

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
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Commission Action:



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STAFF REPORT: CONSENT CALENDAR

APPLICATION NO.: 4-01-118

APPLICANT: Karl & Aline Conrad

PROJECT LOCATION: 1435 Bonnel Drive, Topanga (Los Angeles County)

PROJECT DESCRIPTION: Proposal to demolish an existing 780 sq. ft. single story single family residence, construct a new 1,812 sq. ft. single story single family residence with a 505 sq. ft. attached garage, new septic system, and new driveway and relocate wood fence.

Lot area	11,539 sq. ft.
Building coverage	2,317 sq. ft.
Pavement coverage	700 sq. ft.
Landscape coverage	8,522 sq. ft.
Height Above Finished Grade	22 ft.
Parking spaces	2

LOCAL APPROVALS RECEIVED: County of Los Angeles Department of Regional Planning, Approval in Concept, June 19, 2001; County of Los Angeles Environmental Health Services, Sewage Disposal System Design Approval, May 2, 2001; County of Los Angeles Land Development Division, Geologic Approval, February 12, 2001; County of Los Angeles Fire Department, Final Fuel Modification Plan Approval, March 28, 2001; County of Los Angeles Fire Department, Fire Prevention Engineering Approval, October 9, 2001.

SUBSTANTIVE FILE DOCUMENTS: Certified Malibu/Santa Monica Mountains Land Use Plan; "Soil Engineering Report," Oro Engineering Corporation, June 7, 2000; "Engineering Geologic Report," Geoplan, Inc., September 25, 2001.

Summary of Staff Recommendation

Staff recommends **approval** of the proposed project with **five (5) special conditions** regarding (1) geologic recommendations, (2) drainage and polluted runoff control, (3) landscaping and erosion control, (4) wildfire waiver, and (5) future improvements.

I. Staff Recommendation

MOTION: *I move that the Commission approve Coastal Development Permit No. 4-01-118 pursuant to the staff recommendation.*

Staff Recommendation of Approval:

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

Resolution to Approve the Permit:

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

II. Standard Conditions

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent or interpretation of any 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. Plans Conforming to Geologic Recommendations

All recommendations contained in the Soil Engineering Report dated June 7, 2000 prepared by Oro Engineering Corporation and the Engineering Geologic Report dated September 25, 2001 prepared by Geoplan, Inc., shall be incorporated into all final design and construction including *foundations, grading, sewage disposal and drainage*. Final plans must be reviewed and approved by the project's consulting geotechnical engineer and geologist. *Prior to issuance of the coastal development permit*, the applicant shall submit, for review and approval by the Executive Director, two sets of plans with evidence of the consultant's review and approval of all project plans.

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

2. Drainage and Polluted Runoff Control Plans

Prior to the Issuance of the Coastal Development Permit, the applicants shall submit to the Executive Director for review and written approval, two sets of final drainage and runoff control plans, including supporting calculations. The plan shall be prepared by a licensed engineer and shall incorporate structural and non-structural Best Management Practices (BMPs) designed to control the volume, velocity and pollutant load of stormwater leaving the developed site. The plan shall be reviewed and approved by the consulting geotechnical engineer and geologist to ensure the plan is in conformance with consultant's recommendations. In addition to the specifications above, the plan shall be in substantial conformance with the following requirements:

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

3. Landscaping and Erosion Control Plans

Prior to issuance of a coastal development permit, the applicants shall submit two sets of landscaping and erosion control plans, prepared by a licensed landscape architect or a qualified resource specialist, for review and approval by the Executive Director. The landscaping and erosion control plans shall be reviewed and approved by the geotechnical engineering and geologic consultant to ensure that the plans are in conformance with the consultant's recommendations. The plans shall identify the species, extent, and location of all plant materials and shall incorporate the following criteria:

a. Landscaping Plan

- (1) All graded and disturbed areas on the subject site shall be planted and maintained for erosion control purposes within (60) days of receipt of the certificate of occupancy for the residence. To minimize the need for irrigation all landscaping shall consist primarily of native/drought resistant plants as listed by the California Native Plant Society, Santa Monica Mountains Chapter, in their document entitled *Recommended List of Plants for Landscaping in the Santa Monica Mountains*, dated February 5, 1996. Invasive, non-indigenous plant species which tend to supplant native species shall not be used.
- (2) All cut and fill slopes shall be stabilized with planting at the completion of final grading. Plantings should be of native plant species indigenous to the Santa Monica Mountains using accepted planting procedures, consistent with fire safety requirements. Such planting shall be adequate to provide 90 percent coverage within two (2) years, and this requirement shall apply to all disturbed soils.
- (3) Plantings will be maintained in good growing condition throughout the life of the project and, whenever necessary, shall be replaced with new plant materials to ensure continued compliance with applicable landscape requirements.
- (4) The Permittee shall undertake development in accordance with the final approved plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Coastal Commission approved amendment to the coastal development permit, unless the Executive Director determines that no amendment is required.
- (5) Vegetation within 50 feet of the proposed house may be removed to mineral earth, vegetation within a 200 foot radius of the main structure may be selectively thinned in order to reduce fire hazard. However, such thinning shall only occur in accordance with an approved long-term fuel modification plan submitted pursuant to this special condition. The fuel modification plan shall include details regarding the types, sizes and location of plant materials to be removed, and how often thinning is to occur. In addition, the 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.

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.
- (4) In addition to other fencing/flagging requirements, as set forth in subparagraph 1) above, the plan shall require the placement of temporary protective fencing around the protected zones of the oak canopies within or adjacent to the construction area that may be disturbed during construction or grading activities. No construction, grading, staging, or materials storage shall be allowed within the fenced exclusion areas or within the protected zones of any on site oak trees.

c. Monitoring

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

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

and shall specify measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan.

4. Wildfire Waiver

Prior to the issuance of a 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, and expenses of liability arising out of the acquisition, design, construction, operation, maintenance, existence, or failure of the permitted project in an area where an extraordinary potential for damage or destruction from wildfire exists as an inherent risk to life and property.

5. Future Improvements

This permit is only for the development described in Coastal Development Permit No. 4-01-118. Pursuant to Title 14 California Code of Regulations §13250 (b)(6), the exemptions otherwise provided in Public Resources Code §30610 (a) shall not apply to the entire parcel. Accordingly, any future structures, future improvements, or change in intensity of use to the permitted structures approved under Coastal Development Permit No. 4-01-118, and any grading, clearing or other disturbance of vegetation, other than as provided for in the approved fuel modification, landscape and erosion control plan prepared pursuant to Special Condition No. Three (3), shall require an amendment to Permit No. 4-01-118 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.

Prior to the issuance of the coastal development permit, the applicant shall execute and record a deed restriction in a form and content acceptable to the Executive Director, incorporating all of the above terms of this condition. The deed restriction shall include legal descriptions of the applicant's entire parcel. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description and Background

The applicant is proposing to demolish an existing 780 sq. ft. single story single family residence, construct a new 1,812 sq. ft. single story single family residence with a 505 sq. ft. attached garage, new septic system, and new driveway and relocate a wood fence (Exhibits 3-5).

The subject property is a nearly rectangular lot located between two segments of Bonnel Drive as it loops around in Old Topanga, just east of Old Topanga Canyon (Exhibits 1 & 2). Single family residential development exists on properties to the north, south and west with vacant lots to the east of the subject property. The subject lot is currently developed with a small single family residence. Topographically, the parcel slopes gently upward to the southeast from the

nearly horizontal floor of Old Topanga Canyon and a low, rounded west-descending ridge defines its south side. Physical relief overall on the subject property is on the order of 20 feet. There is no designated environmentally sensitive habitat area present on the site. There are three oak trees present on the site located east of the proposed residence, however, none of the protected zones will be impacted by the proposed development. The proposed project site is not visible from any public scenic resource areas.

B. Geology and Wildfire Hazard

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

Section 30253 of the Coastal Act states in pertinent part that new development shall:

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*
- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*

Geology

Section 30253 of the Coastal Act mandates that new development be sited and designed to provide geologic stability and structural integrity, and minimize risks to life and property in areas of high geologic, flood, and fire hazard. As previously described, the proposed project includes demolition of an existing 780 sq. ft. single story single family residence, construction of a new 1,812 sq. ft. single story single family residence with a 505 sq. ft. attached garage, new septic system, and new driveway and relocation of a wood fence.

The applicant has submitted a Soil Engineering Report dated June 7, 2000 prepared by Oro Engineering Corporation and an Engineering Geologic Report dated September 25, 2001 prepared by Geoplan, Inc., which evaluate the geologic stability of the subject site in relation to the proposed development. Based on their evaluation of the site's geology and the proposed development the consultants have found that the project site is suitable for the proposed project. The Soil Engineering Report dated June 7, 2000 prepared by Oro Engineering Corporation states:

Based upon data obtained as outlined in this report, it is the opinion of the undersigned, a duly registered geotechnical engineer, that, if constructed in accordance with our recommendations and if properly maintained, (1) the proposed development will be safe against hazard from landslide, settlement or slippage, and (2) the proposed buildings or grading construction will have no adverse effect on the geotechnical stability of property outside of the building site.

The geotechnical engineering consultants conclude that the proposed development is feasible and will be free from geologic hazard provided their recommendations are incorporated into the proposed development. The Soil Engineering Report dated June 7, 2000 prepared by Oro Engineering Corporation and the Engineering Geologic Report dated September 25, 2001 prepared by Geoplan, Inc. contain several recommendations to be incorporated into project construction, design, and drainage to ensure the stability and geologic safety of the proposed project site and adjacent properties. To ensure that the recommendations of the consultants have been incorporated into all proposed development the Commission, as specified in **Special Condition No. One (1)**, requires the applicant to submit project plans certified by the consulting geotechnical engineer as conforming to all structural and site stability recommendations for the proposed project. Final plans approved by the consultant shall be in substantial conformance with the plans approved by the Commission. Any substantial changes to the proposed development, as approved by the Commission, which may be recommended by the consultant shall require an amendment to the permit or a new coastal development permit.

Controlling and diverting run-off in a non-erosive manner from the proposed structures, impervious surfaces, and building pad will also add to the geologic stability of the project site. Therefore, in order to minimize erosion and ensure stability of the project site, and to ensure that adequate drainage and erosion control is included in the proposed development, the Commission requires the applicants to submit drainage and erosion control plans certified by the geotechnical engineer, as specified in **Special Conditions No. Two and Three (2 & 3)**.

The Commission also finds that landscaping of graded and disturbed areas on the subject site will serve to stabilize disturbed soils, reduce erosion and thus enhance and maintain the geologic stability of the site. Therefore, **Special Condition No. Three (3)** requires the applicant to submit landscaping plans certified by the consulting geotechnical engineer as in conformance with their recommendations for landscaping of the project site. Special Condition No. Three also requires the applicant to utilize and maintain native and noninvasive plant species compatible with the surrounding area for landscaping the project site.

Finally, Invasive and non-native plant species are generally characterized as having a shallow root structure in comparison with their high surface/foilage weight. The Commission notes that non-native and invasive plant species with high surface/foilage weight and shallow root structures do not serve to stabilize slopes and that such vegetation results in potential adverse effects to the stability of the project site. Native species, alternatively, tend to have a deeper root structure than non-native and invasive species, and once established aid in preventing erosion. Therefore, the Commission finds that in order to ensure site stability, all slopes and disturbed and graded areas of the site shall be landscaped with appropriate native plant species, as specified in **Special Condition No. Three (3)**.

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

Wildfire

The proposed project is located in the Santa Monica Mountains, an area subject to an extraordinary potential for damage or destruction from wild fire. Typical vegetation in the Santa Monica Mountains consists mostly of coastal sage scrub and chaparral. Many plant species common to these communities produce and store terpenes, which are highly flammable substances (Mooney in Barbour, *Terrestrial Vegetation of California*, 1988). Chaparral and

sage scrub communities have evolved in concert with, and continue to produce the potential for, frequent wild fires. The typical warm, dry summer conditions of the Mediterranean climate combine with the natural characteristics of the native vegetation to pose a risk of wild fire damage to development that cannot be completely avoided or mitigated.

Due to the fact that the proposed project is located in an area subject to an extraordinary potential for damage or destruction from wild fire, the Commission can only approve the project if the applicant assumes the liability from these associated risks. Through **Special Condition No. Four (4)**, the wildfire waiver of liability, the applicant acknowledges the nature of the fire hazard which exists on the site and which may affect the safety of the proposed development. Moreover, through acceptance of Special Condition No. Four, the applicant also agrees to indemnify the Commission, its officers, agents and employees against any and all expenses or liability arising out of the acquisition, design, construction, operation, maintenance, existence, or failure of the permitted project.

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

C. Cumulative Impacts

The proposed project involves the construction of a new single family residence which is defined under the Coastal Act as new development. New development raises issues with respect to cumulative impacts on coastal resources. Sections 30250 and 30252 of the Coastal Act address the cumulative impacts of new development.

Section 30250(a) of the Coastal Act states:

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. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of the surrounding parcels.

Section 30252 of the Coastal Act states:

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing non-automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

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.

Throughout the Malibu/Santa Monica Mountains coastal zone there are a number of areas, which were subdivided in the 1920's and 30's into very small "urban" scale lots. These subdivisions, known as "small lot subdivisions" are comprised of parcels of less than one acre but more typically range in size from 4,000 to 5,000 square feet. The total buildout of these dense subdivisions would result in a number of adverse cumulative impacts to coastal resources. Cumulative development constraints common to small lot subdivisions were documented by the Coastal Commission and the Santa Monica Mountains Comprehensive Planning Commission in the January 1979 study entitled: "Cumulative Impacts of Small Lot Subdivision Development In the Santa Monica Mountains Coastal Zone".

The study acknowledged that the existing small lot subdivisions can only accommodate a limited amount of additional new development due to major constraints to buildout of these areas that include: Geologic, road access, water quality, disruption of rural community character, creation of unreasonable fire hazards and others. Following an intensive one year planning effort by impacts on coastal Commission staff, including five months of public review and input, new development standards relating to residential development on small lots in hillsides, including the Slope-Intensity/Gross Structural Area Formula (GSA) were incorporated into the Malibu District Interpretive Guidelines in June 1979. A nearly identical Slope Intensity Formula was incorporated into the 1986 certified Malibu/Santa Monica Mountains Land Use Plan under policy 271(b)(2) to reduce the potential effects of buildout as 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 creates cumulative impacts on coastal resources and public access over time. Because of this, the demands on road capacity, public services, recreational facilities, and beaches could be expected to grow tremendously.

Policy 271(b)(2) of the Malibu/Santa Monica Mountains LUP, which has been used as guidance by the Coastal Commission, requires that new development in small lot subdivisions comply with the Slope Intensity Formula for calculating the allowable Gross Structural Area (GSA) of a residential unit. Past Commission action certifying the LUP indicates that the Commission considers the use of the Slope Intensity Formula appropriate for determining the maximum level of development which may be permitted in small lot subdivision areas consistent with the policies of the Coastal Act. The basic concept of the formula assumes the suitability of development of small hillside lots should be determined by the physical characteristics of the building site, recognizing that development on steep slopes has a high potential for adverse impacts on resources.

Slope Intensity Formula:

$$\text{GSA} = (A/5) \times ((50-S)/35) + 500$$

GSA = the allowable gross structural area of the permitted development in square feet. The GSA includes all substantially enclosed residential and storage areas, but does not include garages or carports designed for storage of autos.

A = the area of the building site in square feet. The building site is defined by the applicant and may consist of all or a designated portion of the one or more lots comprising the project location. All permitted structures must be located within the designated building site.

S = the average slope of the building site in percent as calculated by the formula:

$$S = I \times L/A \times 100$$

I = contour interval in feet, at not greater than 25-foot intervals, resulting in at least 5 contour lines

L = total accumulated length of all contours of interval "I" in feet

A = the area being considered in square feet

The proposed project is located in the small lot subdivision of Old Topanga and involves the construction of a new 1,812 sq. ft. single story habitable space for a single family residence. The applicant has submitted a GSA calculation in conformance to Policy 271(b)(2) of the Malibu/Santa Monica Mountains LUP. This calculation arrived at a maximum GSA of 2,204 sq. ft. of habitable space. Therefore, the proposed 1,812 sq. ft. of habitable space is consistent with the maximum allowable GSA.

Some additions and improvements to residences on small steep lots within these small lot subdivisions have been found to adversely impact the area. Many of the lots in these areas are so steep or narrow that they cannot support a large residence without increasing or exacerbating the geologic hazards on and/or off site. Additional buildout of small lot subdivisions affects water usage and has the potential to impact water quality of coastal streams in the area. Other impacts to these areas from the buildout of small lot subdivisions include increases in traffic along mountain road corridors and greater fire hazards.

For all these reasons, and as this lot is within a small lot subdivision, further structures, additions or improvements to the subject property could cause adverse cumulative impacts on the limited resources of the subdivision. The Commission, therefore, finds it necessary for the applicant to record a future improvements deed restriction on this lot, as noted in **Special Condition No. Five (5)**, which would require that any future structures, additions or improvements to the property, beyond those now proposed, would require review by the Commission to ensure compliance with the policies of the Coastal Act regarding cumulative impacts and geologic hazards. At that time, the Commission can ensure the new project complies with the guidance of the GSA formula and is consistent with the Coastal Act.

The Commission therefore finds that the proposed project, only as conditioned, consistent with Section 30250(a) of the Coastal Act.

D. Water Quality

The Commission recognizes that new development in the Santa Monica Mountains has the potential to adversely impact coastal water quality through the removal of native vegetation, increase of impervious surfaces, increase of runoff, erosion, and sedimentation, and introduction of pollutants such as petroleum, cleaning products, pesticides, and other pollutant sources, as well as effluent from septic systems. Section 30231 of the Coastal Act states:

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

As described above, the proposed project includes demolition of an existing 780 sq. ft. single story single family residence, construction of a new 1,812 sq. ft. single story single family residence with a 505 sq. ft. attached garage, new septic system, and new driveway and relocation of a wood fence.

The proposed development will result in an increase in impervious surface, which in turn decreases the infiltrative function and capacity of existing permeable land on site. The reduction in permeable space therefore leads to an increase in the volume and velocity of stormwater runoff that can be expected to leave the site. Further, pollutants commonly found in runoff associated with residential use include petroleum hydrocarbons including oil and grease from vehicles; heavy metals; synthetic organic chemicals including paint and household cleaners; soap and dirt from washing vehicles; dirt and vegetation from yard maintenance; litter; fertilizers, herbicides, and pesticides; and bacteria and pathogens from animal waste. The discharge of these pollutants to coastal waters can cause cumulative impacts such as: eutrophication and anoxic conditions resulting in fish kills and diseases and the alteration of aquatic habitat, including adverse changes to species composition and size; excess nutrients causing algae blooms and sedimentation increasing turbidity which both reduce the penetration of sunlight needed by aquatic vegetation which provide food and cover for aquatic species; disruptions to the reproductive cycle of aquatic species; and acute and sublethal toxicity in marine organisms leading to adverse changes in reproduction and feeding behavior. These impacts reduce the biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes and reduce optimum populations of marine organisms and have adverse impacts on human health.

Therefore, in order to find the proposed development consistent with the water and marine resource policies of the Coastal Act, the Commission finds it necessary to require the incorporation of Best Management Practices designed to control the volume, velocity and pollutant load of stormwater leaving the developed site. Critical to the successful function of post-construction structural BMPs in removing pollutants in stormwater to the Maximum Extent Practicable (MEP), is the application of appropriate design standards for sizing BMPs. The

majority of runoff is generated from small storms because most storms are small. Additionally, storm water runoff typically conveys a disproportionate amount of pollutants in the initial period that runoff is generated during a storm event. Designing BMPs for the small, more frequent storms, rather than for the large infrequent storms, results in improved BMP performance at lower cost.

The Commission finds that sizing post-construction structural BMPs to accommodate (infiltrate, filter or treat) the runoff from the 85th percentile storm runoff event, in this case, is equivalent to sizing BMPs based on the point of diminishing returns (i.e. the BMP capacity beyond which, insignificant increases in pollutants removal (and hence water quality protection) will occur, relative to the additional costs. Therefore, the Commission requires the selected post-construction structural BMPs be sized based on design criteria specified in **Special Condition No. Two (2)**, and finds this will ensure the proposed development will be designed to minimize adverse impacts to coastal resources, in a manner consistent with the water and marine policies of the Coastal Act.

Furthermore, interim erosion control measure implemented during construction and post construction landscaping will serve to minimize the potential for adverse impacts to water quality resulting from drainage runoff during construction and in the post-development stage. Therefore, the Commission finds that **Special Condition No. Three (3)** is necessary to ensure the proposed development will not adversely impact water quality or coastal resources.

Finally, the proposed development includes the installation of an on-site private sewage disposal system to serve the residence. The applicant's environmental health specialist performed infiltration tests. The County of Los Angeles Environmental Health Department has given in-concept approval of the proposed septic system, determining that the system meets the requirements of the plumbing code. The Commission has found that conformance with the provisions of the plumbing code is protective of resources. Therefore, the Commission finds that the proposed project, as conditioned, is consistent with Section 30231 of the Coastal Act.

E. Local Coastal Program

Section 30604(a) of the Coastal Act states:

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 project will not create 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 for Malibu/Santa Monica Mountains area which is consistent with the policies of Chapter 3 of the Coastal Act as required by §30604(a).

F. California Environmental Quality Act

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

The Commission finds that, the proposed project, as conditioned, will not have any 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.

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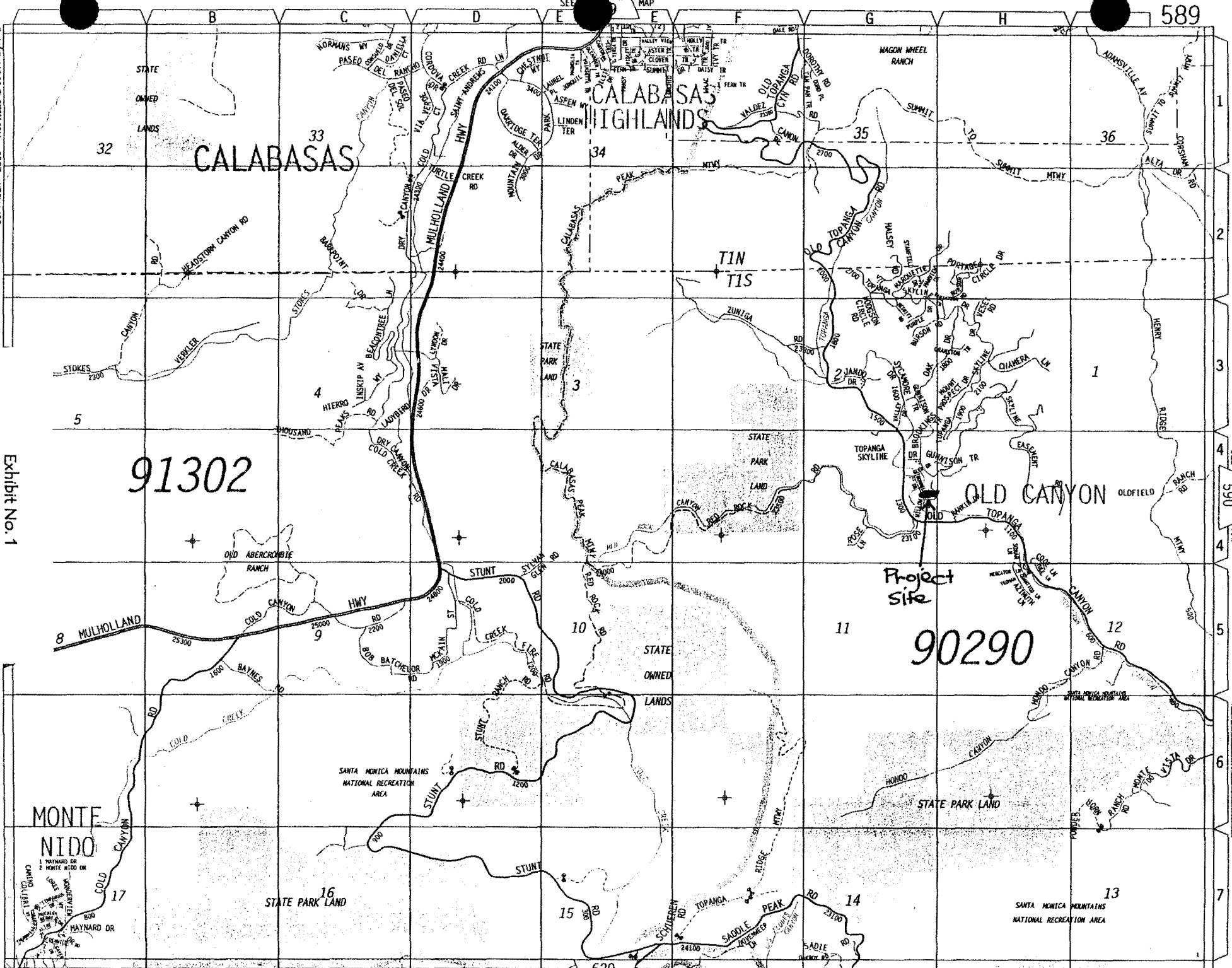


Exhibit No. 1
App. No. 4-01-118
Vicinity Map

4438 9
SCALE 1" = 80'

BROOKINGS TRAIL

1-22-62 REVISED
1-22-62 1-22-62
581122 A-B-62
62000304
W/200466
740226
81027922

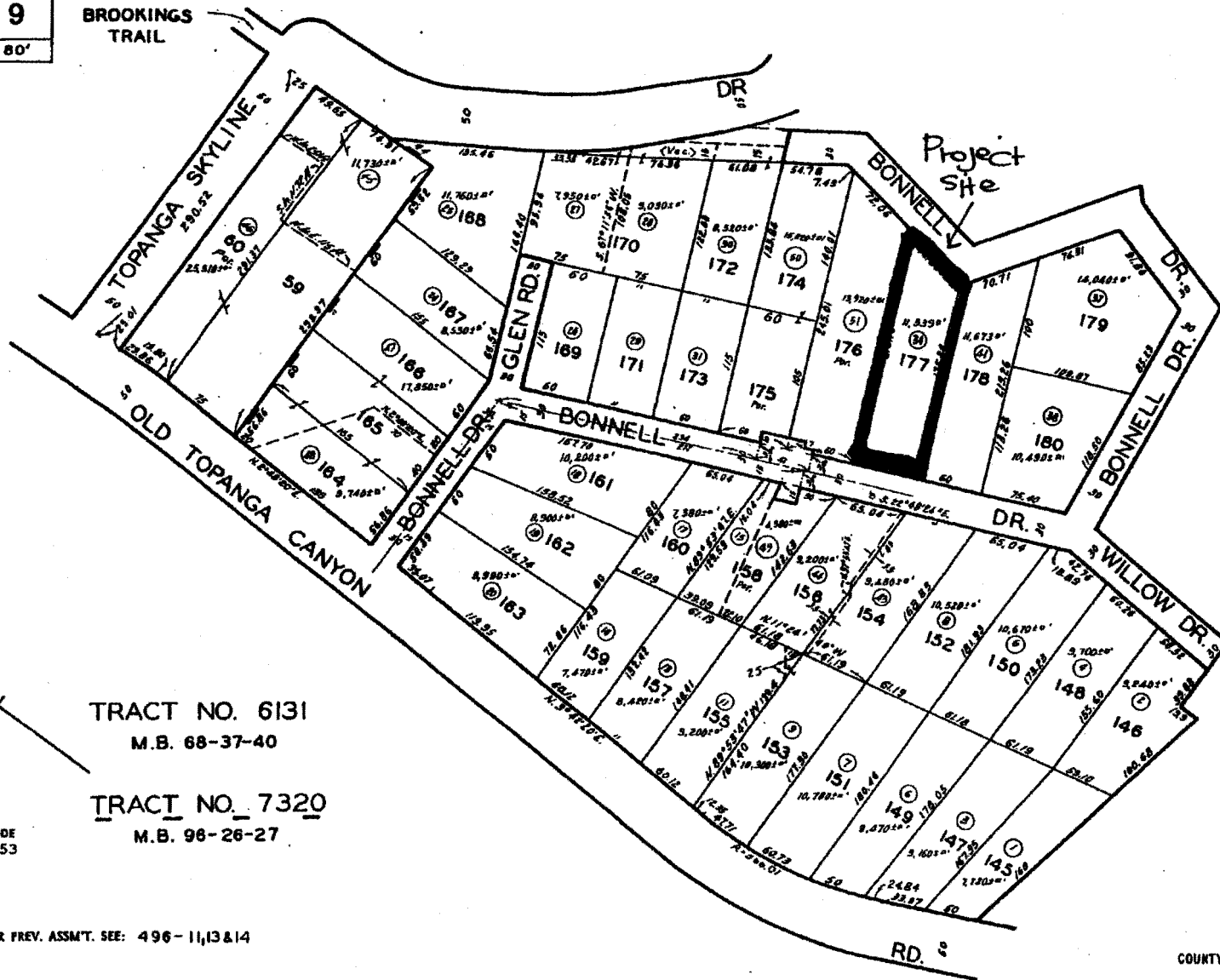


Exhibit No. 2
App. No. 4-01-118
Parcel Map

TRACT NO. 6131
M.B. 68-37-40

TRACT NO. 7320
M.B. 96-26-27

CODE
1653

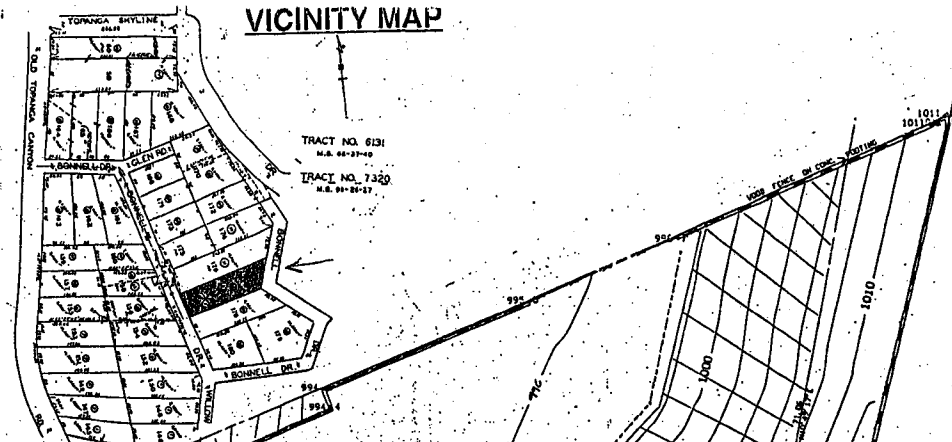
FOR PREV. ASSM'T. SEE: 496-11,13&14

ASSESSOR'S MAP
COUNTY OF LOS ANGELES, CALIF.

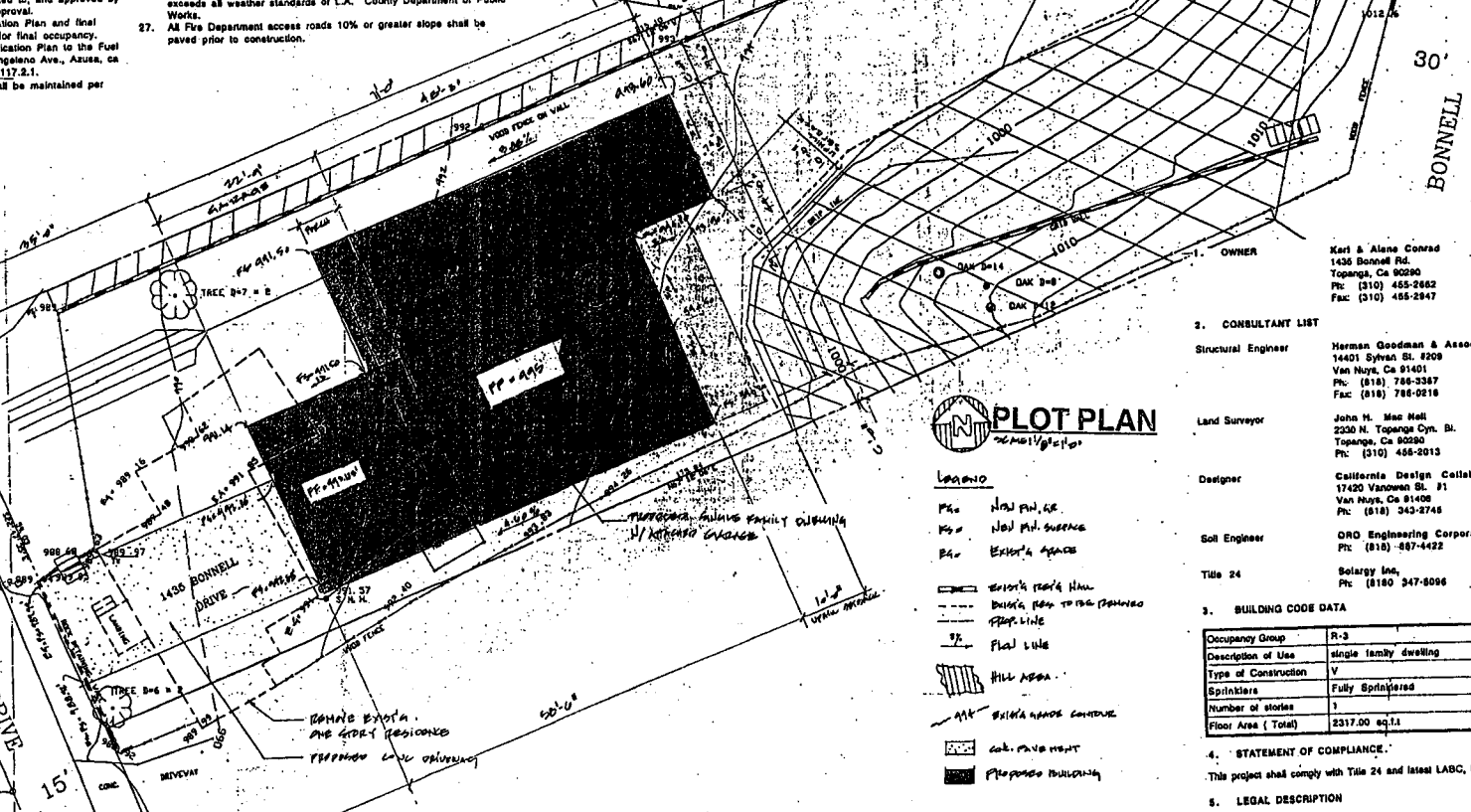
- Provide a minimum 50' width clear to the sky, vehicular access to within 150' of portions of the exterior walls.
- Vehicular access shall be provided and maintained serviceable throughout construction.
- The required fire flow for PUBLIC fire hydrants at this location is 1500 gallons per minute at 20 PSI for a duration of 7 hours, over and above maximum daily domestic demand.
- Roof covering shall be class I fire retardant assembly or material.
- The roofs shall be fire stopped at eave ends.
- Wood-shake and wood-shake are prohibited, regardless of the fire retardancy classification.
- Walls forming the enclosure of a building shall be of materials approved for one-hour fire resistive construction on the exterior side.
- All exterior windows, curtain and window walls and skylights shall utilize multiple-glazed panels consisting of not less than dual-pane glazing.
- All exterior doors other than garage doors shall be solid-core not less than 1 3/8" inches thick or utilize multiple-glazed panels consisting of not less than dual-pane glazing.
- Openings into attics, under floors or other enclosed areas shall not exceed 144 sq. in. each. Such openings shall be covered with corrosion-resistant wire mesh openings of 1/4".
- Provide spark arresters used with chimney or heating appliances in which solid or liquid fuel is used. Opening shall not exceed 1/2".
- Fire Code 111.12 Building Code 3102.2.6.
- Underfloor areas shall be enclosed to the ground with construction as required for exterior walls.
- Accessory structures, attached to a residential building, such as

10. Comply with Title 24, 1510-a regarding fire warning systems. Smoke detectors shall be hardwired with battery backup and interconnected. Provide note and indicate on floor plan.
11. Openings in attics, floors and other enclosed areas shall not exceed 144 square inches each. Such openings shall be covered with a corrosion-resistant wire mesh with mesh openings of 1/4".
12. Provide one hour resistive occupancy separation between the R-3 dwelling and U-1 garage.
13. Exit doors shall be operable from the inside without the use of a key or any special knowledge or effort.
14. Width and height of required exit doorways shall comply with Title 24, (door schedule).
15. Approved addresses or numbers shall be placed on buildings in such a position to be plainly visible and legible from the street or road fronting the property. Numbers shall contrast with their background.
16. On-site protection facilities (hydrants, sprinkler systems, etc.) shall be approved prior to occupancy.
17. The inspection, hydrostatic test and flushing of the hydrant and/or sprinkler systems shall be witnessed by the proper Fire Department representative. No underground piping shall be covered or hidden from view until the Fire Department representative has been notified and given not less than 48 hours in which to inspect such installations.
18. Turning radius of Fire Department access roads shall be a minimum of 32' measured from the centerline of the road. Indicate radius on site plan.
19. Walking access used to connect vehicular access shall be level, unobstructed by landscaping, minimum 5'-0" in width, clear to the sky, accessible for fire fighters and rescue uses.
20. Private roads used for fire Department access shall be capable of supporting the weight of a 25 ton vehicle.
21. Fire Department access roads less than 10% slope require certification from a registered civil engineer stating road meets or exceeds all weather standards of L.A. County Department of Public Works.
22. All Fire Department access roads 10% or greater slope shall be paved prior to construction.

VICINITY MAP



PLOT PLAN



LEGEND

- PA = New Pav. Area
- PS = New Pav. Surface
- PA = Existing Pavement
- = Existing Road Right of Way
- - - = Existing Road to the Proposed Property Line
- PK = Final Line
- = Hill Area
- = Existing Road Centerline
- = Col. Road Right of Way
- = Proposed Building

2. CONSULTANT LIST

- Structural Engineer: Herman Goodman & Associates, Inc. 14401 Sylvan St., #209 Van Nuys, Ca 91401 Ph: (818) 786-3387 Fax: (818) 786-0216
- Land Surveyor: John M. MacNeil 2330 N. Topanga Cyn. Bl. Topanga, Ca 90290 Ph: (310) 456-2013
- Designer: California Design Collaborative 17420 Vanowen St. #1 Van Nuys, Ca 91408 Ph: (818) 343-2745
- Soil Engineer: ORD Engineering Corporation Ph: (818) 487-4422
- Title 24: Solary Inc. Ph: (818) 347-8066

3. BUILDING CODE DATA

Occupancy Group	R-3
Description of Use	single family dwelling
Type of Construction	V
Sprinklers	Fully Sprinklered
Number of stories	1
Floor Area (Total)	2317.00 sq.ft.

4. STATEMENT OF COMPLIANCE

This project shall comply with Title 24 and latest LABC, UMC, UPC, 1993 Nac.

5. LEGAL DESCRIPTION

Lot 177, Tract No. 7320, M.B. 06 23/28

OWNER
Karl & Alene Conrad
1436 Bonnell Dr.
Topanga, Ca 90290
Ph: (310) 455-2862
Fax: (310) 455-2947

PROPOSED DESIGN COLLABORATIVE

ENGINEERING CONSULTING

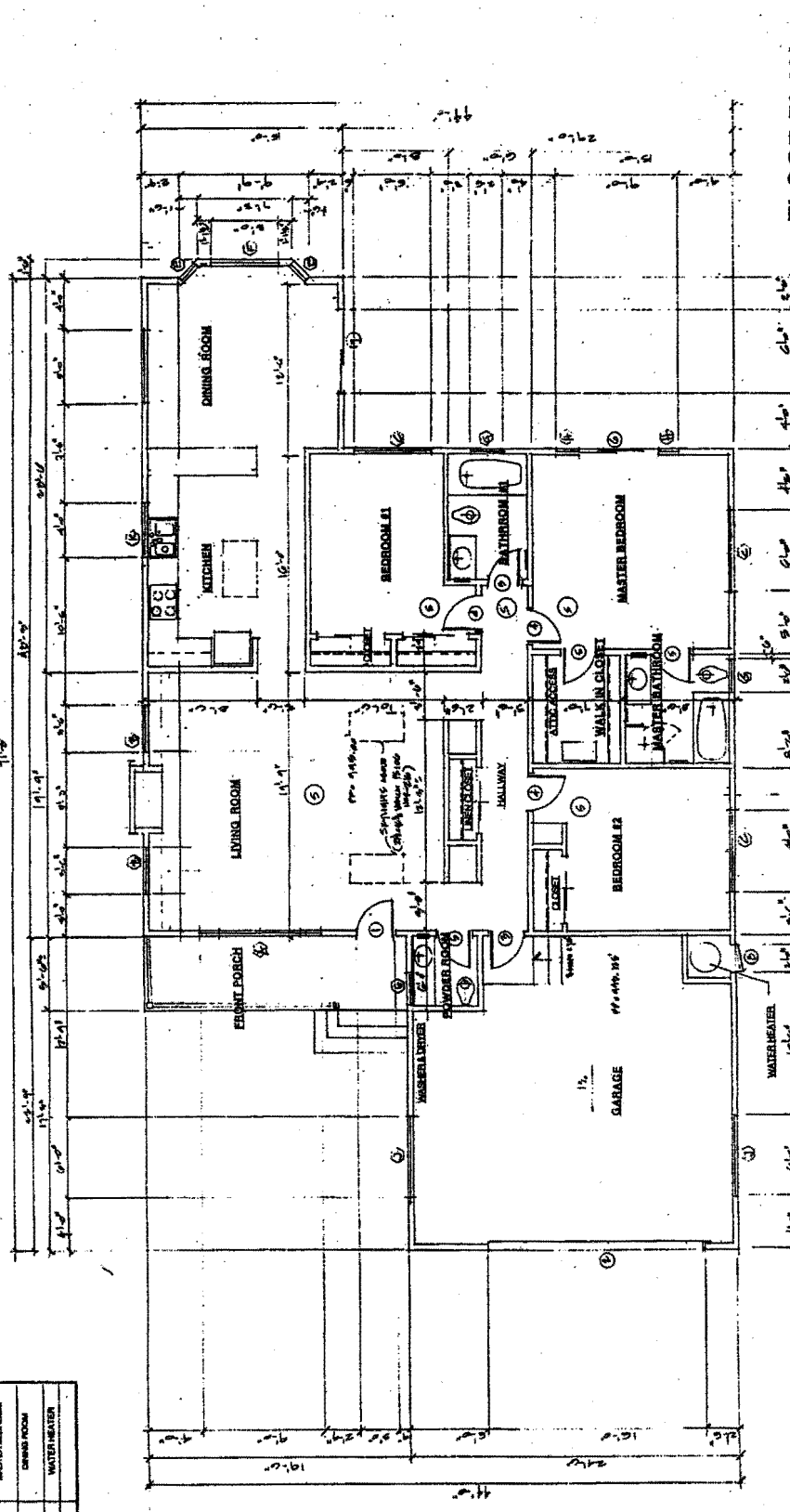
17420 Vanowen St.
Van Nuys, California 91414
(818) 343-2745

PROPOSED: SINGLE FAMILY DWELLING
FOR : MR. & MRS. KARL CONRAD RESIDENCE
ADDRESS : 1436 BONNELL DR., TOPANGA

Date: JAN 01
Scale: AS SHOWN
Drawn: [Signature]
Job: 04142
Sheet: **A1**

Exhibit No. 3
App. No. 4-01-118
Site Plan

FOUND SPK. PER
CS79 210-194




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

WINDOW SCHEDULE DESIGNATION	SIZE	TYPE	WHERE
A	8'-0" X 4'-0"	FIXED OR OPERABLE	LIVING ROOM
B	8'-0" X 4'-0"	OPERABLE	LIVING ROOM
C	8'-0" X 4'-0"	OPERABLE	BEDROOM
D	8'-0" X 4'-0"	OPERABLE	BEDROOM
E	8'-0" X 4'-0"	OPERABLE	DINING ROOM
F	8'-0" X 4'-0"	FIXED	DINING ROOM
G	8'-0" X 2'-5"	OPERABLE	BATHROOM
H	8'-0" X 8'-8"	FIXED SLOTLIGHT	MASTER BEDROOM
J	8'-0" X 2'-5"	OPERABLE	GARAGE
K	4'-0" X 3'-0"	OPERABLE	KITCHEN

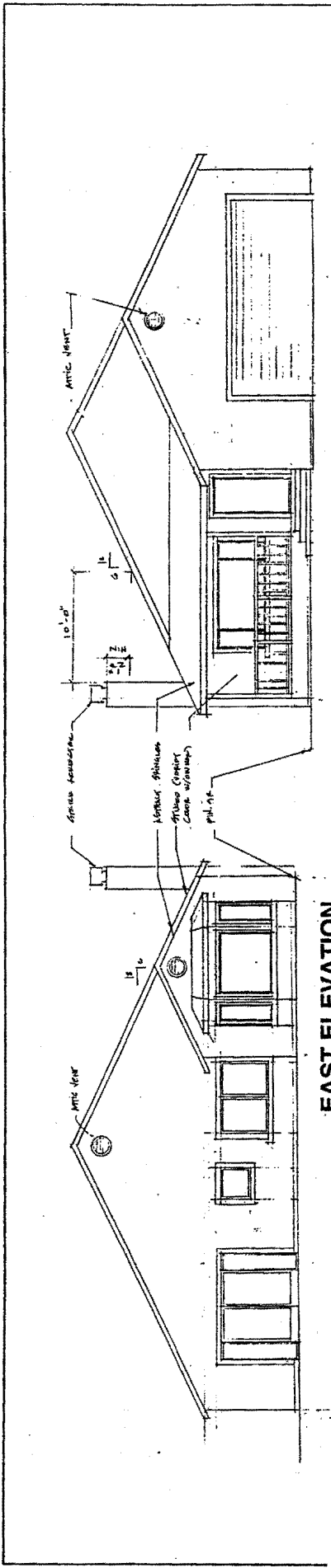
DOOR SCHEDULE DESIGNATION	SIZE	TYPE	OBSERVATION
1	2'-0" X 8'-8"	SOLID CORE	BEDROOM
2	16'-0" X 7'-0"	OVERHEAD	GARAGE
3	7'-0" X 8'-8"	SOLID CORE	GARAGE
4	2'-8" X 8'-8"	20 MIL ASSEMBLY	BEDROOM
5	2'-8" X 8'-8"	HOLLOW CORE	BATHROOM
6	7'-0" X 8'-8"	SUNING	MASTER BEDROOM
7	6'-0" X 8'-8"	SLIDING	DINING ROOM
	8'-0"	WITH VENTS	WATER HEATER

Exhibit No. 4
 App. No. 4-01-118
 Floor Plan

REVISIONS	

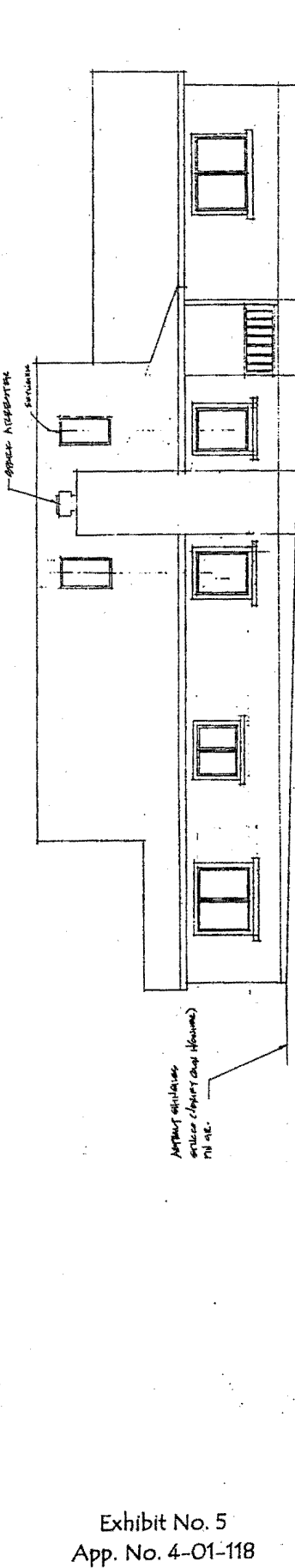
SALESIAN DESIGN COLLABORATION

 ENGINEERING CONSULTING
 3100 N. WILSON BLVD.
 SUITE 100
 WASHINGTON, DC 20007
 TEL: 202-778-2728

PROPOSED: SINGLE FAMILY DWELLING
 FOR: MR. & MRS. KARL CONRAD RESIDENCE
 ADDRESS: 1435 BONNELL DR., TOPANGA
 DATE: JAN 11, 2011
 DRAWN: [Name]
 CHECKED: [Name]
A4

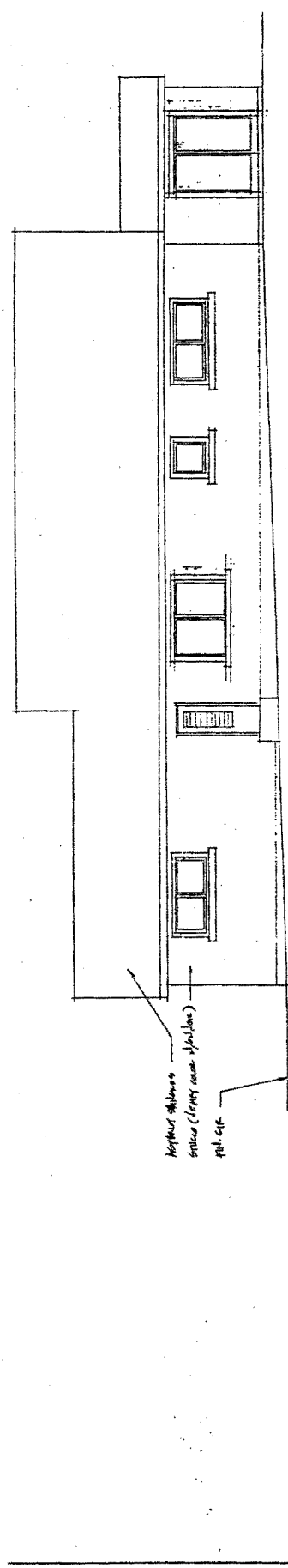


WEST ELEVATION

EAST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION

Exhibit No. 5
 App. No. 4-01-118
 Elevations

