

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
880 SOUTH CALIFORNIA ST., SUITE 200
VAN NUYS, CA 91301
(805) 585-1800

F 7h

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Commission Action:

**STAFF REPORT: REGULAR CALENDAR****APPLICATION NO.:** 4-01-158**RECORD PACKET COPY****APPLICANT:** Kim Heath**PROJECT LOCATION:** 33300 Hassted Drive, Malibu (Los Angeles County)

PROJECT DESCRIPTION: Construction of a new 2,691 sq. ft., 24 ft. high, two-story single family residence (SFR), with attached, 783 sq. ft., three-car garage, pool, septic system, well, 10,000-gallon water storage tank, and 4,200 cu. yds. of grading (2,100 cu. yds. of cut and 2,100 cu. yds. of fill). Paving of approximately 90 linear feet of an existing access road to meet fire department requirements.

Lot area:	10.00 acres
Building coverage:	2,198 sq. ft.
Pavement coverage:	6,626 sq. ft.
Landscape coverage:	24,750 sq. ft.
Unimproved area:	402,026 sq. ft.
Parking spaces:	3
Ht abv fin grade:	24'0"

LOCAL APPROVALS RECEIVED: Approval in Concept, County of Los Angeles Regional Planning, dated 8/14/2001; Approval in Concept (Septic System), County of Los Angeles, dated 3/27/2001; Approval in Concept, City of Malibu, Geology and Geotechnical Engineering, dated 9/16/98; Approval in Concept, Los Angeles County Fire Department, Fire Prevention Bureau: Fuel Modification, dated 6/26/2001; Road Access and Turnarounds, dated 1/30/2001; Los Angeles County Environmental Resource Board, Approval in Concept, dated 4/16/2001.

SUBSTANTIVE FILE DOCUMENTS: *Preliminary Engineering Geologic and Geotechnical Investigation for Proposed Single-Family Residence, 4440 Encinal Cyn. Rd., Malibu, California*, by Miller Geosciences, Inc., dated March 8, 2001; *Geology and Geotechnical Engineering Review Sheet*, by the City of Malibu, dated September 16, 1998; *Biological Review: Staff Supplement to ERB Resolution 99-02*, by the City of Malibu, dated February 4, 1999; *Negative Declaration 99-017 (CEQA)*, by the City of Malibu, dated May 3, 1999; Coastal Development Permit 4-98-304 (Thorne).

SUMMARY OF STAFF RECOMMENDATION

Staff recommends **approval** of the proposed project with eight (8) special conditions regarding Color Restriction, Conformance with Geologic Recommendations, Drainage and Polluted Runoff, Landscaping and Erosion Control, Removal of Natural Vegetation, Wildfire Waiver of Liability, and Future Development Deed Restriction, Lighting Restriction.

I. STAFF RECOMMENDATION

1. **Motion:** *I move that the Commission approve Coastal Development Permit No. 4-01-158 pursuant to the staff recommendation.*

2. 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.

3. 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. 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 4-01-158. 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, pink, 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 4-01-158 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, 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.

2. Plans Conforming to Geologic Recommendations

- a) All recommendations contained in the *Updated Engineering Geologic and Geotechnical Report, Proposed Single-Family Residence, 33300 Hassted Drive, Malibu*, by Gold Coast Geoservices, Inc., dated 5/31/2001, and *Geotechnical Engineering Study*, by Advanced Geotechnical Services, Inc., dated 1/31/2001 shall be incorporated into all final design and construction including site preparation, setbacks, foundations, retaining walls, foundation settlement, floor slabs, temporary excavation slopes, pavement, drainage, sewage disposal, and grading. All plans must be reviewed and approved by the geologic / geotechnical consultant. Prior to 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.

- b) The final plans approved by the consultant shall be in substantial conformance with the plans approved by the Commission relative to construction, grading, and drainage. Any substantial changes to 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."

3. Drainage and Polluted Runoff Control Plan

Prior to issuance of a 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 volume, velocity and pollutant load of stormwater leaving the developed site. The plan shall be reviewed and approved by the consulting engineering geologist to ensure the plan is in conformance with the geologist's recommendations. In addition to the specifications above, the plan shall be in substantial conformance with the following requirements:

- (a) Selected BMPs (or suites of BMPs) shall be designed to treat, 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.

4. Landscape and Erosion Control Plan and Fuel Modification

Prior to issuance of a coastal development permit, the applicant shall submit landscaping and erosion control plans, prepared by a licensed landscape architect or a qualified resource specialist, for review and approval by the Executive Director. The landscaping and erosion control plans shall be reviewed and approved by the consulting engineering geologist to ensure that the plans

are in conformance with the consultants' 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) Vertical landscape elements shall be included in the landscape plan that are designed, upon attaining maturity, to soften the views of the residence and development from Mullholland Highway and Santa Monica Mountains National Recreation Area (Arroyo Sequit);
- (4) Plantings will be maintained in good growing condition throughout the life of the project and, whenever necessary, shall be replaced with new plant materials to ensure continued compliance with applicable landscape requirements;
- (5) 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.
- (6) 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 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.

- (7) Fencing of the property shall be limited to the area delineated as Zone A on the approved fuel modification plan. Perimeter fencing of the property shall be prohibited. Fencing shall be of a design that is visually compatible with the surrounding rural environment, such as a smooth (non-barbed) three string fencing or split rail fencing design, with the exception of the fencing around the immediate development footprint. The color of the fencing shall also be compatible with the surrounding environment.

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

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 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.

5. Removal of Natural Vegetation

Removal of natural vegetation for the purpose of fuel modification within the 50 foot zone surrounding the proposed structure(s) shall not commence until the local government has issued a building or grading permit for the development approved pursuant to this permit. Vegetation thinning within the 50-200 foot fuel modification zone shall not occur until commencement of construction of the structure(s) approved pursuant to this permit.

6. 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.

7. Future Development Deed Restriction

This permit is only for the development described in Coastal Development Permit No. 4-01-158. Pursuant to Title 14 California Code of Regulations Section 13250(b)(6) the exemptions otherwise provided in Public Resources Code Section 30610(a) shall not apply to the residence. Accordingly, any future structures, additions, or improvements related to the residence approved under Coastal Development Permit No. 4-01-158 will require a permit from the California Coastal Commission or its successor agency.

Prior to issuance of a coastal development permit, the applicant shall execute and record a deed restriction in a form and content acceptable to the Executive Director incorporating all of the above terms of this condition. The deed restriction shall include a legal description of the applicant's entire parcel. The deed restriction shall run with

the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

8. Lighting Restriction

A. The only outdoor, night lighting allowed on the site shall be the following:

- (1) The minimum necessary to light walkways used for entry and exit to the structures, including parking areas, on the site. This lighting shall be limited to fixtures that do not exceed two feet in height, that are directed downward, and use bulbs that do not exceed 60 watts, or the equivalent, unless a higher wattage is authorized by the Executive Director.
- (2) Security lighting attached to the residence that is controlled by motion detectors and is limited to 60 watts, or the equivalent.
- (3) The minimum lighting necessary for safe vehicular use of the driveway. The lighting shall be limited to 60 watts, or the equivalent.
- (4) No lighting around the perimeter of the site and no lighting for aesthetic purposes is allowed.

B. Prior to issuance of Coastal Development Permit No. 4-01-158, the applicant shall execute and record a deed restriction reflecting the above restrictions.

IV. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares as follows:

A. Project Description and Background

The applicant is proposing construction of a new, 2,691 sq. ft., 24 ft. high, two-story single family residence (SFR), with attached 783 sq. ft., three-car garage (Exhibits 4-10), pool, septic system, well, 10,000-gallon water storage tank, landscaping, and 4,200 cu. yds. of grading (2,100 cu. yds. of cut and 2,100 cu. yds. of fill). The applicant is also proposing the paving of approximately 90 linear feet of Hassted Drive in order to meet fire department requirements (Exhibit 4). The subject site is currently vacant, and there have been no previous coastal development permits obtained for the subject property.

The property consists of 10 acres of hilly terrain which forms a topographically complex, westerly descending ridge flank of the Santa Monica Mountains in the Decker Canyon area. Vegetation on-site consists of coastal sage scrub and native chaparral. Slopes on the property and below the proposed building area range from 1.5:1 to 4:1 and extending to heights of approximately 300 feet. The proposed building site is to be created by removing the top of a small prominence located in the northeast corner of the property. Drainage from the property is primarily westward by sheetflow, toward tributaries of the East Fork of the Arroyo Sequit, a USGS designated blue line stream (Exhibit 3). The entire parcel is located within the Western Wildlife Migration Corridor, a designated sensitive resource area in the Malibu/Santa Monica Mountains Land Use Plan (Exhibit 3). The project site is visible from Mulholland Highway, a designated

scenic highway in the certified Malibu/Santa Monica Mountains Land Use Plan. The subject site is also highly visible from the adjoining Santa Monica Mountains National Recreation Area which is located to the west of the site. This recreation area contains the Arroyo Sequit Trail, from which the subject property and building site are highly visible.

Access to the project site is from Hassted Drive, a partially paved road which extends westerly from Decker Canyon Road approximately ½ mile south of Mulholland Highway. Hassted runs adjacent to the northern boundary of the property (Exhibits 2-4).

In order to comply with fire department requirements for access to the site, the applicant is proposing to pave two sections (totaling approximately 90 linear feet) of this easement to as it approaches the entrance to the project site and the proposed fire department turnaround (Exhibits 3-4). The improvements proposed to the existing easement/access road are located on the adjacent property to the east of the subject site and are within the existing road easement. The applicant has provided evidence of the ingress and egress access easement for the road over this parcel. Additionally, the property owners of the affected parcel have been notified of this development pursuant to section 30601.5 of the Coastal Act, which states:

"All holders or owners of any interests of record in the affected property shall be notified in writing of the permit application and invited to join as co-applicant."

These property owners were notified of the pending permit action under Section 30601.5 (Exhibit 10). If any response to this letter is received by staff prior to the Commission's October 9-12, 2001 meeting, it will be reported to the Commission at the public hearing.

B. 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 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 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.

The subject site is visible from Mulholland Highway, a designated scenic highway in the Malibu / Santa Monica Mountains Land Use Plan (LUP) which is located to the north of the subject site. Additionally, the property is adjacent to a portion of the Santa Monica Mountains National Recreation Area (Exhibit 3) and which includes the Arroyo Sequit hiking trail. To assess potential visual impacts of projects to the public, the Commission typically investigates publicly accessible locations from which the proposed development is visible, such as beaches, parks, trails, and scenic roads. The Commission also examines the building site and the size of the proposed structure. Staff visited the subject site and found the proposed building location to be appropriate and feasible, given the terrain and the surrounding existing development. In its review, Staff explored the possible alternative locations for siting the residence and the access

road/driveway. Based on the complex topography of the site, the proposed building location will result in the least amount of landform alteration and impact to the natural resources as it compromises the top of a small topographic prominence. The top of this prominence will be removed to create the 5,600 sq. ft. pad, and as this location is near Hassted Road, the amount of grading necessary to create a road to the pad is minimized. The portion of Hassted Road which parallels the property and will provide access to the site was graded prior to the inception of the Coastal Act, and also serves to provide access to the property to the north of the subject site.

Due to the topographic constraints of the site, the finished project will be visible from the surrounding area including Mulholland Highway, the neighboring Santa Monica Mountains National Recreation Area, and Arroyo Sequit Trail, thereby requiring mitigation of visual impacts as discussed below. The residence proposed is 2,691 sq. ft. in size and requires a building footprint of 2,198 sq. ft. The total size of the proposed building pad is approximately 5,600 sq. ft., which will include the residence as well as the fire department turnaround. Nearby residences are of a similar massing, character, and location to be similarly visible, and the proposed building plans are substantially in character with the type and scale of development in the surrounding area.

For this project, the applicant is proposing 4,200 cu. yds. of grading consisting of 2,100 cu. yds. of cut, 2,100 cu. yds. of fill. The grading for the residence consists of removing the top of the prominence/knoll in order to create the building pad and fire department turnaround and comprises almost the entire amount of cut (Exhibits 8-9). The remaining grading proposed is for the completion of the approximately 300 ft. long driveway and which will be the primary access to this residence. This will encompass the creation of several large, engineered, 1.5:1 fill slopes (Exhibits 4-6). Given the topographic restraints of the subject property, and access options, the proposed location appears to be the logical building site for the residence as it both minimizes the distance from the access road to the building site, and utilizes a building pad of comparatively modest size.

Due to the project's location and visibility from public resources, the Commission finds it necessary to require mitigation measures, as discussed below, to minimize visual impacts as seen from nearby scenic areas. The proposed project's impact on public views can be mitigated by requiring the residence and associated structures to be finished in a non-obtrusive manner (i.e.: in a color compatible with the surrounding natural landscape and with non-reflective windows). The Commission therefore finds it necessary to minimize the visual impact of the project by requiring the applicant to use colors compatible with the surrounding environment and non-glare glass, as required by **Special Condition 1**. In addition, future construction on the property has the potential to negatively affect the visual character of the area as seen from the scenic highway and adjacent public parkland. To insure that no additions or improvements are made to the property that may affect visual resources on-site without due consideration of the potential cumulative impacts, the Commission finds it necessary to require the applicant to record a future development deed restriction, which will require the applicant to obtain an amended or new coastal permit if additions or improvements to the site are proposed in the future, as required by **Special Condition 7**.

In addition, visual impacts associated with grading and the structure itself can be further reduced by the use of adequate and appropriate landscaping. A landscape plan relying principally on native, non-invasive plant species will ensure that the vegetation on-site remains visually compatible with the native flora of surrounding areas. In addition, vertical screening elements added to the landscape plan can soften views of the

proposed development from public areas such as Mulholland Highway and the SMMNRA. The Commission therefore finds it necessary to ensure that the final approved landscaping plans are successfully implemented to partially screen and soften the visual impact of the development as required by **Special Condition 4**.

The Commission has found that night lighting of areas in the Malibu / Santa Monica Mountains area creates a visual impact to nearby scenic beaches, scenic roads, parks, and trails. In addition, night lighting may alter or disrupt feeding, nesting, and roosting activities of native wildlife species. The subject site is located within a designated environmentally sensitive habitat area in the Malibu/Santa Monica Mountains Land Use Plan, which acts as a primary corridor for migrating animals. Therefore, the Commission limits the nighttime lighting of the property and residence to that necessary for safety as outlined in **Special Condition 8**. Additionally, limiting any fencing of the property to the area delineated as Zone A on the approved fuel modification plan, prohibiting any perimeter fencing of the property, and restricting fencing to a form that is visually compatible with the surrounding environment, as required by **Special Condition 4**, will further minimize the visual impact of the development as seen from the nearby highway and recreation area.

Therefore, the proposed project, as conditioned, will not result in a significant adverse impact to the scenic public views or character of the surrounding area in this portion of the Santa Monica Mountains. Thus, the Commission finds that the proposed project is consistent, as conditioned, with Section 30251 of the Coastal Act and the policy guidance contained in the certified Malibu / Santa Monica Mountains LUP.

C. Geologic Stability 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...*

Section 30250(a) of the Coastal Act states (in part):

New residential, ... development, ... shall be located within, contiguous with, or in close proximity to existing developed areas able to accommodate it ... and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

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

The prominent geomorphic features in the area are Decker Canyon to the east, Arroyo Sequit to the west, the Santa Monica Mountains to the north, and the Pacific Ocean and

various beaches to the south. The project site is located on an small knoll within an western trending, descending ridge line. A significant amount of grading is proposed in order to flatten the top of the knoll to create the building pad, and to create the slopes for the proposed access driveway from Hassted Drive. Drainage on-site is primarily westward by sheetflow, toward tributaries of the East Fork of the Arroyo Sequit, a USGS designated blueline stream (Exhibit 3) which drains to the Pacific Ocean.

The project proposes a total of 4,200 cu. yds. of grading (2,100 cu.yds. cut and 2,100 cu. yds. fill) for the creation of the building pad, driveway, and fire department turnaround. The grading for the pad and turnaround is almost entirely excavation, as the building pad consists of leveling a small knoll (Exhibits 8-9). Conversely, the driveway is created by the means of engineered fill slopes with a 1.5:1 ratio (Exhibits 4-6). The applicant has submitted reports indicating that the geologic stability of the site is favorable for the project and that no potentially active faults, adversely oriented geologic structures, or other hazards were observed by the consultants on the subject property. Based on site observations, slope stability analysis, evaluation of previous research, analysis and mapping of geologic data, and limited subsurface exploration of the site, the engineering geologists have prepared reports addressing the specific geotechnical conditions related to the site.

The *Geotechnical Engineering Study*, by Advanced Geotechnical Services, Inc., dated 1/31/2001, in evaluating the various engineering geologic factors affecting site stability and the existing site conditions, states:

Based on the results of our geotechnical study , it is our opinion that the site is suitable for construction of the proposed development , provided recommendations of this report are properly incorporated in the design and implemented during construction...

Based on the findings of our data review, subsurface exploration, laboratory testing, field testing, and engineering analysis, and within the scope of this study, the proposed development is feasible from a geotechnical engineering viewpoint, provided the recommendations in this report are incorporated into the building plans and implemented during construction.

The Commission notes that the geologic and engineering consultants have included a number of recommendations regarding site preparation, setbacks, foundations, retaining walls, foundation settlement, floor slabs, temporary excavation slopes, pavement, drainage, sewage disposal, and grading which will increase the stability and geotechnical safety of the site. To ensure that these recommendations are incorporated into the project plans, the Commission finds it necessary to require the applicant, through **Special Condition 2**, to submit project plans certified by the geologic / geotechnical engineering consultant as conforming to their recommendations.

The project 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. The applicant's geologic / geotechnical consultant has recommended that site drainage be collected and distributed in a non-erosive manner. Interim erosion control measures implemented during construction will minimize short-term erosion and enhance site stability. However, long-term erosion and site stability must be addressed through adequate landscaping and through implementation of a drainage and runoff control plan. 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 2, 3, and 4**, to submit drainage / erosion control

plans conforming to the recommendations of the consulting geotechnical engineer for review and approval by the Executive Director, to adequately control runoff from impervious surfaces, 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 with appropriate native plant species, as specified in **Special Condition 4**.

The Commission requires that new development minimize the risk to life and property in areas of high fire hazard while recognizing that new development may involve the taking of some risk. Vegetation in the coastal areas of the Santa Monica Mountains consists mostly of coastal sage scrub and chaparral, communities which have evolved in concert with, and continue to produce the potential for frequent wildfires. The warm, dry summer conditions of the local Mediterranean climate combine with the natural characteristics of the native vegetation to pose a risk of wildfire damage to development that cannot be completely avoided or mitigated. When development is proposed in areas of identified hazards, 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 the property.

Due to the fact that the proposed project is located in an area subject to an extraordinary potential for damage or destruction from wildfire, the Commission can only approve the project if the applicant assumes the liability from these associated risks. Through the wildfire waiver of liability, as incorporated in **Special Condition 6**, 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. For fire suppression, and to protect residences, the Fire Department requires the reduction of fuel through the removal and thinning of vegetation for up to 200 feet from any structure. The applicant has submitted a Fuel Modification Plan with final approval by the Los Angeles County Fire Department Fuel Modification Unit for this project.

The fuel modification required for the proposed residence will overlap onto the properties located immediately to the north and east of the subject site (Exhibit 10). While both of the sites to the east are developed with single-family residences, the site to the north is currently undeveloped. Therefore, in order to ensure that vegetation clearance for fire protection purposes does not occur prior to commencement of grading or construction of the proposed structures, the Commission finds that it is necessary to impose a restriction on the removal of natural vegetation as specified in **Special**

Condition 5. This restriction specifies that natural vegetation shall not be removed until grading or building permits have been secured and construction of the permitted structures has commenced. The limitation imposed by **Special Condition 5** avoids loss of natural vegetative coverage resulting in unnecessary erosion in the absence of adequately constructed drainage and run-off control devices and implementation of the landscape and interim erosion control plans. Therefore, Commission finds that the proposed project, as conditioned, is consistent with Sections 30250 and 30253 of the Coastal Act.

D. Environmentally Sensitive Resources

Sections 30231 and 30240 of the Coastal Act require that development in and adjacent to Environmentally Sensitive Habitat Areas shall be sited and designed to prevent impacts which would significantly degrade those areas. Section 30231 requires the protection of coastal waters and aquatic ecosystems, through, among other means, controlling runoff (drainage management and erosion control, for example) and limiting the removal of natural vegetation that serves to buffer adverse impacts upon these 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 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, and minimizing alteration of natural streams.

Section 30240 states:

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

The proposed project is located on a 10 acre parcel in an area designated by the Malibu/Santa Monica Mountains Land Use Plan (LUP) as a Wildlife Corridor between the Arroyo Sequit Significant Watershed and the Trancas Canyon Significant Watershed (Exhibit 3). Additionally, the subject site is located adjacent to a portion of the Santa Monica Mountains National Recreation Area (Arroyo Sequit) and drains into the USGS mapped blue line streams of Arroyo Sequit and its tributaries (Exhibit 3). The LUP designates areas between several of the Significant Watersheds as Wildlife Corridors to ensure that wildlife populations which live in the relatively undisturbed habitat areas of the significant watersheds are able to freely pass between the watersheds. There are policies which provide for the protection of wildlife corridor areas in Table 1 of the LUP. Table 1 specifies that the same standards be applied to Wildlife Corridors as those applied to Significant Watersheds with the exception of density policies.

The LUP policies addressing protection of Significant Watersheds (and by reference Wildlife Corridors) are among the strictest and most comprehensive in addressing new development. In its findings regarding the LUP, the Commission emphasized the importance placed by the Coastal Act on protecting sensitive environmental resources. The Commission found in its action certifying the Land Use Plan in December, 1986 that:

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

The LUP contains several policies designated to protect the Watersheds, and ESHA's contained within, from both the individual and cumulative impacts of development:

Protection of Environmental Resources

P63: Uses shall be permitted in ESHAs, DSRs, Significant Watersheds, and Significant Oak Woodlands, and Wildlife Corridors in accordance with the Table 1 and all other policies of this LCP.

Table 1 states that for "existing parcels smaller than 20 acres in proximity to existing development and/or services, and/or on the periphery of the significant watershed:, residential uses are permitted: "at existing parcel cuts (buildout of parcels of legal record) in accordance with specified standards and policies...". The Table 1 policies applicable to Significant Watersheds, and therefore, Wildlife Corridors, are as follows:

...Allowable structures shall be located in proximity to existing roadways, services and other development to minimize the impact on the habitat.

...Grading and vegetation removal shall be limited to that necessary to accommodate the residential unit, garage, and one other structure, one access road and brush clearance required by the Los Angeles County Fire

Department. The standard for a graded pad shall be a maximum of 10,000 sq. ft.

The applicant has concentrated the proposed development on an approximately 5,600 sq. ft. pad, thus minimizing landform alteration or other impacts on the habitat of the wildlife corridor. No accessory pads are proposed, therefore the project as proposed is consistent with 10,000 sq. ft. guideline. The pad is located in the northeast portion of the property. As access to the property is via an easement located on the adjacent parcel to the east, the location for the proposed building site for the residence will additionally minimize the amount of grading necessary to create a driveway to the proposed residence.

The applicant has additionally submitted a fuel modification plan for the proposed project, as approved The Los Angeles County Fire Department, which delineates the extent of clearance and brushing requirements necessary for the residence to meet fire safety regulations. No other undisturbed native vegetation will be modified to comply with the fuel modification requirements of the Fire Department. **Special Condition 4**, however, requires the applicant to prepare and submit a landscape plan for the entire parcel that relies primarily upon the use of drought tolerant, native plants. The implementation of the final approved plan will result in the usage of primarily locally native species, thus minimizing the impacts of the development on the wildlife corridor habitat overall.

In addition to requiring the impacts associated with fuel modification, the Commission has found that night lighting of a high intensity has the potential to disrupt the hunting, roosting, and nesting behavior of wildlife that occupy and pass through this sensitive habitat area. The Commission's application of **Special Condition 8** reduces the disruptive effects that night lighting can have on the wildlife occupying these habitat areas, by restricting outdoor night lighting to the minimum amount required for safety.

...New on site roads shall be limited to a maximum of 300 feet or one third of the parcel depth, whichever is smaller.

The proposed driveway with fire department turnaround is approximately 300 feet in length from the point at which it diverges from the access/easement road, which is located approximately 40 feet off site. As such, the length of the driveway as it is located from the property boundary is less than 300 feet, and conforms to the above Table 1 policy regarding new roads on site. The applicant additionally proposes to pave approximately 90 feet of the existing access/easement road; however, these improvements are located off-site on the adjacent property to the east.

...Site grading shall be accomplished in accordance with the stream protection and erosion control policies.

As stated previously, the site is adjacent to the Santa Monica Mountains National Recreation Area (Arroyo Sequit), and drains off-site into two USGS mapped blue-line tributaries of the Arroyo Sequit. The Commission finds that the minimization of non-point source pollutants from new development will help to maintain and enhance the

quality of coastal waters, streams, wetlands, estuaries and lakes. Non-point source pollution is the pollution of coastal waters (including streams and underground water systems) which enters the waterway from numerous sources which are difficult to identify on an individual basis. Non-point source pollutants include suspended solids, coliform bacteria and nutrients. These pollutants can originate from many different sources such as overflow septic systems, storm drains, runoff from roadways, driveways, rooftops and horse facilities.

Grading for the proposed project will encompass a total of 4,200 cu. yds. (2,100 cu. yds. cut and 2,100 cu. yds. fill) for the construction of the building pad, fire department turnaround, and driveway at the top of the knoll. The applicant has submitted a geologic report dated March 8, 2001, and prepared by Miller Geosciences, Inc. which makes specific recommendations regarding site stabilization upon grading, and the proper management of site drainage to avoid erosion and ensure site stability. The Commission finds that the implementation of the geologic recommendations, as required by **Special Condition 2**, and the implementation of specific erosion management measures that must be implemented should grading be undertaken during the rainy season, pursuant to **Special Conditions 3 and 4**, will ensure that erosion is controlled consistent with the Section 30231 and the Table 1 policies and will reduce the non-point source pollution impacts of the proposed development on the nearby drainages.

The LUP contains an additional provision applicable to Wildlife Corridors:

...The fencing of entire parcels shall be prohibited in order to allow free passage of wildlife.

In order to address the issue of wildlife movement, the Commission requires the applicant, through **Special Condition 4**, to restrict fencing of the site to the immediate vicinity of the residence, and prohibits perimeter fencing of the property, thereby allowing the free passage of wildlife within the wildlife corridor. **Special Condition 4** also requires that any fencing that is otherwise consistent with the applicable policies of the Coastal Act, shall be designed and constructed of materials that are safe for wildlife to pass through (chain link or barbed wire, for example, would not be acceptable anywhere on the site).

As stated previously, wildlife corridors serve as "highways" for wildlife movement, connecting otherwise isolated populations and habitats essential to the survival of rare and threatened species such as the red-legged frog, willow flycatchers, Cooper's hawks, and the Least Bell's Vireo. Development in close proximity to such habitats can disturb wildlife, disrupting their natural behavioral patterns, and forcing them to search further afield for necessary resources. Development in these sensitive resource areas, resulting in the additional removal of native vegetation through grading and fuel modification requirements, the construction of fencing, and increased night lighting results in the degradation of habitat essential to the functioning of the ecosystem as a whole. As such, the Commission requires the applicant, through **Special Condition 7**, to record a future improvements deed restriction. The recordation of such a restriction will result in future development, which might otherwise be exempt, being analyzed to limit and address the

potential impacts to the wildlife corridor, stream drainages, and other sensitive resources.

Therefore, the Commission finds that the proposed project, as conditioned by Special Conditions 2,3,4, 7, and 8 is consistent with the policies of Sections 30230, 30231 and 30240 of the Coastal Act. In addition, as noted above, the Commission has determined that the proposed project is also consistent with the applicable guidelines comprised by the policies of the certified Malibu/Santa Monica Mountains Land Use Plan, upon which the Commission has relied as a reference and guideline in reviewing previous coastal development permit applications.

E. 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 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.

As described above, the proposed project includes the construction of a new 2,691 sq. ft., 24 ft. high, two-story single family residence (SFR), with attached three-car garage, pool, septic system, well, and 4,200 cu. yds. of grading (2,100 cu. yds. of cut and 2,100 cu. yds. of fill). The application also proposes paving of approximately 90 linear feet of access road in order to meet fire department requirements.

The conversion of the project site from its natural state will increase the amount of impervious coverage and reduce the naturally vegetated area 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. Further, use of the site for residential purposes will introduce potential sources of pollutants such as petroleum, household cleaners and pesticides, as well as other accumulated pollutants from rooftops and other impervious surfaces.

The proposed building site is located on the top of a small knoll, which will necessitate a total of 4,200 cu. yds. of grading (2,100 cut, and 2,100 fill) in order to create the proposed building pad area, driveway, and fire department turnaround. The driveway to the proposed building site will additionally involve the creation of fill slopes on the order of 1.5:1. Because of these slopes, the increase in impervious coverage, and the resultant potential for significant water velocities, soil erosion, and pollutant transport, it

is extremely important to adequately control site drainage through runoff detention, velocity reduction, filtration, and/or other best management practices (BMPs).

The conversion of the project site from its natural state 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. Further, pollutants commonly found in runoff associated with residential use include petroleum hydrocarbons including oil and grease from vehicles; heavy metals; synthetic organic chemicals including paint and household cleaners; soap and dirt from washing vehicles; dirt and vegetation from yard maintenance; litter; fertilizers, herbicides, and pesticides; and bacteria and pathogens from animal waste. The discharge of these pollutants to coastal waters can cause cumulative impacts such as: eutrophication and anoxic conditions resulting in fish kills and diseases and the alteration of aquatic habitat, including adverse changes to species composition and size; excess nutrients causing algae blooms and sedimentation increasing turbidity which both reduce the penetration of sunlight needed by aquatic vegetation which provide food and cover for aquatic species; disruptions to the reproductive cycle of aquatic species; and acute and sublethal toxicity in marine organisms leading to adverse changes in reproduction and feeding behavior. These impacts reduce the biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes and reduce optimum populations of marine organisms and have adverse impacts on human health.

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, by **Special Condition 3**, 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, natural drainages, and environmentally sensitive habitat areas. 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 3**, 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 resource protection policies of the Coastal Act.

In addition to the use of BMP's and a drainage plan as outlined above, the incorporation of interim erosion control measures, as required by **Special Condition 4**, serves to reduce the potential for erosion during the construction process. These measures minimize the amount of erosion which occurs prior to the implementation of the post-construction BMP's when the soils on site are exposed by grading, or stockpiled, and most vulnerable to erosion.

Finally, the proposed development includes the installation of an on-site septic system with 1,500-gallon tank to serve the residence. 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. The applicants' geologic consultants performed percolation tests and evaluated the proposed septic system. The report concludes that the site is suitable for the septic system and there would be no adverse impact to the site or surrounding areas from the use of a septic system. The applicant has submitted in-concept approval from the County of Los Angeles stating that the proposed septic system is in conformance with the minimum requirements of the Uniform Plumbing Code. The Los Angeles County minimum health code standards for septic systems take into account the percolation capacity of soils, the depth to groundwater, and other considerations, and have generally been found to be protective of coastal resources. The Commission therefore finds that the proposed project, as conditioned, is consistent with Section 30231 of the Coastal Act.

F. Local Coastal Program

Section 30604(a) of the Coastal Act states (in part):

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 Chapter 3 (commencing with Section 30200) and that the permitted development will not prejudice the ability of the local government to prepare a local program that is in conformity with Chapter 3 (commencing with Section 30200). ...

Section 30604(a) of the Coastal Act stipulates 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 significant adverse impacts and is found to be consistent with the applicable policies contained in Chapter 3 of the Coastal Act. Therefore, the Commission finds that approval of the proposed development, as conditioned, will not prejudice the County's ability to prepare a Local Coastal Program 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 (CEQA)

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

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

bkl

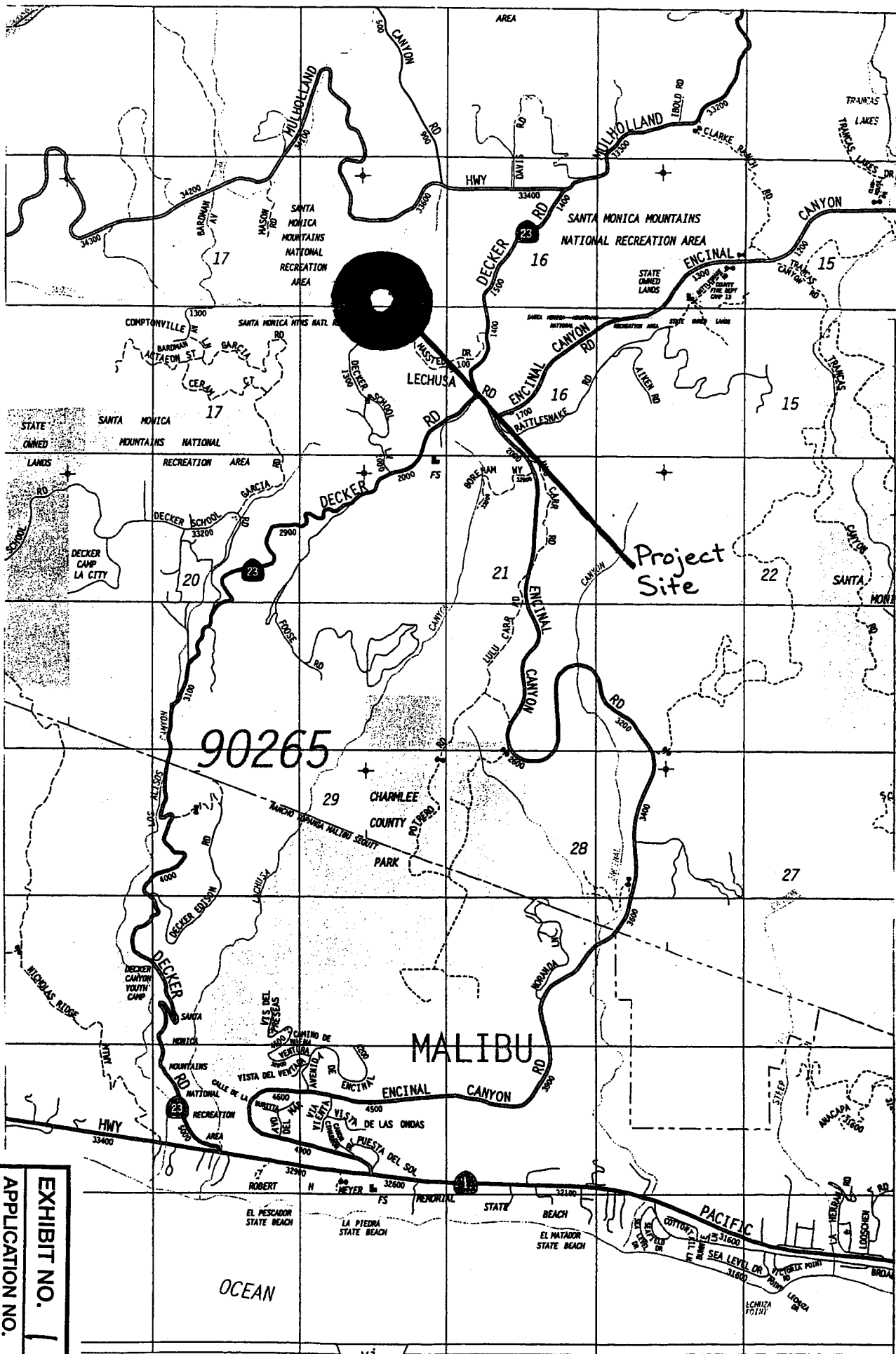
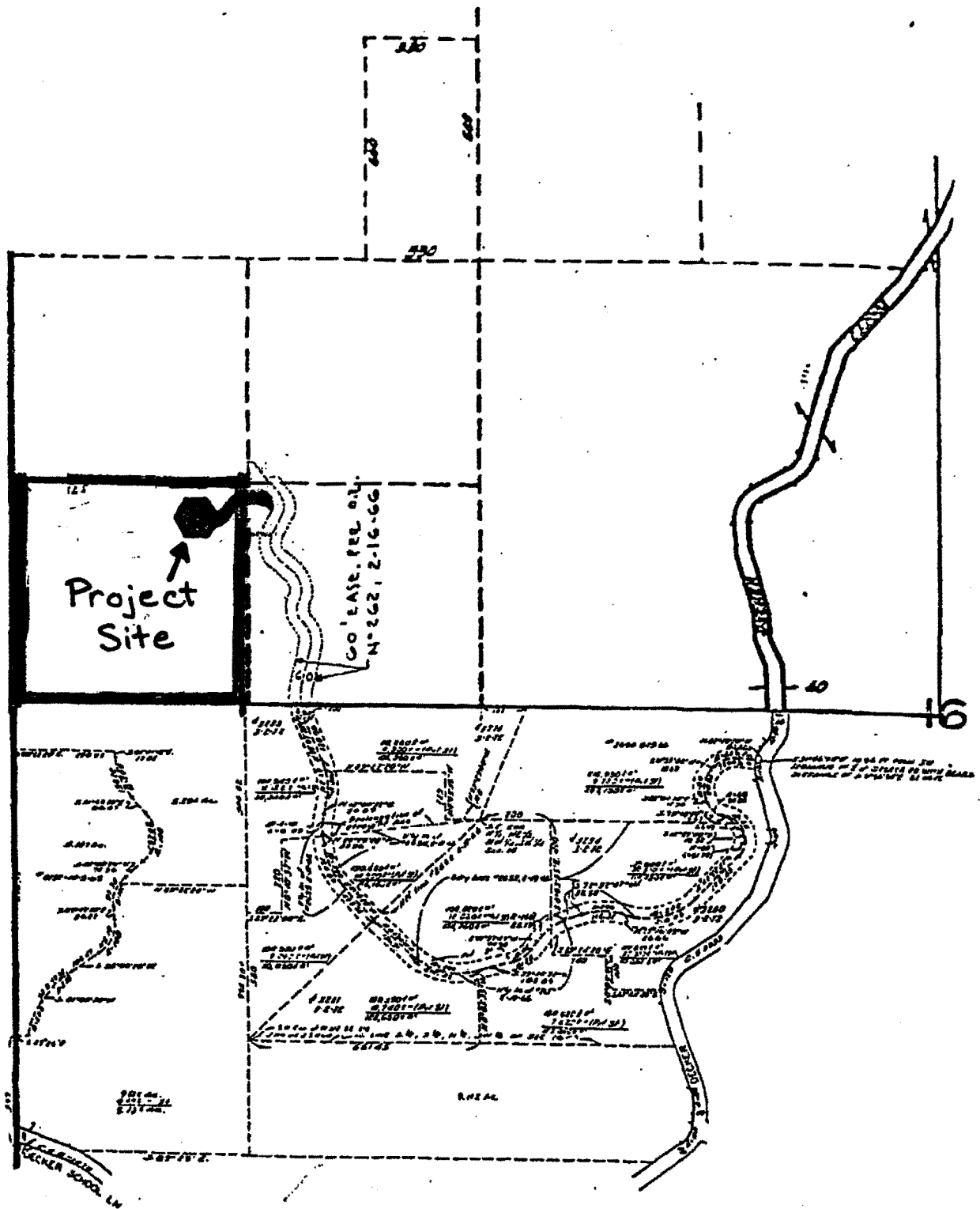


EXHIBIT NO. 1
APPLICATION NO.
VICINITY MAP



SECTION 16
T1S, R19W

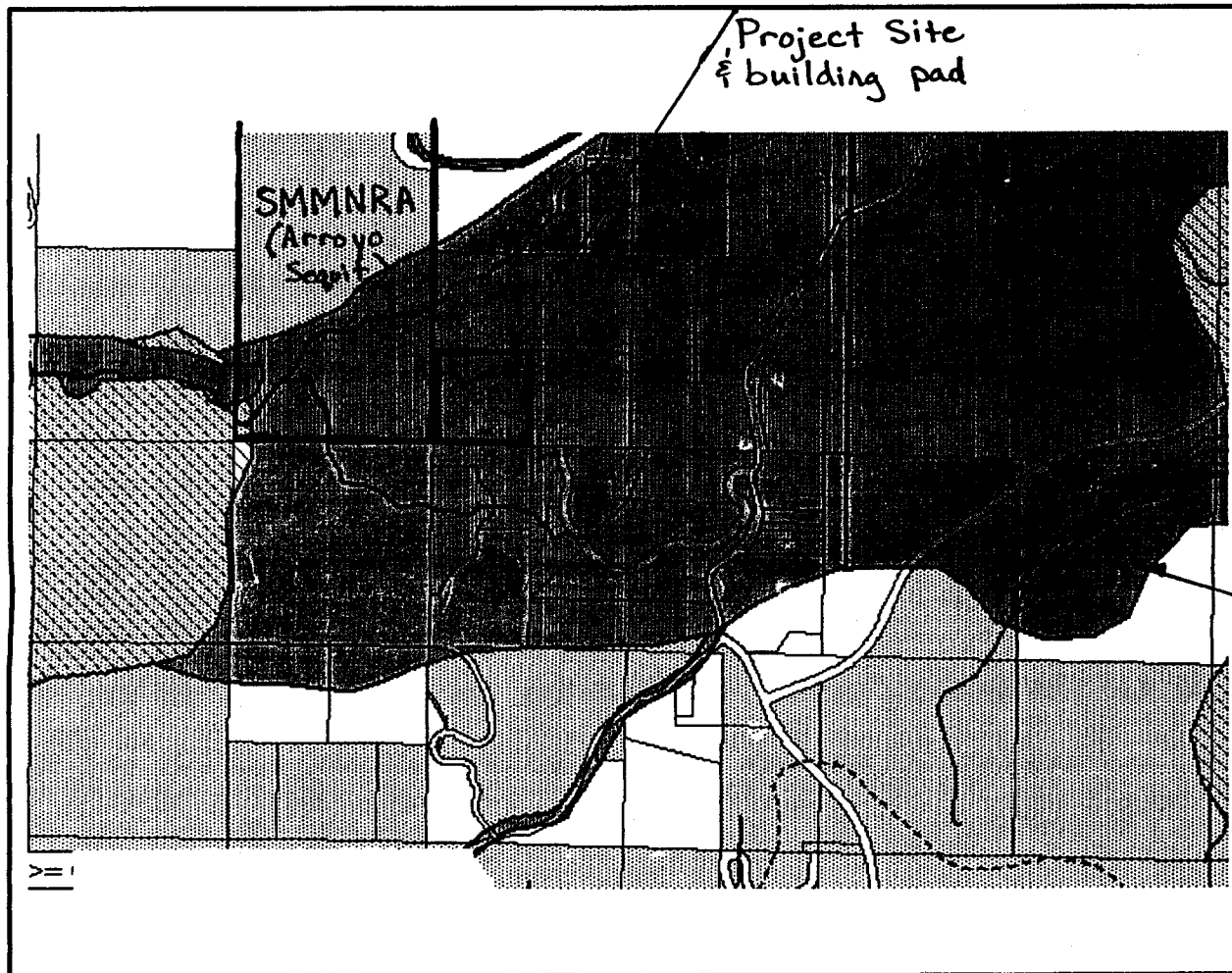
MAP MAY OR MAY NOT BE A SURVEY OF THE LAND DEPICTED HEREON. YOU SHOULD NOT RELY UPON IT FOR ANY PURPOSE OTHER THAN ORIENTATION TO THE GENERAL LOCATION OF THE PARCEL OR PARCELS DEPICTED. FIRST AMERICAN EXPRESSLY DISCLAIMS ANY LIABILITY FOR ALLEGED LOSS OR DAMAGE WHICH MAY RESULT FROM RELIANCE UPON THIS MAP.

First American Title Company of Los Angeles

EXHIBIT NO. 2
APPLICATION NO.
4-01-158
PARCEL MAP

ESRI ArcExplorer 2.0

4-01-158 Heath: APN 4472-009-004



- existing vertical accessways
- ~ Trails - LA County LUP
- ~ Blue Line Streams
- vacant parcels

Wildlife Corridor

Feet
0 200 400



Moni

EXHIBIT NO.	3
APPLICATION NO.	
4-01-158	
SENSITIVE RESOURCES	

THIS DRAWING IS
FOR INFORMATION ONLY
AND DOES NOT
CONSTITUTE A
FINAL DESIGN

HEATH
ENGINEERING
NAPERVILLE, IL

Areas
to be
paved

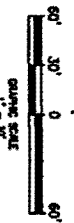
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EXHIBIT NO. 4
APPLICATION NO.

4-01-158
GRADING I

**KIM HEATH RESIL
CONCEPTUAL SITE**

HEATH ENGINEERING
Land Planning & Civil Engineers
1120 S. Arroyo Street, Naperville, IL 60563
Tel: (630) 318-2320 Fax: (630) 318-2321
www.heath-engineering.com

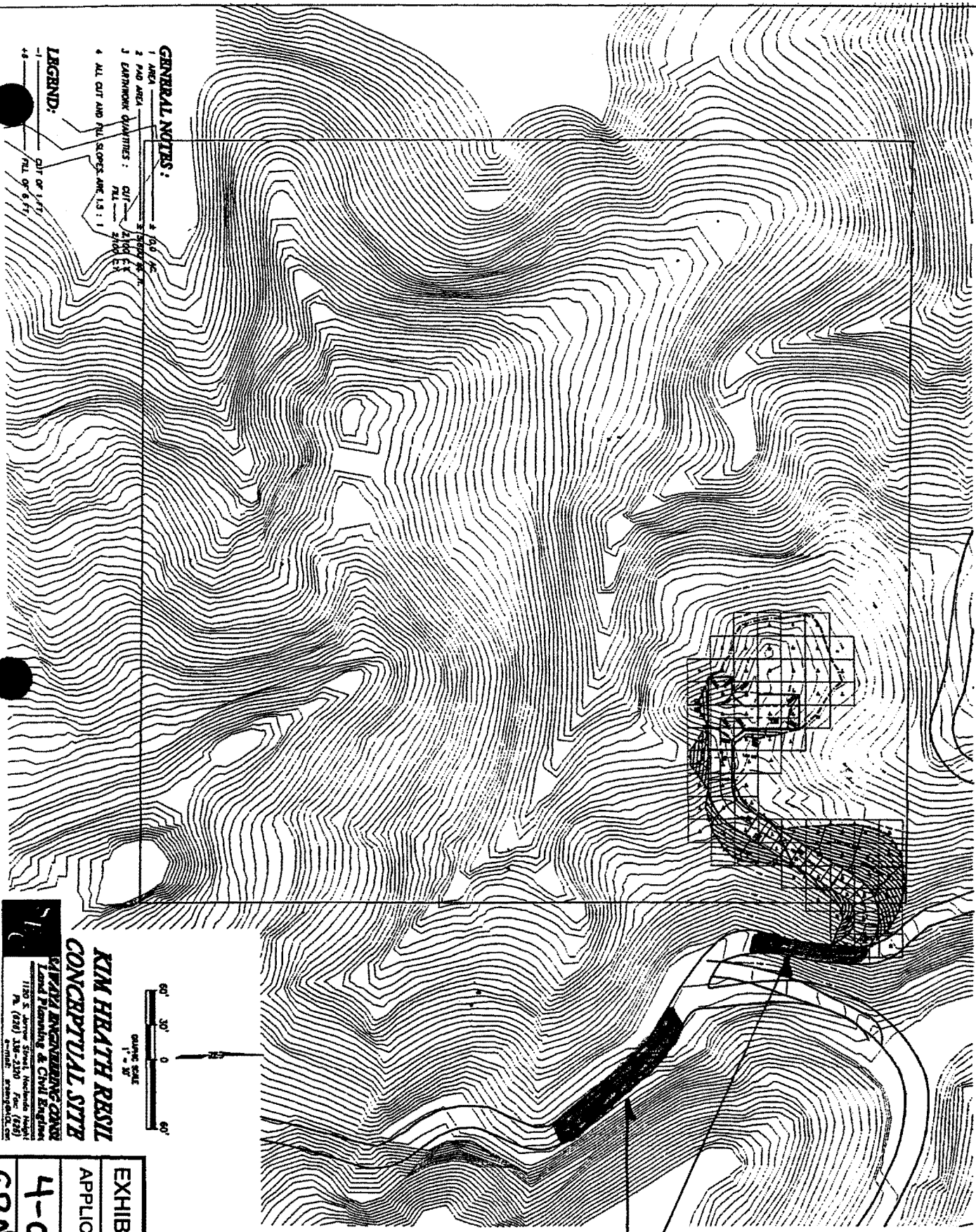


GENERAL NOTES:

1. AREA
2. PAD AREA
3. EARTHWORK QUANTITIES: CUT 2,100 C.Y. FILL 2,100 C.Y.
4. ALL CUT AND FILL SLOPES ARE 1.5:1

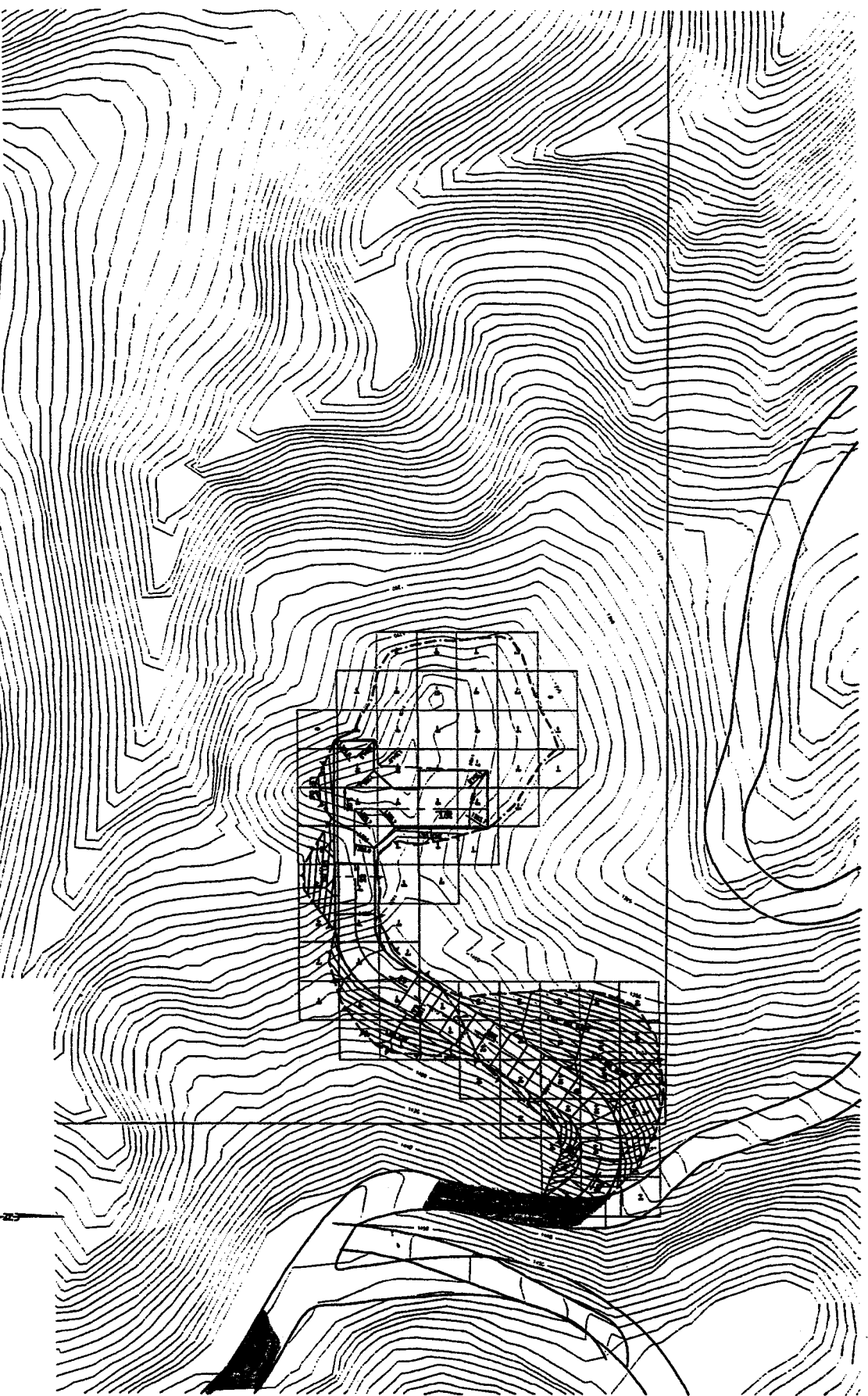
LEGEND:

- 1- CUT OR FILL
- +4- FILL OR 6 FT.



DATE: 10/1/88
 DRAWN BY: J. H. HARRIS
 CHECKED BY: J. H. HARRIS
 APPROVED BY: J. H. HARRIS

HEALTH
 RESOURCES
 WALLEN, CA

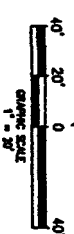


GENERAL NOTES:

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2. PAD AREA - 3.800 AC.
3. CANTONMENT QUANTITIES: CUT - 3,100 C.Y. FILL - 3,100 C.Y.
4. ALL CUT AND FILL SLOPES ARE 1.5 : 1

LEGEND:

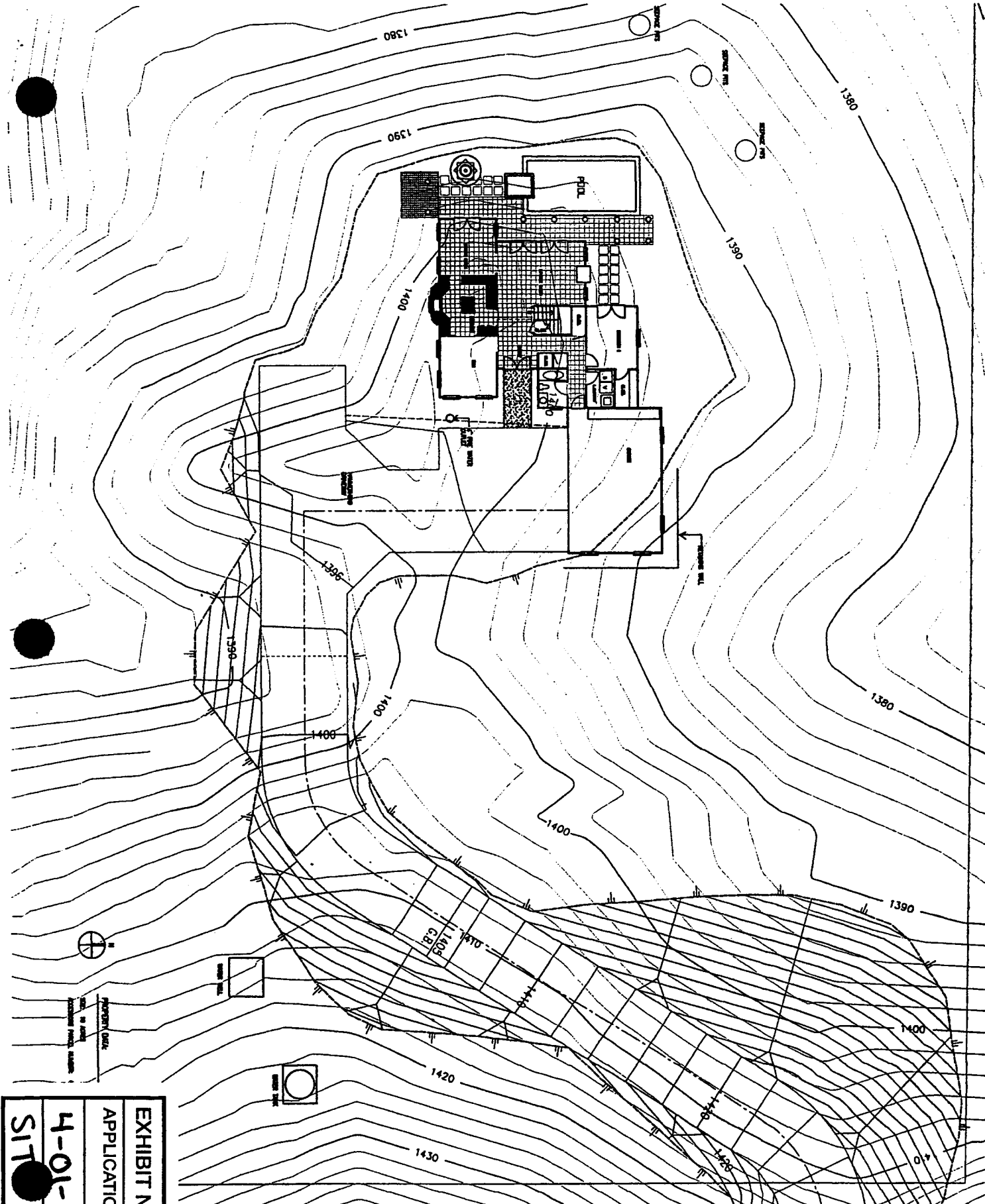
- 1- OUT OF 1 FT
- 2- FILL OF 6 FT



**KIM HEATH R
 CONCEPTUAL S**

**PAVIA ENGINEERING
 LAND PLANNING & CIVIL E
 1120 S. Arroyo Street, Modesto
 CA (920) 228-2320 Fax
 2-11-11-11-11-11**

EXHIBIT NO. 5
APPLICATION NO.
4-01-158
GRADING II



THIS MAP IS A
REPRODUCTION OF A
MAP PREPARED BY THE
BUREAU OF LAND
MANAGEMENT

HEALTH
RESERVE

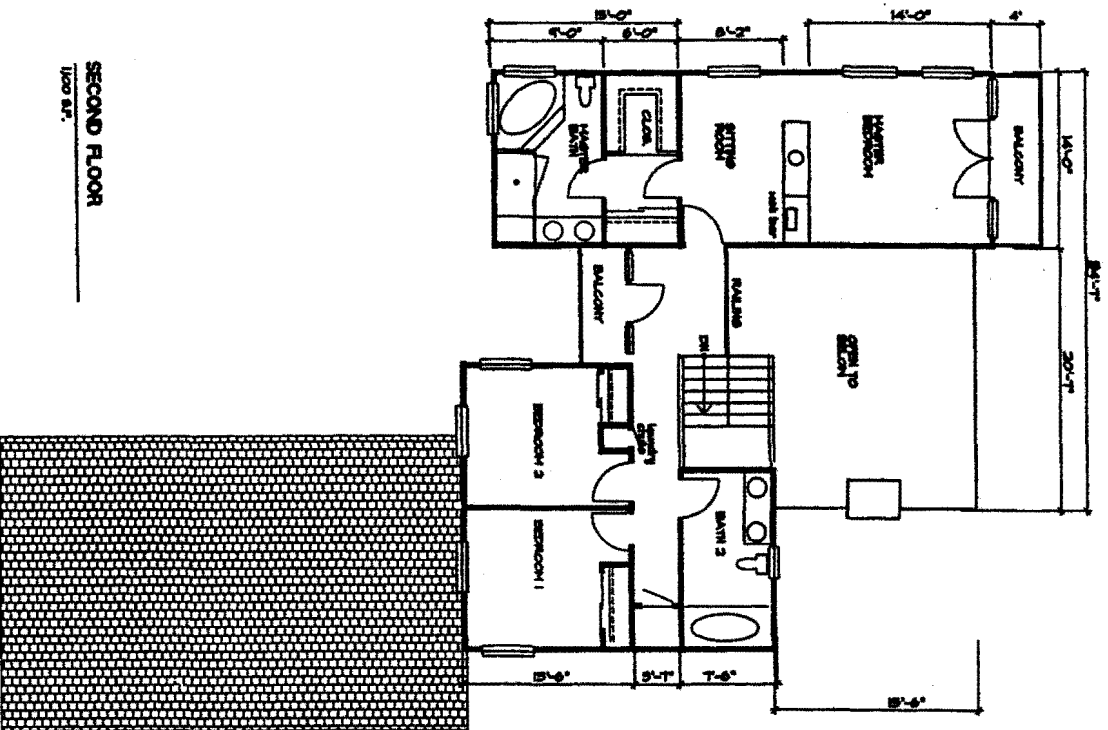
MOUNTAIN CACTUS

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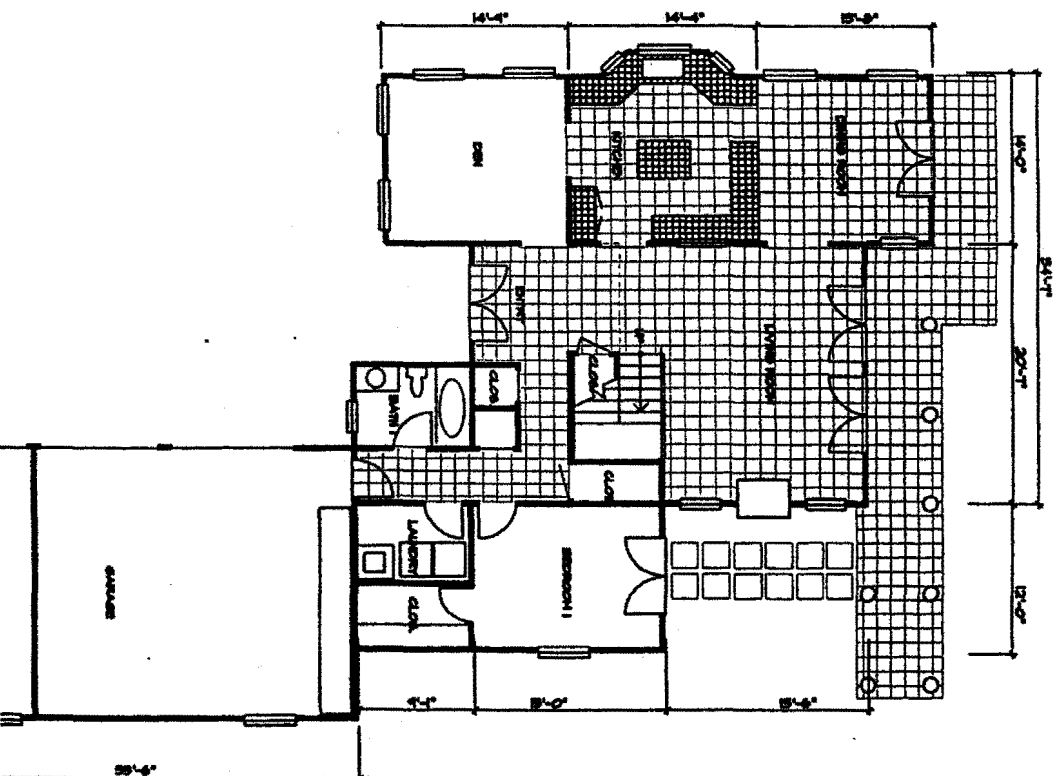
EXHIBIT NO. 6
APPLICATION NO.

4-01-158
SITE PLAN

**HEATH
INDEPENDENCE
MALLORY, CALIF.**



SECOND FLOOR
1400 S.W.



FIRST FLOOR
1941 S.W.

BUILDING DATA

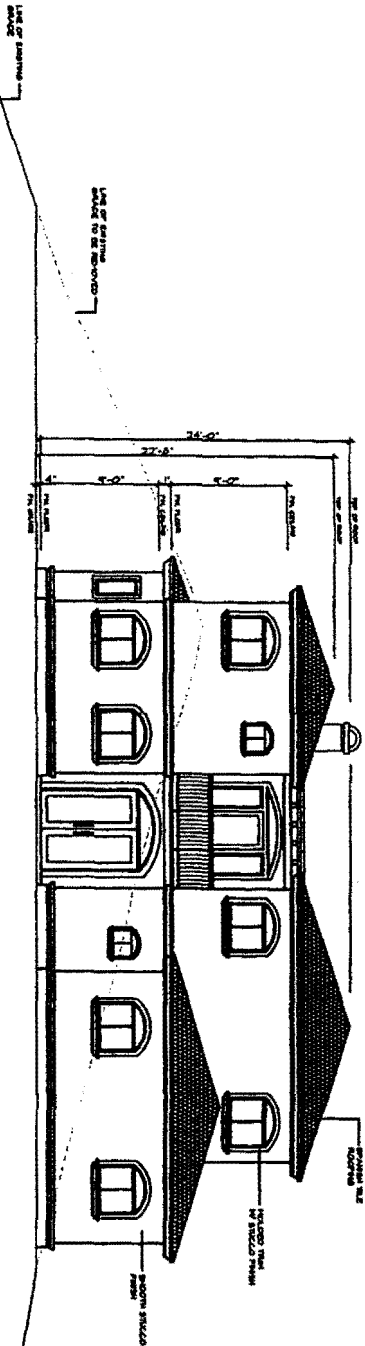
CONSTRUCTION TYPE, TYPE V
OCCUPANCY TYPE, TYPE A
TOTAL AREA, 2049 SF.

EXHIBIT NO. 7

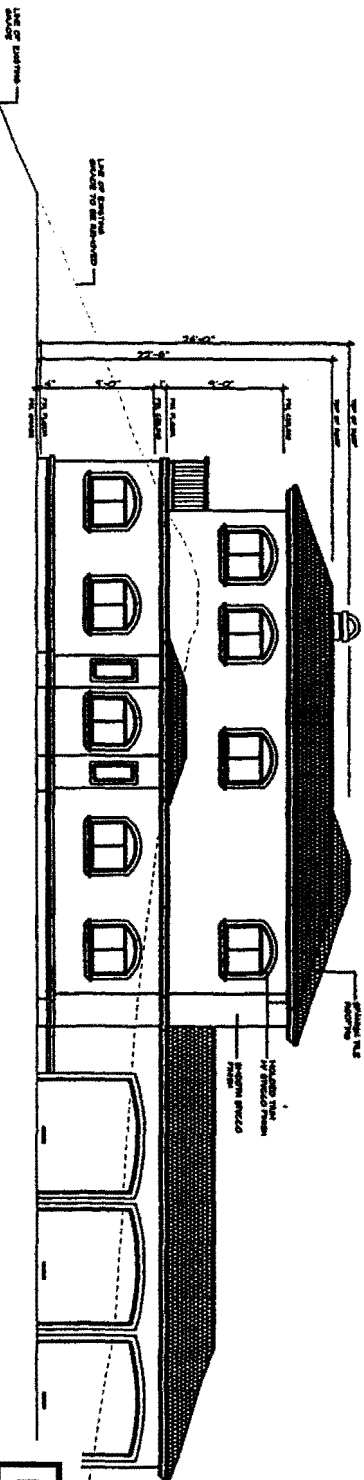
APPLICATION NO.

4-01-158

FLOOR PLANS



EAST ELEVATION



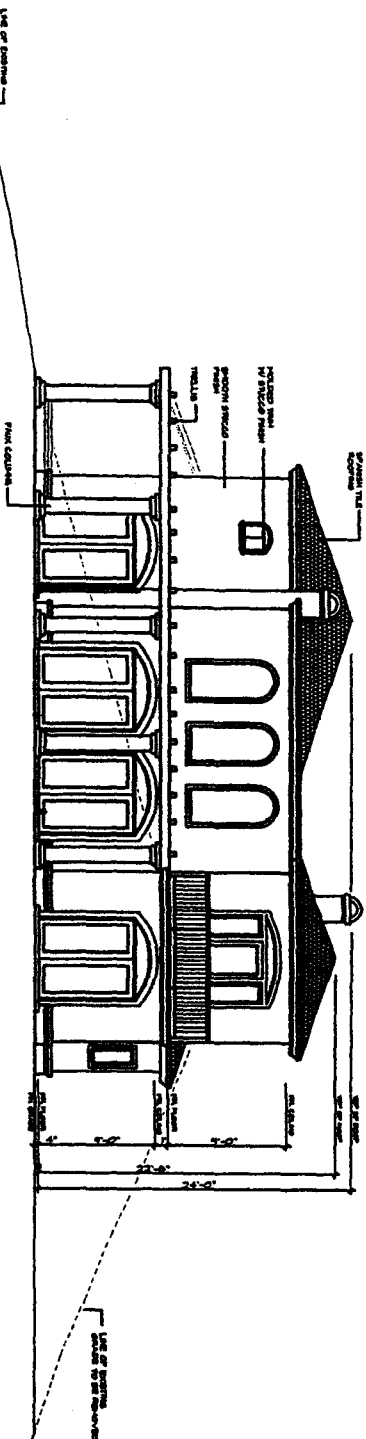
SOUTH ELEVATION

EXHIBIT NO. 8

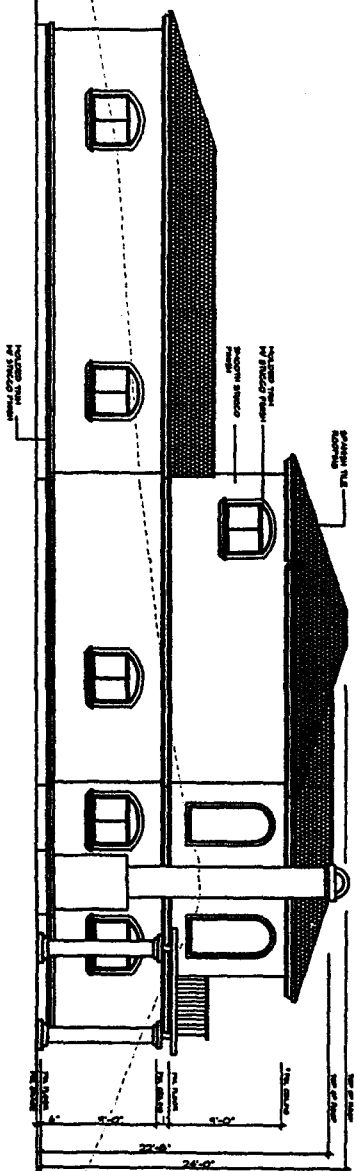
APPLICATION NO.

4-91-158

ELECTIONS



WEST ELEVATION



NORTH ELEVATION

EXHIBIT NO. 9

APPLICATION NO.

4-01-158

ELEVATIONS



