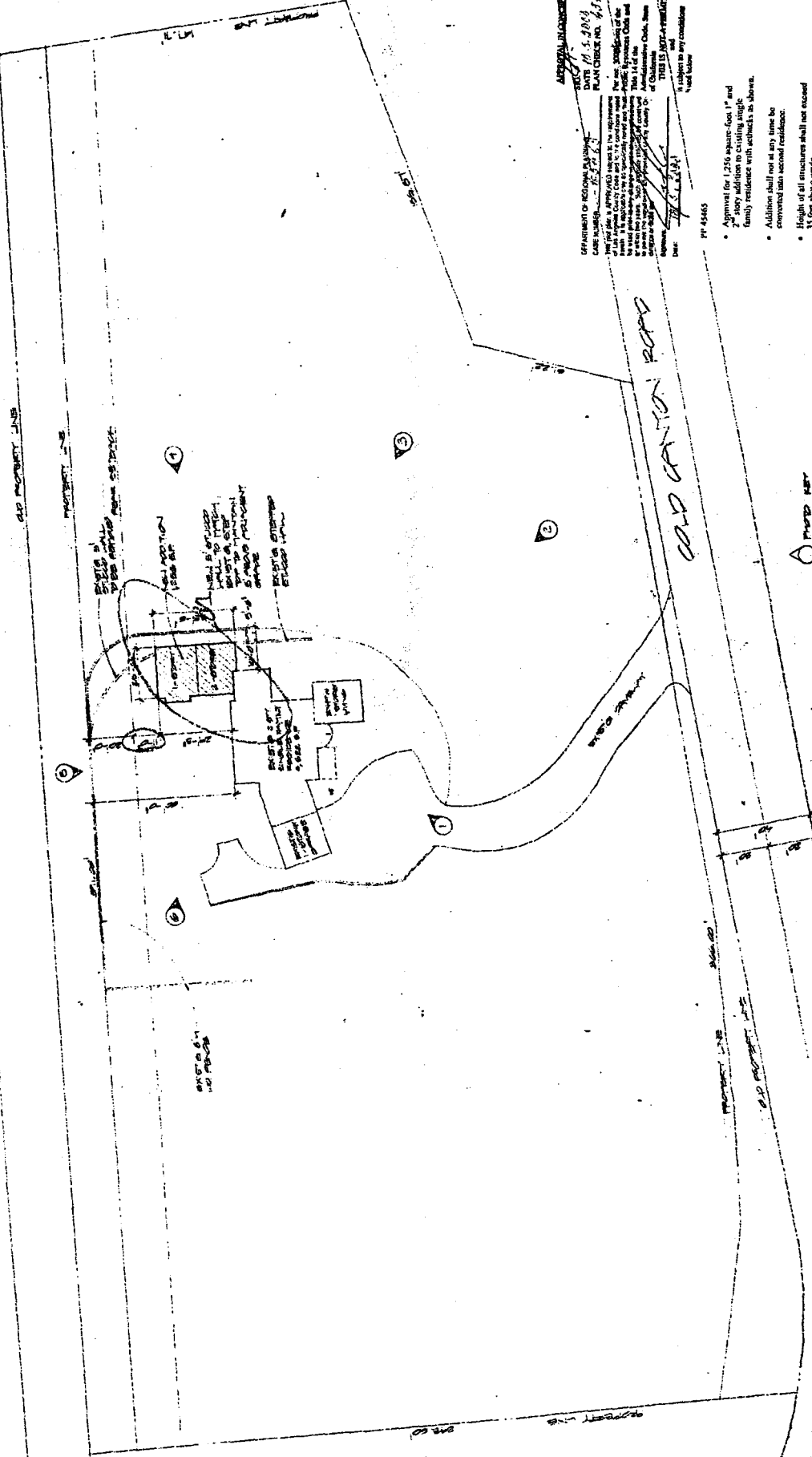
SRIVASTAVA RESIDENCE
2175 DOLD CANYON RD
CALABASAS, CA

Sheet 1 of 2
Date 11/20/07
Drawn 11/20/07
Scale



PP 468462

MULHOLLAND HEIGHT



APPROVAL INFORMATION
DATE 11/20/07
PLAN CHECK NO. 43685
DEPARTMENT OF REGIONAL PLANNING
CASE NUMBER: 07-11-11
FOR THE CITY & APPROVED SUBJECT TO THE REQUIREMENTS OF THE CALIFORNIA ZONING ORDINANCE AND THE CALIFORNIA BUILDING CODE. THIS IS A PRELIMINARY REVIEW ONLY AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED. THE APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION. THIS IS NOT A FINAL REVIEW AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED. THE APPLICANT IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION.

PP 45465

- Approval for 1,216 square foot 1st and 2nd story addition to existing single family residence with setbacks as above.
- Addition shall not at any time be encroached upon setback residence.
- Height of all structures shall not exceed 35 feet above grade.



SITE PLAN
11/20/07 5:10 PM

EXHIBIT NO. 3
APPLICATION NO. 4-01-068
Site Plan

ADDRESS: 2175 Cold Canyon Road
 NEW REMODEL
 STORM DAMAGE BURN-OUT
 SYSTEM FAILURE / ADDITION
 NO. BEDROOMS / F. U. 6 BRM - 8 BRM (55 F.U.)
 SEPTIC TANK SIZE 2500 GALLONS (NEW)

MULHOLLAND HIGHWAY

2175 COLD CANYON
 FIXTURE UNIT CHART

1st floor addition	FIXTURE TYPE	NUMBER	UNIT VALUE	TOTAL
	WATER CLOSET			
	LAUNDRY			
	BATH			
	SHOWER			
	TOTAL			

2nd floor addition	FIXTURE TYPE	NUMBER	UNIT VALUE	TOTAL
	WATER CLOSET			
	LAUNDRY			
	BATH			
	SHOWER			
	TOTAL			

1st floor existing	FIXTURE TYPE	NUMBER	UNIT VALUE	TOTAL
	BATH/UB/SHOWER			
	WATER CLOSET			
	LAUNDRY			
	LAUNDRY SINK			
	WASHING MACHINE			
	OTB/WASH			
	KITCHEN SINK			
	TOTAL			

2nd floor existing	FIXTURE TYPE	NUMBER	UNIT VALUE	TOTAL
	BATH/UB/SHOWER			
	WATER CLOSET			
	LAUNDRY			
	TOTAL			

TOTAL FIXTURE UNITS = 53
 FROM UPC TABLE 1-2: MINIMUM SEPTIC TANK CAPACITY = 2250 GALLONS
 MINIMUM PERCOLATION RATE = 5"2500 = 12,500 GAL/DAY

EXISTING 24" CMP FUTURE: TO BE TESTED PRIOR TO FINAL

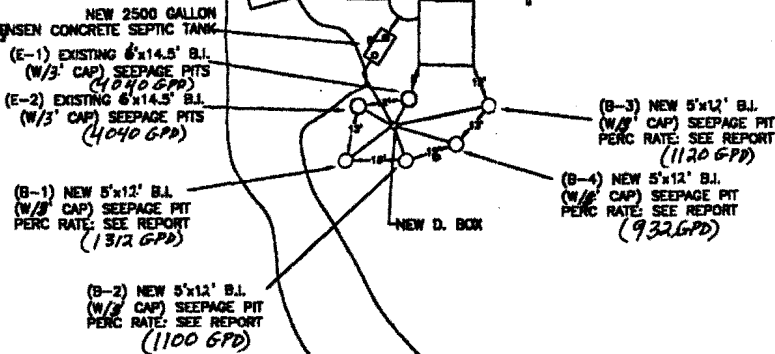
SYSTEM ADDITION
 PERC. RATE/BOX CAT. SEE PLOT PLAN
 SPECIAL NOTES/REQUIREMENTS: 1. SEPTIC TANK
 MINIMUMS SHALL HAVE A 4" RISER TO GRADE
 2. EXISTING 1500 GALLON TANK SHALL BE REMOVED
 3. RECOMMEND EFFLUENT FILTER FOR
 OUTLET SIDE OF SEPTIC TANK

NOTE: Future Disposal Area
 shall be tested prior to
 FINAL APPROVAL

CONCEPTUAL APPROVAL ONLY
 FOR PRIVATE SEWAGE DISPOSAL SYSTEM
 AS REQUIRED FOR COASTAL COMMISSION REVIEW.
 FULL FEASIBILITY REPORT REVIEW AND APPROVAL
 REQUIRED PRIOR TO THE ISSUANCE OF A BUILDING PERMIT.

This approval is for design purposes only
 for The Coastal Commission.

HEALTH OFFICER: [Signature]
 DATE: 8-22-2001



EXISTING 48" CMP COLD CANYON ROAD

FIGURE 3-22-01

FIG. 1201-01-01-000-000

SEPTIC SYSTEM
 PLOT PLAN

2175 COLD CANYON ROAD
 CALABASAS, CA 91302
 APN: 4455-020-042

EXHIBIT NO. 4
 APPLICATION NO. 08-08-000
 Septic Plan

BY	
DATE	
SCALE	
PROJECT	
NO.	
REV.	
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SRIVASTAVA RESIDENCE
2175 COLD CANYON RD.
CALABASAS, CA

DATE	
SCALE	
PROJECT	
NO.	
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A-2
OF 2
SHEET

PP-052465

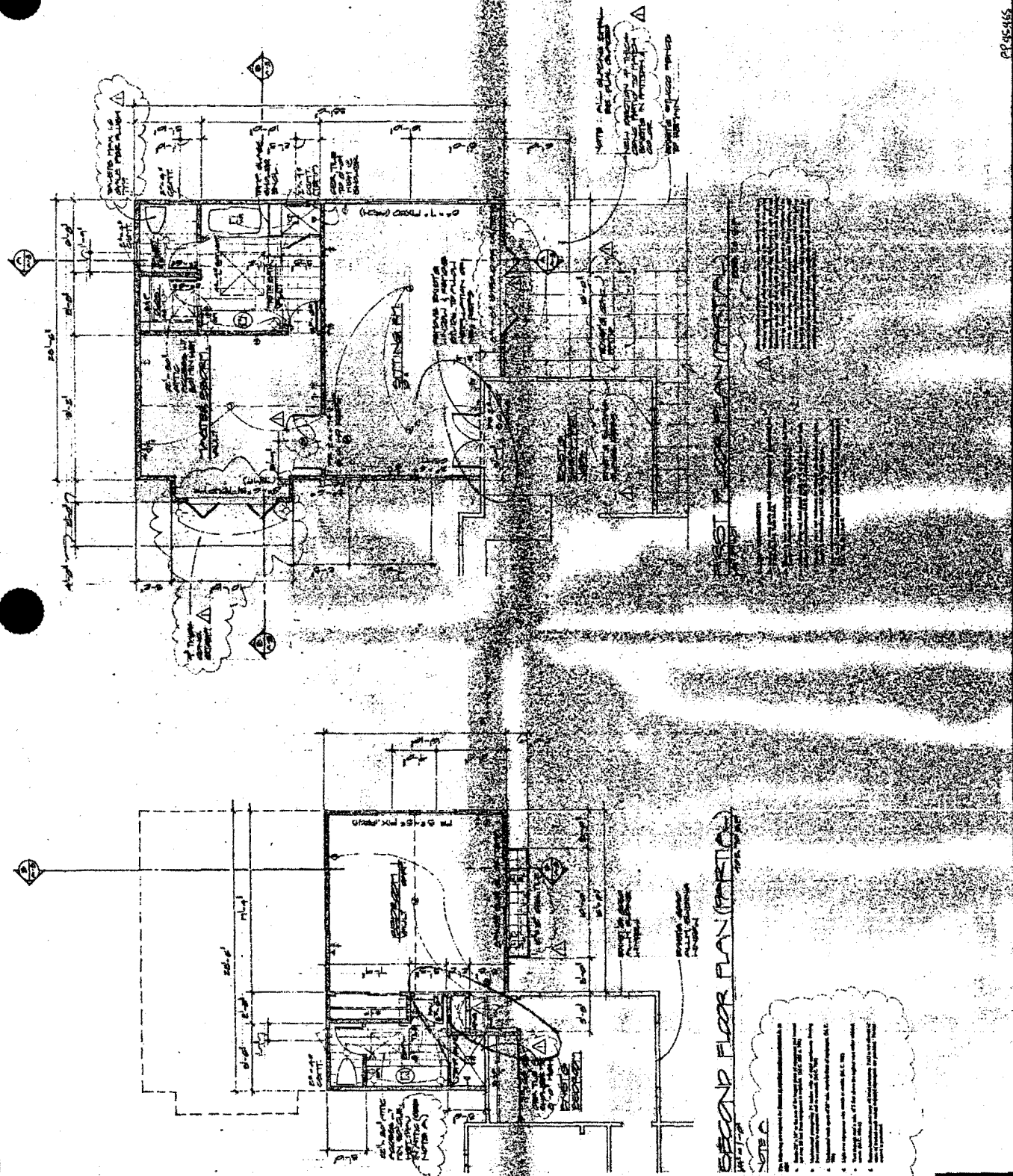
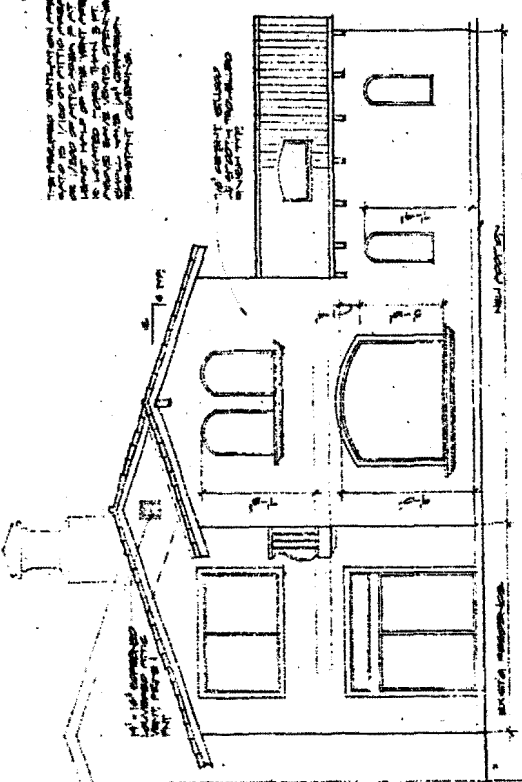


EXHIBIT NO. **5**
APPLICATION NO. **4-01-068**
Floor Plan

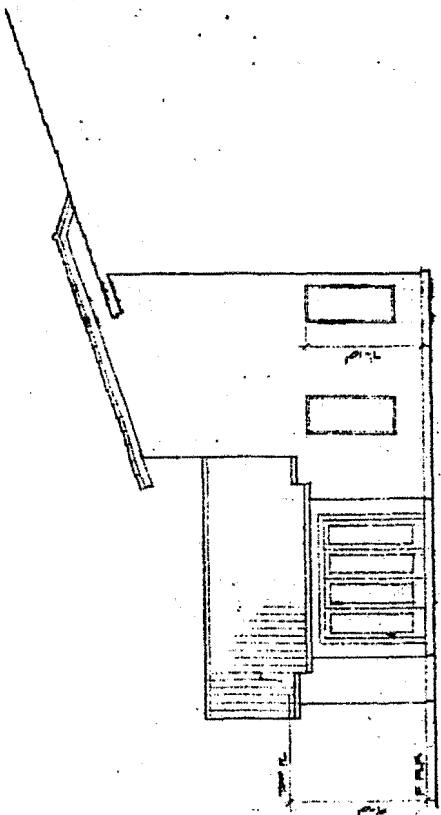
DATE	
BY	
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APPROVED	
SCALE	
PROJECT	
NO.	
SHEET	
TOTAL	

SRIVASTAVA RESIDENCE
2175 COLD CANYON RD.
CALABASAS, CA

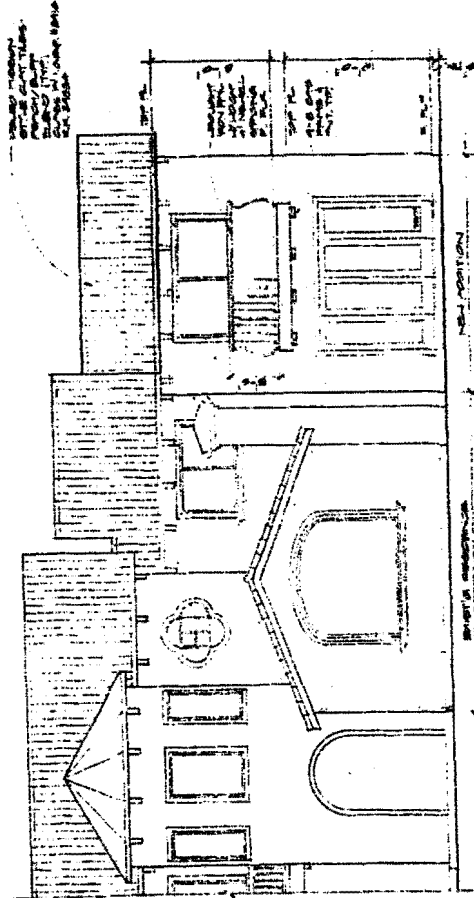
A-6



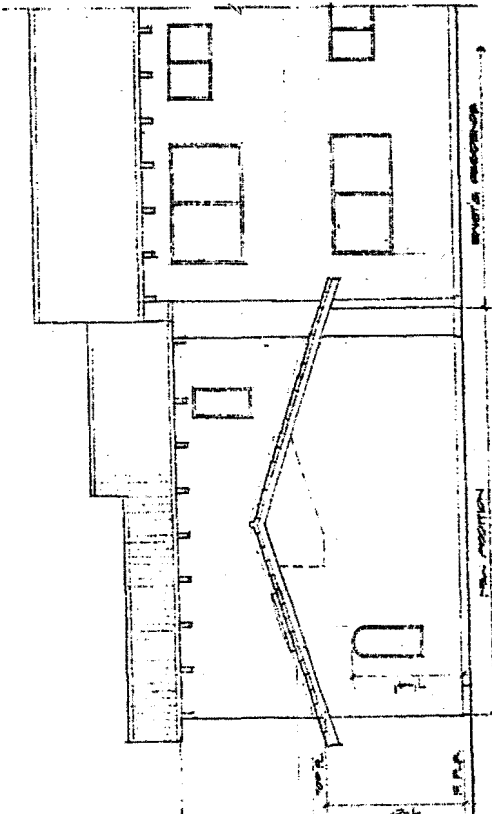
EAST ELEVATION (PARTIAL)



WEST ELEVATION



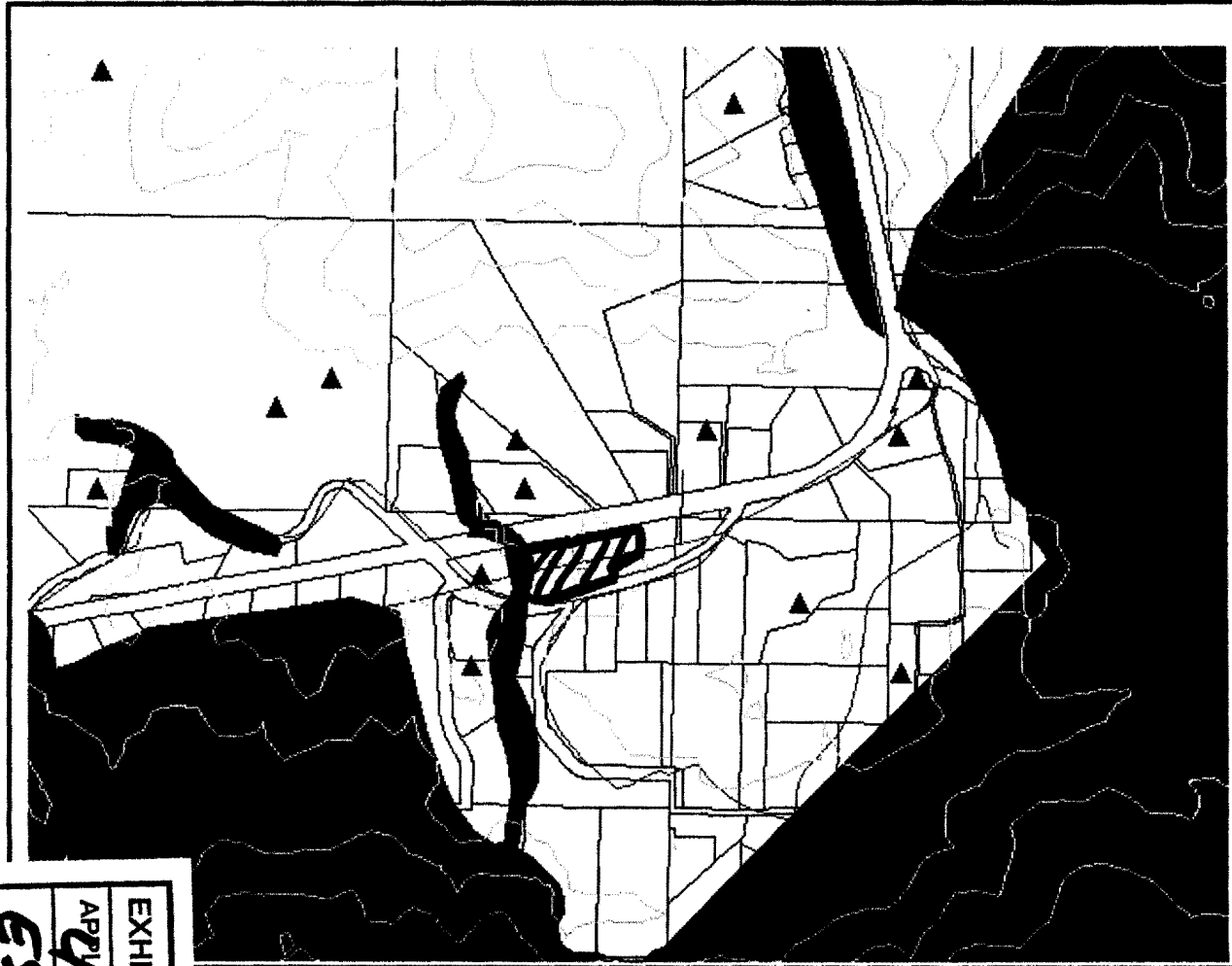
EAST-SOUTH ELEVATION



NORTH ELEVATION

EXHIBIT NO. **6**
APPLICATION NO. **9-01-000**
Elevation

401068 srivastava esha



- ▲ new homes
- contours @ 100ft
- streets
- laprcls
- esha
- Subject Parcel**

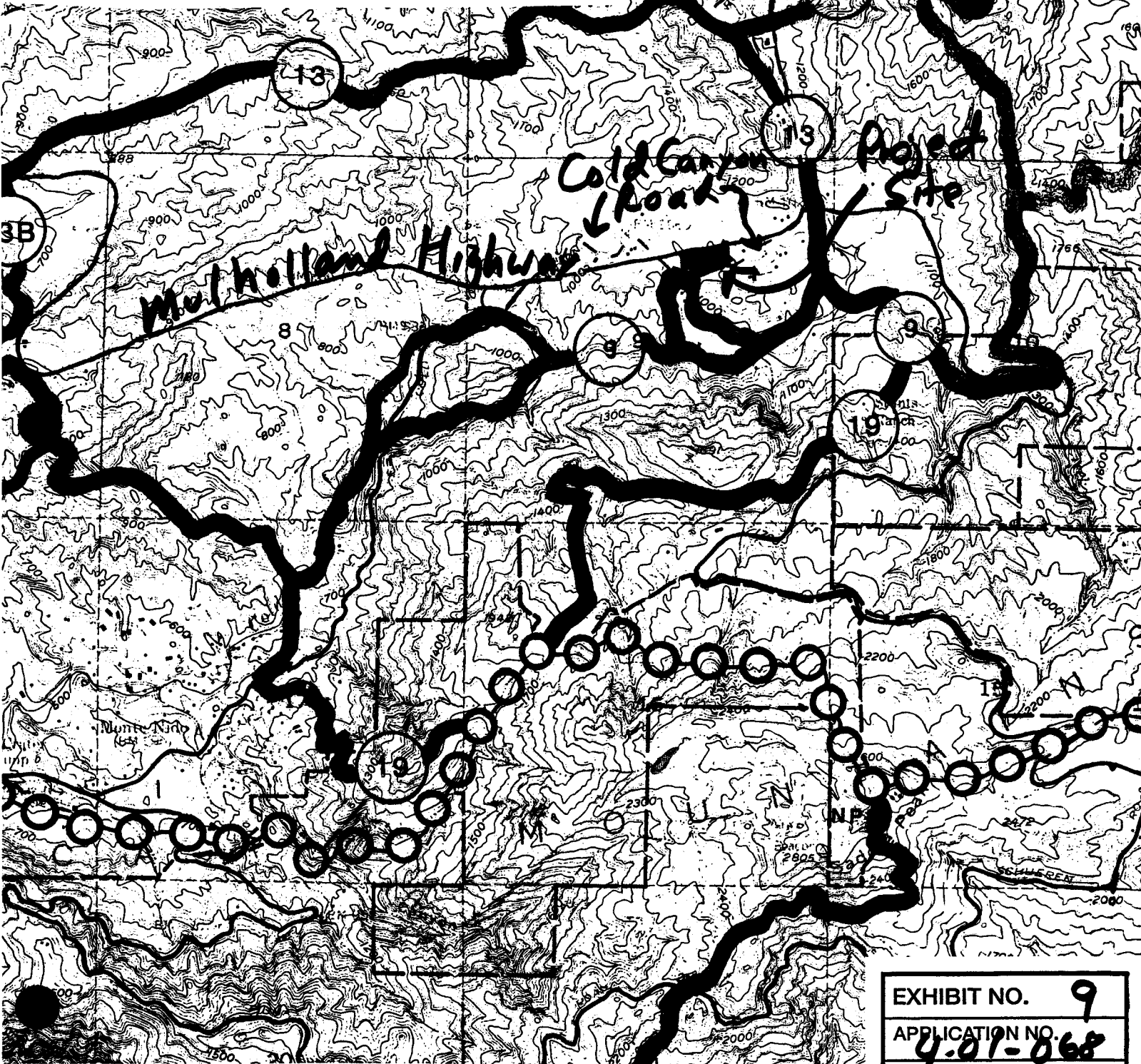
EXHIBIT NO. **7**
APPLICATION NO. **4:87:868**
ESHA
Designation



malibu/santa mountains

TRAIL SYSTEM

- 9 CALABASAS-COLD CREEK TRAIL
 - 9A To Zuma Ridge Trail
 - 9B To Valley Circle Scenic Corridor Trail
- 13 STOKES RIDGE TRAIL
 - 13A To Calabasas
 - 13B Cold Creek & Stokes Ridge Connector Trail
- 19 STUNT HIGH TRAIL



○—○ BACKBONE TRAIL

③ MAJOR FEEDER TRAIL

EXHIBIT NO.	9
APPLICATION NO.	4-01-868
LA Co.	
Trail Plan	

