

CALIFORNIA COASTAL COMMISSION

WEST CENTRAL COAST AREA
SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585-1800

Filed: 1/23/03
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Staff: LKF-V
Staff Report: 4/18/03
Hearing Date: 5/09/03
Commission Action:



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STAFF REPORT: REGULAR CALENDAR

APPLICATION NO.: 4-02-248
APPLICANT: Jon and Tracey Hughes
PROJECT LOCATION: 25715 Vista Verde Drive, Calabasas (Los Angeles County)
APN NO.: 4456-035-017

PROJECT DESCRIPTION: Construction of a two-story, 5,201 sq. ft. single family residence with attached five-car garage, patios, swimming pool, driveway, three retaining walls, septic system, 1,132 cu. yds. of grading (599 cu. yds. cut, 533 cu. yds. fill), and 1,940 cu. yds. of removal and recompaction.

Lot area	20,040 sq. ft.
Building coverage	3,413 sq. ft.
Pavement coverage	3,175 sq. ft.
Landscape coverage	13,452 sq. ft.
Height Above Finished Grade	33 ft.
Parking spaces	5

LOCAL APPROVALS RECEIVED: County of Los Angeles Department of Regional Planning, Approval in Concept, December 9, 2002; County of Los Angeles Fire Department, Preliminary Fuel Modification Plan Approval, July 31, 2002; County of Los Angeles Fire Department, Fire Prevention Engineering Approval, September 26, 2002; County of Los Angeles Environmental Health Approval in Concept, January 17, 2003; County of Los Angeles Geologic Review, Approval in Concept, October 21, 2002; County of Los Angeles Soils Engineering Review, Approval in Concept, October 22, 2002.

SUBSTANTIVE FILE DOCUMENTS: Certified 1986 Malibu-Santa Monica Mountains Land Use Plan; "Preliminary Geotechnical Engineering Investigation, Proposed Residential Development, A.P.N. 4456-035-017, Edenwild Tract, Vista Verde Drive, Monte Nido Area, County of Los Angeles, California," by West Coast Geotechnical, dated May 13, 2002; "Preliminary Engineering Geologic Report, Proposed Residential Development, A.P.N. 4456-035-017, Edenwild Tract, Vista Verde Drive, Monte Nido Area, County of Los Angeles, California," by Mountain Geology, Inc., dated April 25, 2002; Percolation test report by Barton Slutske, Registered Environmental Health Specialist, dated March 25, 2002.

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) removal of excavated material.

I. STAFF RECOMMENDATION

MOTION: *I move that the Commission approve Coastal Development Permit No. 4-02-248 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 submitted geologic reports ("Preliminary Geotechnical Engineering Investigation, Proposed Residential Development, A.P.N. 4456-035-017, Edenwild Tract, Vista Verde Drive, Monte Nido Area, County of Los Angeles, California," by West Coast Geotechnical, dated May 13, 2002 and "Preliminary Engineering Geologic Report, Proposed Residential Development, A.P.N. 4456-035-017, Edenwild Tract, Vista Verde Drive, Monte Nido Area, County of Los Angeles, California," by Mountain Geology, Inc., dated April 25, 2002) 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 applicant 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 engineering geologist to ensure the plan is in conformance with geologist's recommendations. In addition to the specifications above, the plan shall be in substantial conformance with the following requirements:

- (a) Selected BMPs (or suites of BMPs) shall be designed to treat, infiltrate or filter the amount of stormwater runoff produced by all storms 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 (i.e., 2 or greater), 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.

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 assesses the on-site landscaping and certifies whether it 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 supplemental 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. The permittee shall implement the remedial measures specified in the approved supplemental landscaping plan.

4. Wildfire Waiver of Liability

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. Removal of Excess Excavation Material

Prior to the issuance of the coastal development permit, the applicant shall provide evidence to the Executive Director of the location of the disposal site for all debris/excavated material from the site. Should the dump site be located in the Coastal Zone, a Coastal Development Permit shall be required.

IV. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

A. PROJECT DESCRIPTION AND BACKGROUND

The applicant proposes to construct a new two-story, 5,201 sq. ft. single family residence with attached five-car garage, patios, swimming pool, driveway, three retaining walls, septic system, 1,132 cu. yds. of grading (599 cu. yds. cut, 533 cu. yds. fill), and 1,940 cu. yds. of removal and recompaction (**Exhibits 3 through 8**).

The project site is located in a residential neighborhood in the Monte Nido area of Calabasas (**Exhibit 1**). The gently sloping, approximately ½ acre vacant lot contains annual ruderal grasses and some non-native trees (**Exhibit 9**). The lot is surrounded on four sides by existing residential development with overlapping fuel modification zones, and thus residential development on the subject site will result in no additional clearance of vegetation (**Exhibit 2**). The subject parcel is not located within or adjacent to an environmentally sensitive habitat area, and is not visible from any scenic roads, viewpoints, or trails.

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. The proposed development is located on a gently sloping lot and involves a moderate amount of grading and the removal and recompaction of unconsolidated fill material that is currently subject to erosion and downhill creep. The proposed development will require the removal of on-site vegetation, which consists of annual ruderal grasses and some non-native trees.

The applicant has submitted two geologic reports ("Preliminary Geotechnical Engineering Investigation, Proposed Residential Development, A.P.N. 4456-035-017, Edenwild Tract, Vista Verde Drive, Monte Nido Area, County of Los Angeles, California," by West Coast Geotechnical, dated May 13, 2002 and "Preliminary Engineering Geologic Report, Proposed Residential Development, A.P.N. 4456-035-017, Edenwild Tract, Vista Verde Drive, Monte Nido Area, County of Los Angeles, California," by Mountain Geology, Inc., dated April 25, 2002). The reports make numerous recommendations regarding grading, foundations, retaining walls, construction, sewage disposal, and drainage.

The West Coast Geotechnical, Inc. report dated May 13, 2002 states:

It is the opinion of West Coast Geotechnical that the proposed development will be safe against hazard from landslide, settlement or slippage, and that the proposed development will not have an adverse affect on the stability of the subject site or immediate vicinity, provide our recommendations are made part of the development plans and are implemented during construction.

In addition, the Mountain Geology, Inc. report dated April 25, 2002 concludes:

Based upon our investigation, the proposed development will be free from geologic hazards such as landslides, slippage, active faults, and settlement. The proposed

development and installation of the private sewage disposal system will have no adverse effect upon the stability of the site or adjacent properties provided the recommendations of the Engineering Geologist and Geotechnical Engineer are complied with during construction.

Therefore, based on the recommendations of the applicants' geologic consultants, the proposed development is consistent with the requirements of Section 30253 of the Coastal Act, so long as the geologic consultants' recommendations are incorporated into the final project plans and designs. Therefore, it is necessary to require the applicant to submit final project plans that have been certified in writing by the engineering geologic consultant as conforming to all recommendations of the consultant, in accordance with **Special Condition One (1)**.

The Commission finds that 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 Two (2)** and **Three (3)**.

The Commission also notes that the quantity of grading required for construction of the proposed project will result in an excess of 66 cu. yds. of excavated material. Stockpiles of dirt are subject to increased erosion and, if retained onsite, may lead to additional landform alteration. Therefore, **Special Condition Five (5)** requires the applicant to export all excess excavation material from the project site to an appropriate site for disposal and provide evidence to the Executive Director of the location of the disposal site prior to issuance of a coastal development permit.

Furthermore, the Commission 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 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 Three (3)** requires the applicant to utilize and maintain native and noninvasive plant species compatible with the surrounding area for landscaping the project site.

Invasive and non-native plant species are generally characterized as having a shallow root structure in comparison with their high surface/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 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 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 Four (4)**, 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 the proposed project, as conditioned, is consistent with §30253 of the Coastal Act.

C. 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.

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 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 measures implemented during construction and post construction landscaping will serve to minimize the potential for adverse impacts to water quality resulting from drainage runoff during construction and in the post-development stage. Therefore, the Commission finds that **Special Condition Three (3)** is necessary to ensure the proposed development will not adversely impact water quality or coastal resources.

Finally, the proposed development includes the installation of an onsite private sewage disposal system to serve the residence. The applicant's environmental health specialist performed infiltration tests that indicate the site can accommodate a septic system. In addition, the County of Los Angeles Department of Health Services has given in-concept approval for 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 water quality resources.

Therefore, for all the reasons stated above, the Commission finds that the proposed project, as conditioned, is consistent with Section 30231 of the Coastal Act.

D. 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 the Malibu/Santa Monica Mountains area which is consistent with the policies of Chapter 3 of the Coastal Act as required by §30604(a).

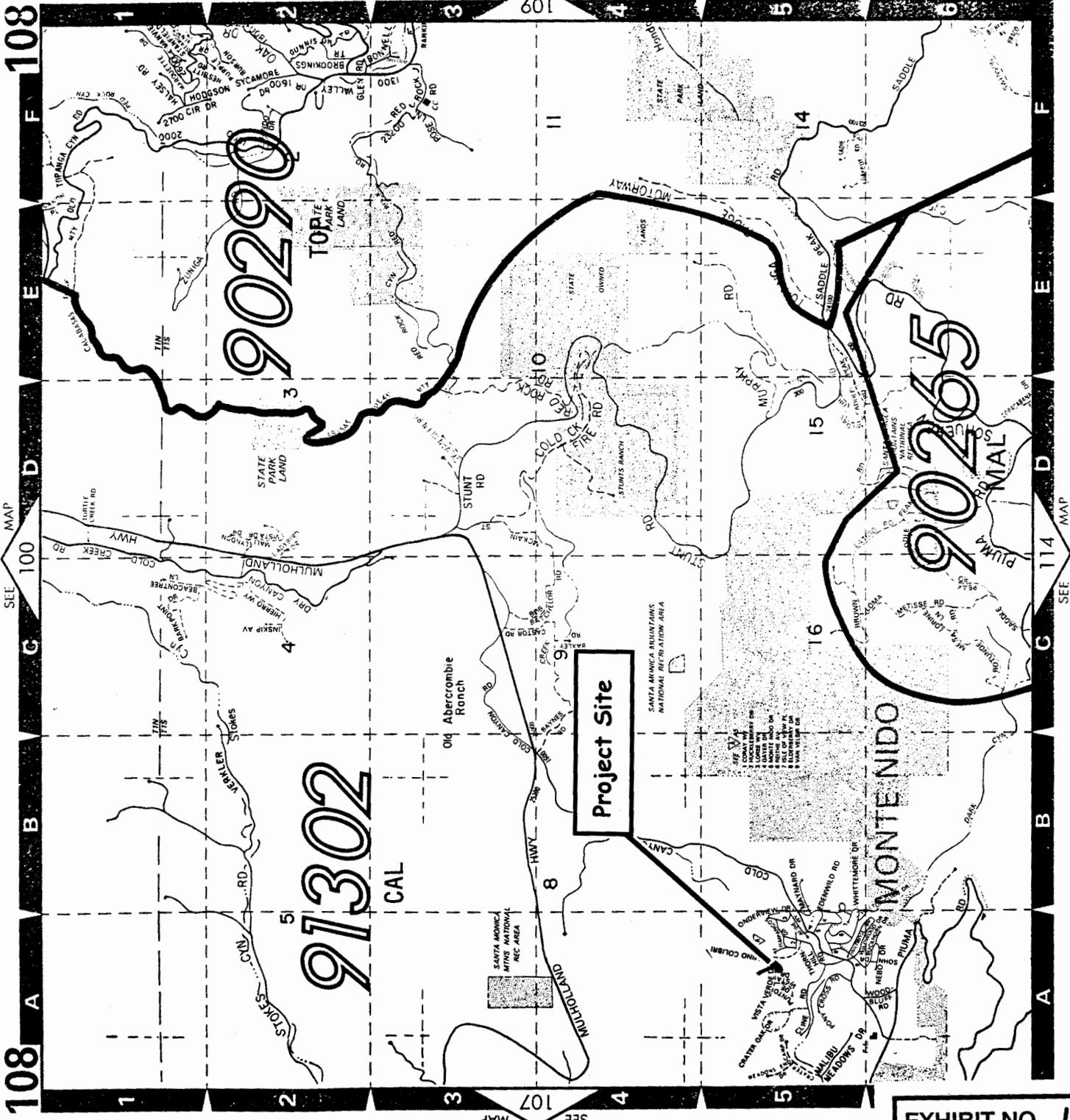
E. CALIFORNIA ENVIRONMENTAL QUALITY ACT

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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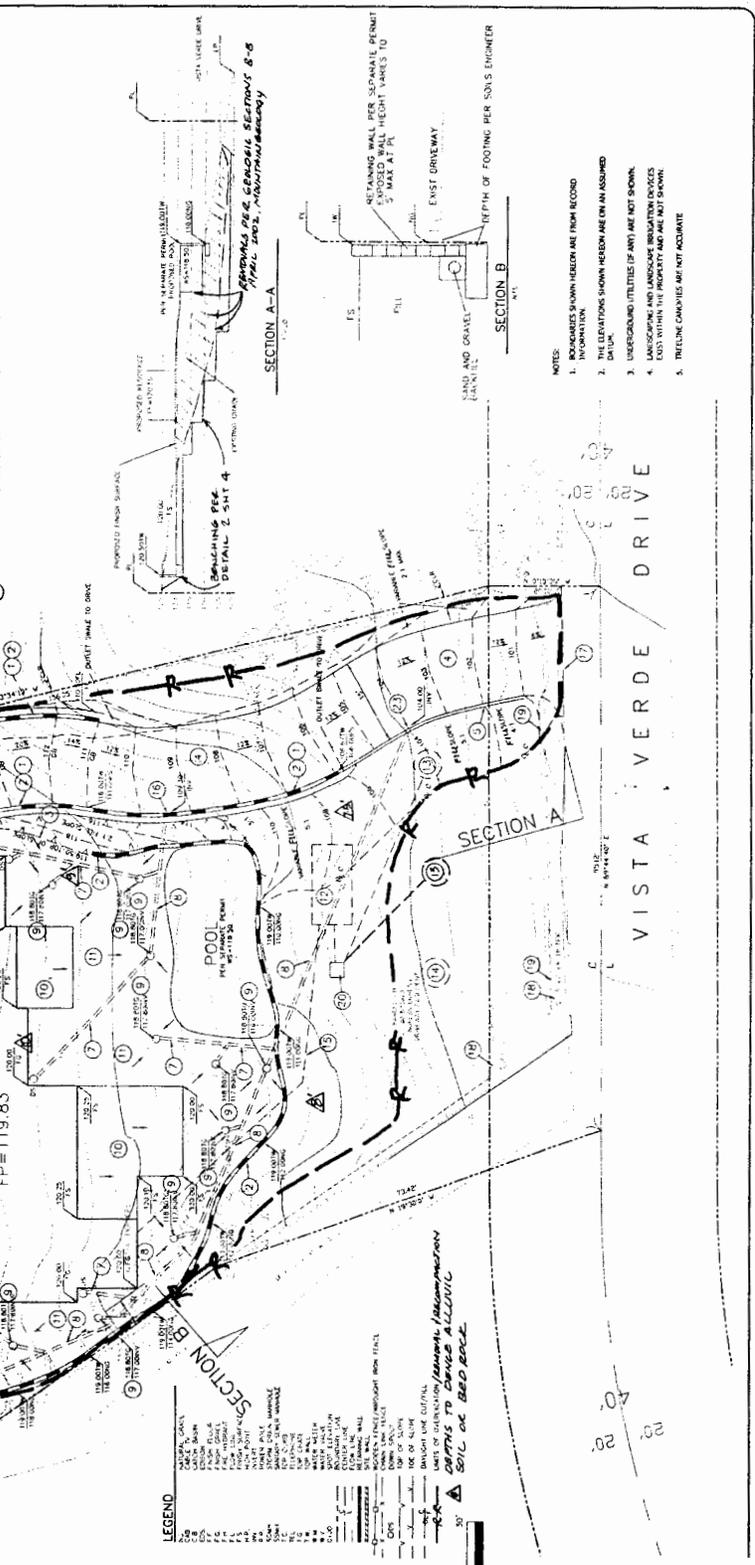
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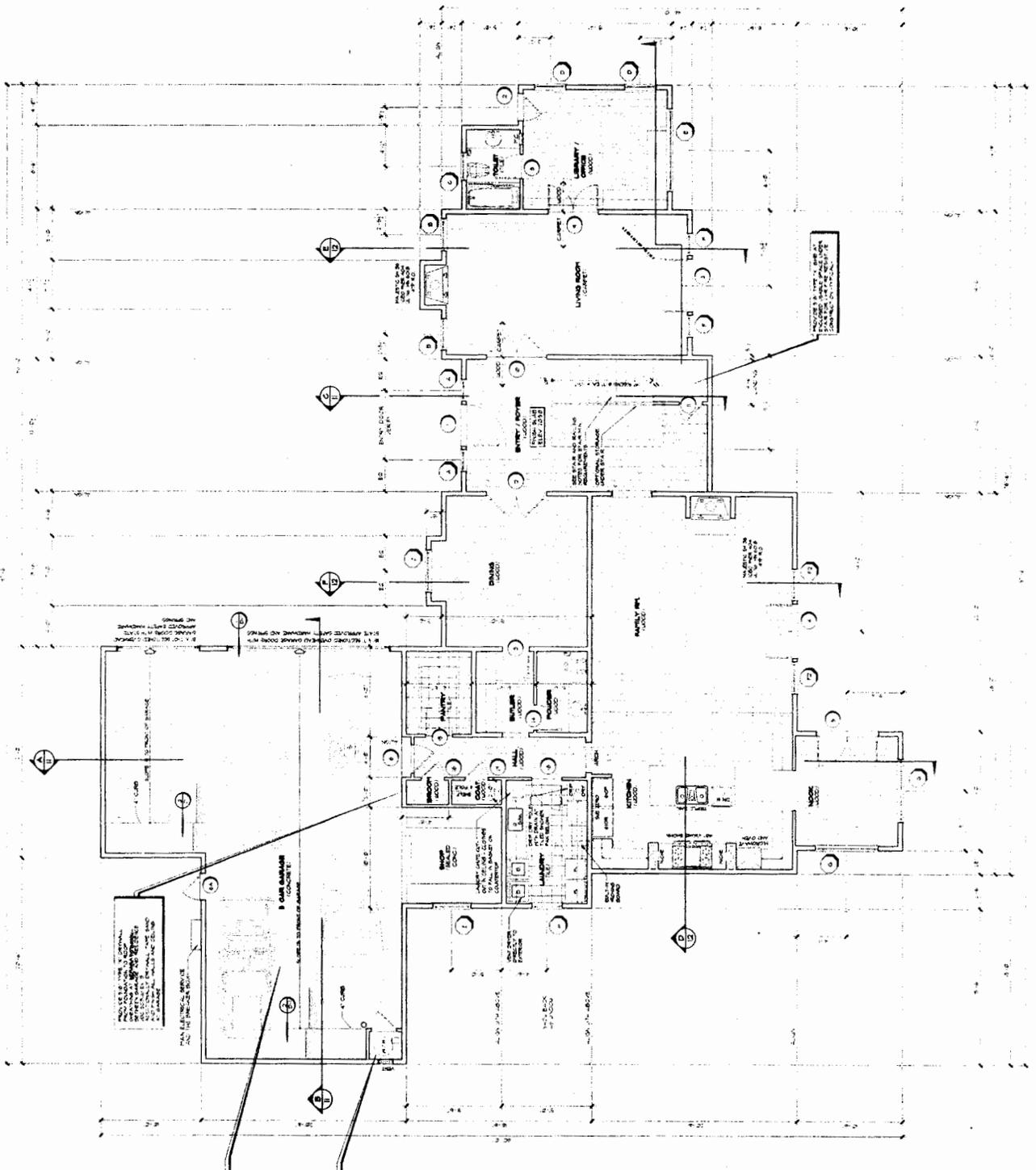
EXHIBIT NO. 1
APPLICATION NO.
4-02-248
VICINITY MAP

GRADING PLAN PREPARED BY:
 15500 HWY. 101
 SUITE 100
 CALABASAS, CA 91302
 (805) 254-0841

- CONSTRUCTION NOTES**
1. CONSTRUCT CONCRETE WALL PER DETAIL 1, SHT. 4
 2. RETAINING WALLS PER ALPHABET PERMIT
 3. CONSTRUCT 12" BENCH PER DETAIL 2B, SHT. 4
 4. CONSTRUCT 12" W/UL DRIVEWAY PER DETAIL 3, SHT. 4
 5. CONSTRUCT CONCRETE CURB PER DETAIL 4, SHT. 4
 6. 12" CATCH BASIN PER NDS PRODUCTS OR EQUAL
 7. 6" DIA. SCHED. 40 PVC PIPE 18 MIN.
 8. 8" DIA. SCHED. 40 PVC PIPE 18 MIN.
 9. 4" ROUND AREA DRAIN PER NDS PRODUCTS
 10. CONCRETE SURFACE PER ARCHITECT AND SUELS HANDEY
 11. LANDSCAPE AREA
 12. 1500 GAL. SEPTIC TANK
 13. SEE PAGE INT PER SOILS ENGINEER
 14. FUTURE SEWAGE PIT PER SOILS ENGINEER
 15. TIGHT PIPE PER SEPTIC SYSTEM REQUIREMENTS
 16. OUTLET PIPE TO DRIVEWAY PER DETAIL 5 SHT. 4
 17. SAWCUT AND JOIN
 18. EAST WATER/GAS METER TO REMAIN
 19. REMOVE RAILROAD TIES
 20. DISTRIBUTION BOX
 21. CONSTRUCT CONCRETE SWALE PER DETAIL 6, SHT. 4
 22. CONSTRUCT SPALSHWALL PER DETAIL 7, SHT. 4
 23. OUTLET PIPE TO DRIVEWAY PER DETAIL 8 SHT. 4
 24. SUBSIDIARY OUTLET PER DETAIL 5A SHT. 4



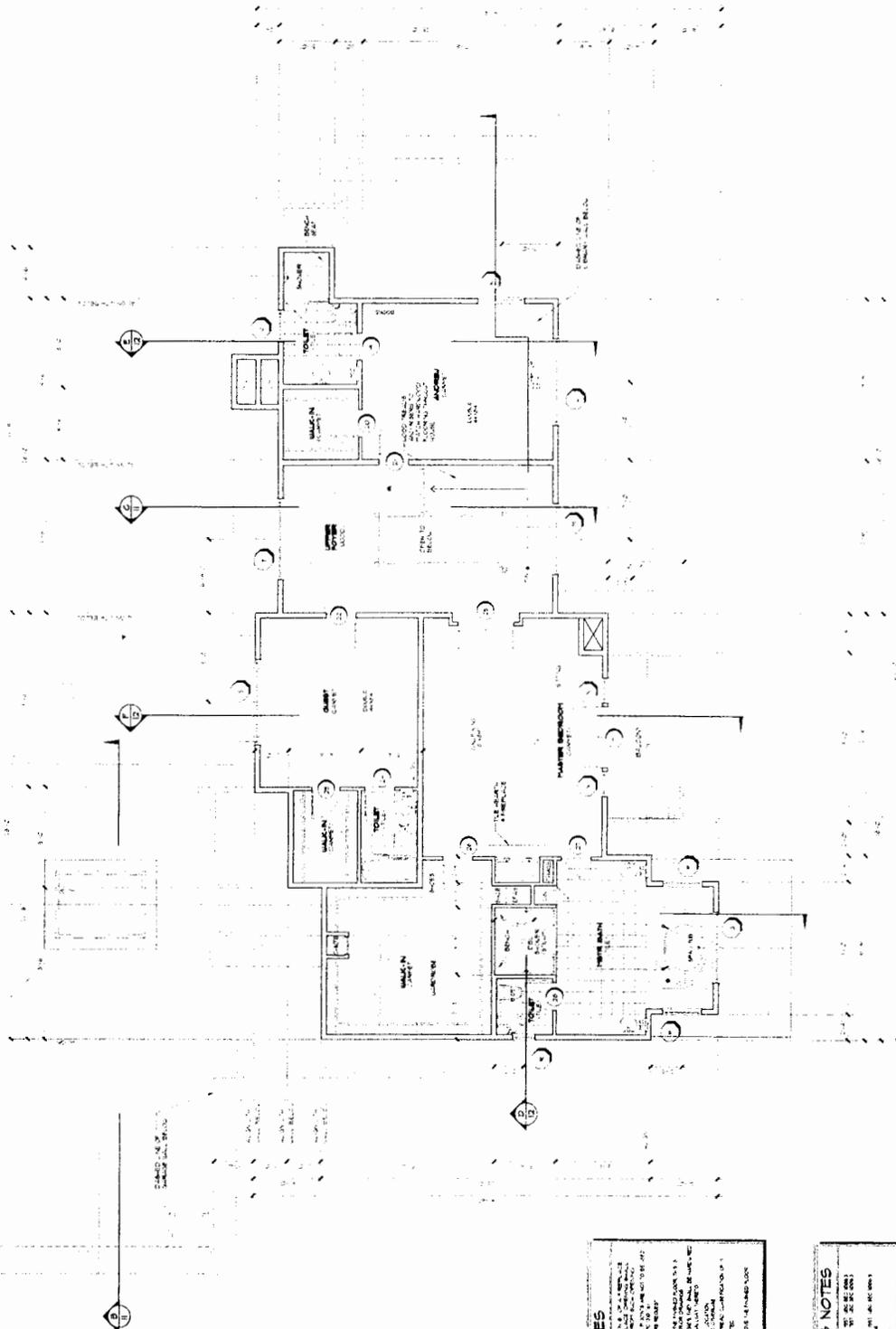
- LEGEND**
- 1. 1" = 10'
 - 2. 1" = 20'
 - 3. 1" = 40'
 - 4. 1" = 80'
 - 5. 1" = 160'
 - 6. 1" = 320'
 - 7. 1" = 640'
 - 8. 1" = 1280'
 - 9. 1" = 2560'
 - 10. 1" = 5120'
 - 11. 1" = 10240'
 - 12. 1" = 20480'
 - 13. 1" = 40960'
 - 14. 1" = 81920'
 - 15. 1" = 163840'
 - 16. 1" = 327680'
 - 17. 1" = 655360'
 - 18. 1" = 1310720'
 - 19. 1" = 2621440'
 - 20. 1" = 5242880'
 - 21. 1" = 10485760'
 - 22. 1" = 20971520'
 - 23. 1" = 41943040'
 - 24. 1" = 83886080'
 - 25. 1" = 167772160'
 - 26. 1" = 335544320'
 - 27. 1" = 671088640'
 - 28. 1" = 1342177280'
 - 29. 1" = 2684354560'
 - 30. 1" = 5368709120'
 - 31. 1" = 10737418240'
 - 32. 1" = 21474836480'
 - 33. 1" = 42949672960'
 - 34. 1" = 85899345920'
 - 35. 1" = 171798691840'
 - 36. 1" = 343597383680'
 - 37. 1" = 687194767360'
 - 38. 1" = 1374389534720'
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GARAGE VENTILATION
 THE GARAGE VENTILATION SYSTEM IS TO BE INSTALLED AS SHOWN ON THIS PLAN. THE SYSTEM IS TO BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES:
 1. THE GARAGE VENTILATION SYSTEM IS TO BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES:
 2. THE GARAGE VENTILATION SYSTEM IS TO BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES:
 3. THE GARAGE VENTILATION SYSTEM IS TO BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES:
 4. THE GARAGE VENTILATION SYSTEM IS TO BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES:
 5. THE GARAGE VENTILATION SYSTEM IS TO BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING NOTES:

FIRST FLOOR PLAN

EXHIBIT NO. 5
 APPLICATION NO.
 4-02-248
 FIRST FLOOR PLAN



SECOND FLOOR PLAN

PLAN NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CALIFORNIA BUILDING CODE AND ALL APPLICABLE LOCAL ORDINANCES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AGENCIES.
3. ALL MATERIALS SHALL BE OF THE HIGHEST QUALITY AND SHALL BE SUBMITTED TO THE ARCHITECT FOR APPROVAL PRIOR TO INSTALLATION.
4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
5. ALL UTILITIES SHALL BE PROTECTED AND SHALL NOT BE MOVED OR DAMAGED.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.
7. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
8. THE CONTRACTOR SHALL MAINTAIN A NEAT AND SAFE WORK SITE AT ALL TIMES.
9. ALL MATERIALS SHALL BE STORED PROPERLY AND PROTECTED FROM THE ELEMENTS.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES AND UTILITIES.

AILING NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CALIFORNIA BUILDING CODE AND ALL APPLICABLE LOCAL ORDINANCES.

2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AGENCIES.

3. ALL MATERIALS SHALL BE OF THE HIGHEST QUALITY AND SHALL BE SUBMITTED TO THE ARCHITECT FOR APPROVAL PRIOR TO INSTALLATION.

4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.

5. ALL UTILITIES SHALL BE PROTECTED AND SHALL NOT BE MOVED OR DAMAGED.

6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.

7. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.

8. THE CONTRACTOR SHALL MAINTAIN A NEAT AND SAFE WORK SITE AT ALL TIMES.

9. ALL MATERIALS SHALL BE STORED PROPERLY AND PROTECTED FROM THE ELEMENTS.

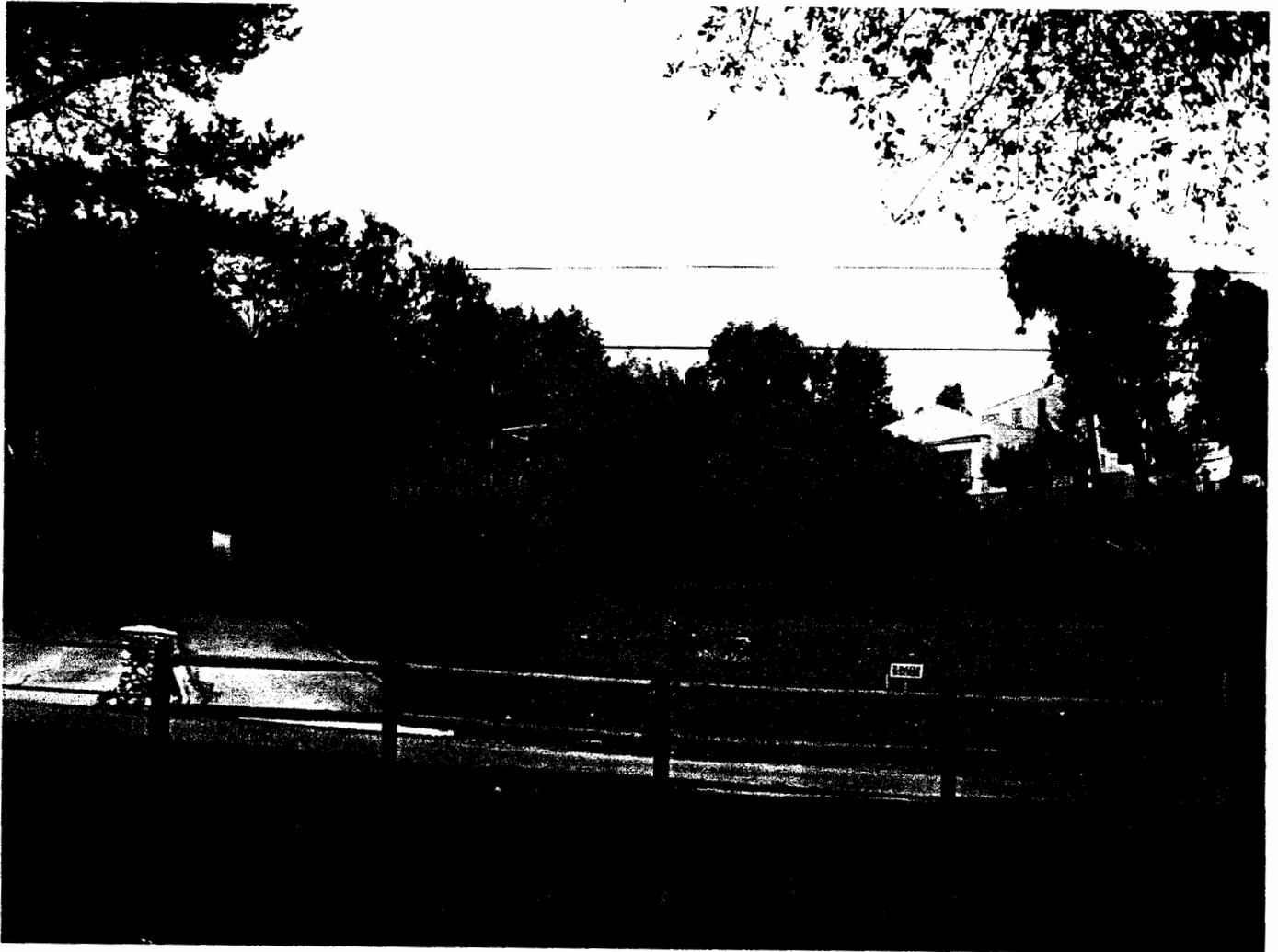
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL ADJACENT PROPERTIES AND UTILITIES.

EXHIBIT NO. 6

APPLICATION NO.

4-02-248

SECOND FLOOR PLAN



Front view

EXHIBIT NO. 9
APPLICATION NO.
4-02-248
PHOTOS (3pp.)



*Back of property
looking to front*



Down Street