

**CALIFORNIA COASTAL COMMISSION**

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## STAFF REPORT: PERMIT AMENDMENT

**APPLICATION NO.:** 4-02-254-A1

**APPLICANT:** Loretta Diamond

**PROJECT LOCATION:** 32797 Mulholland Highway, Santa Monica Mountains, Los Angeles County [APN: 2058-015-017]

**DESCRIPTION OF PROJECT PREVIOUSLY APPROVED:** Construction of a one story, 17 foot high, 2,093 sq. ft. single- family residence, 400 sq. ft. two car detached garage, driveway, retaining walls, septic system, and approximately 2,550 cu. yds. of grading (2000 cu. yds. cut, 550 cu. yds. fill).

**AMENDMENT DESCRIPTION:** Redesign of approved residence to a two-story, 2,576 sq. ft. residence with a two-car attached garage, septic system, and 7,335 cu. yds. of grading (5,000 cu. yds. cut and 2,335 cu. yds. of fill). The redesigned residence will consist of a concrete shell construction that is cut into the slope, just above the road.

**LOCAL APPROVALS RECEIVED:** County of Los Angeles Regional Planning, Approval In Concept County of Los Angeles Fire Department (Access), Approval in Concept, County of Los Angeles Fire Department, Preliminary Fuel Modification Plan, Approval in Concept.

**SUBSTANTIVE FILE DOCUMENTS:** 4-02-254 (Diamond)

### SUMMARY OF STAFF RECOMMENDATION

The proposed amendment is a complete redesign of the approved structure that will be located closer to the road. Staff recommends **approval** of the proposed amendment with six **(6) revised special conditions and one new special condition** regarding updated drainage and polluted runoff plans, landscaping plans, erosion control plans, future development restriction, open space restriction, and deed restriction. As conditioned, the project as amended will be consistent with Chapter 3 policies of the Coastal Act.

## **I. STAFF RECOMMENDATION**

**MOTION:** *I move that the Commission approve the proposed amendment to Coastal Development Permit No 4-02-254 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 amendment 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 the coastal development permit amendment on the ground that the development as amended and subject to conditions, 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 amendment 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 amended development on the environment, or 2) there are no feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the amended 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 permittees or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
- 2. Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
- 3. Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
- 4. Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
- 5. Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittees to bind all future owners and possessors of the subject property to the terms and conditions.

## **III. SPECIAL CONDITIONS**

**NOTE:** Appendix A, attached, includes all standard and special conditions that apply to this permit, as approved by the Commission in its original action and modified and/or supplemented by all subsequent amendments, including this Permit Amendment 4-02-254-A1. All of the Commission's adopted special conditions and any changes in the project description proposed by the applicant and approved by the Commission in this or previous actions continue to apply in their most recently approved form unless explicitly changed in this action. Special Conditions 1, 4, 7, 9, 10, 11, and 13 remained unchanged from the original action. Special Conditions Nos. 2, 3, 5, 6, 8, and 12 shown below supersede and replace those imposed in the original action. Special Condition 14 is added.

## **2. Updated Permanent Drainage and Polluted Runoff Control Plan**

A. ***Prior to issuance of the Coastal Development Permit***, the permittee shall submit to the Executive Director, two (2) copies of a final Permanent Drainage and Runoff Control Plan for the post-construction project site, prepared by a licensed civil engineer or qualified water quality professional. The Plan shall include detailed drainage and runoff control plans with supporting calculations. The plans shall incorporate Best Management Practices (BMPs) including site design, source control and treatment control measures designed to reduce, to the maximum extent practicable, the volume, velocity and pollutant load of stormwater and dry weather flows leaving the developed site. The consulting civil engineer or water quality professional shall certify in writing that the final Permanent Drainage and Runoff Control Plan is in substantial conformance with the following minimum requirements:

- (1) The plan shall demonstrate the use of distributed small-scale controls or integrated Best Management Practices (BMPs) that serve to minimize alterations to the natural pre-development hydrologic characteristics and conditions of the site, and effectively address pollutants of concern.
- (2) Post-development peak runoff rate and average volume from the site shall be maintained at levels similar to pre-development conditions.
- (3) Selected BMPs shall consist, or primarily consist, of site design elements and/or landscape based systems or features that serve to maximize site permeability, avoid directly connected impervious area and/or retain, infiltrate, or filter runoff from rooftops, driveways and other hardscape areas, where feasible. Examples of such features include but are not limited to porous pavement, pavers, rain gardens, vegetated swales, infiltration trenches, cisterns.
- (4) Landscaping materials shall consist primarily of native or other low-maintenance plant selections which have low water and chemical treatment demands, consistent with **Special Condition 3, Landscaping and Fuel Modification Plans**. An efficient irrigation system designed based on hydrozones and utilizing drip emitters or micro-sprays or other efficient design shall be utilized for any landscaping requiring water application.
- (5) All slopes shall be stabilized in accordance with provisions contained in the Landscaping and/or Interim Erosion and Sediment Control Condition for this Coastal Development Permit.
- (6) Runoff shall be discharged from the developed site in a non-erosive manner. Energy dissipating measures shall be installed at the terminus of outflow drains where necessary. The consulting engineer shall provide plan details and cross sections for any rock rip-rap and/or other energy dissipating devices or structures associated with

the drainage system. The drainage plans shall specify, the location, dimensions, cubic yards of rock, etc. for the any velocity reducing structure with the supporting calculations showing the sizing requirements and how the device meets those sizing requirements. The engineer shall certify that the design of the device minimizes the amount of rock and/or other hardscape necessary to meet the sizing requirements.

- (7) Post-construction structural 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 storm event for volume-based BMPs, and/or the 85th percentile, 1-hour storm event, with an appropriate safety factor (i.e., 2 or greater), for flow-based BMPs.
- (8) All BMPs shall be operated, monitored, and maintained in accordance with manufacturer's specifications where applicable, or in accordance with well recognized technical specifications appropriate to the BMP for the life of the project and at a minimum, all structural BMPs shall be inspected, cleaned-out, and where necessary, repaired prior to the onset of the storm season (October 15th each year) and at regular intervals as necessary between October 15<sup>th</sup> and April 15<sup>th</sup> of each year. Debris and other water pollutants removed from structural BMP(s) during clean-out shall be contained and disposed of in a proper manner.
- (9) For projects located on a hillside, slope, or which may otherwise be prone to instability, final drainage plans shall be approved by the project consulting geotechnical engineer.
- (10) 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.

B. The final Permanent Drainage and Runoff Control Plan shall be in conformance with the site/ development plans approved by the Coastal Commission. Any changes to the Coastal Commission approved site/development plans required by the consulting civil engineer/water quality professional or engineering geologist shall be reported to the Executive Director. No changes to the Coastal Commission approved final site/development plans shall occur without an amendment to the coastal development permit, unless the Executive Director determines that no amendment is required.

### **3. Updated Landscaping**

***Prior to issuance of the Coastal Development Permit Amendment***, the applicant shall submit two sets of updated landscaping and fuel modification plans for the amended project, prepared by a licensed landscape architect or a qualified resource specialist. The consulting landscape architect or qualified landscape professional shall certify in writing that the final Landscape and Fuel Modification plans are in conformance with the following requirements:

#### **A) Landscaping Plan**

- (1) All graded & disturbed areas on the subject site shall be planted and maintained for erosion control purposes within thirty (30) 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. All native plant species shall be of local genetic stock. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org>), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (<http://www.cal-ipc.org>), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a "noxious weed" by the State of California or the U.S. Federal Government shall be utilized within the property.

- (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. All native plant species shall be of local genetic stock. 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) Rodenticides containing any anticoagulant compounds (including, but not limited to, Warfarin, Brodifacoum, Bromadiolone or Diphacinone) shall not be used.
- (5) Fencing of the entire property is prohibited. Fencing shall extend no further than the approved development area. The fencing type and location shall be illustrated on the landscape plan. Fencing shall also be subject to the color requirements outlined in **Special Condition 5, Structural Appearance**, below.

#### **B) Fuel Modification Plans**

Vegetation within 20 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 twenty 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.

#### **C) Conformance with Commission Approved Site/Development Plans**

The Permittee shall undertake development in accordance with the final Landscape and Fuel Modification Plans. The final Landscape and Fuel Modification Plans shall be in conformance with the site/development plans approved by the Coastal Commission. Any changes to the Coastal Commission approved site/development plans shall be reported to the Executive Director. No changes to the Coastal Commission approved final site/development plans shall

occur without an amendment to the coastal development permit, unless the Executive Director determines that no amendment is legally required.

#### **D) Monitoring**

Three years from the date of the receipt of the Certificate of Occupancy for the residence the applicant shall submit to 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 requirements specified in this condition, the applicant, or successors in interest, shall submit, within 30 days of the date of the monitoring report, a revised or supplemental landscape plan, certified by a licensed Landscape Architect or a qualified Resource Specialist, that specifies additional or supplemental landscaping measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan. This remedial landscaping plan shall be implemented within 30 days of the date of the final supplemental landscaping plan and remedial measures shall be repeated as necessary to meet the requirements of this condition.

#### **5. Updated Structural Appearance**

Prior to the issuance of the coastal development permit, the applicant shall submit for the review and approval of the Executive Director, an updated color palette and material specifications for the outer surface of all structures authorized by the approval of Coastal Development Permit No. 4-02-254-A1. 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 roofs, trims, exterior surfaces, driveways, retaining walls, and other structures authorized by this permit. Acceptable colors shall be limited to colors compatible with the surrounding environment (earth tones) including shades of green, brown and gray with no white or light shades and no bright tones. All windows shall be comprised of non-glare glass.

The approved structures shall be colored with only the colors and window materials authorized pursuant to this special condition. Alternative colors or materials for future repainting or resurfacing or new windows may only be applied to the structures authorized by Coastal Development Permit No. 4-02-254-A1 if such changes are specifically authorized by the Executive Director as complying with this special condition.

#### **6. Updated Future Development.**

This permit is only for the development described in this Coastal Development Permit, as amended. 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 development governed by this Coastal Development Permit. Accordingly, any future structures, future improvements, or change of use to the permitted structures authorized by this permit, including but not limited to, any grading, clearing or other disturbance of vegetation other than as provided for in the approved landscape plan prepared pursuant to **Special Condition 3, Landscaping and Fuel Modification Plans**, shall require an amendment to this Coastal

Development Permit from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.

### **8. Updated Deed Restriction.**

***Prior to issuance of the Coastal Development Permit Amendment***, the applicant shall submit to the Executive Director for review and approval documentation demonstrating that the applicant has executed and recorded against the parcel(s) governed by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal description of the entire parcel or parcels governed by this permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

### **12. Updated Open Space Deed Restriction.**

A. No development, as defined in Section 30106 of the Coastal Act, grazing, or agricultural activities shall occur in the Open Space Area as described and depicted in an Exhibit attached to the Notice of Intent to Issue Permit (NOI) that the Executive Director issues for this permit except for:

- (1) Fuel modification required by the Los Angeles County Fire Department undertaken in accordance with the final approved fuel modification plan approved pursuant to **Special Condition 3, Landscaping and Fuel Modification Plans**, or other fuel modification plans required and approved by the Commission pursuant to a different CDP(s) issued by the Commission;
- (2) Drainage and polluted runoff control activities required and approved pursuant to:
  - a. The drainage and runoff control plans approved pursuant to **Special Condition 2, Permanent Drainage and Runoff Control Plan**, of this permit; and
  - b. The landscaping and erosion control plans approved pursuant to **Special Condition 14, Interim Erosion Control & Construction Best Management Practices Plan, and Special Condition 3, Landscaping and Fuel Modification Plans**, of this permit;
- (3) Planting of native vegetation and other restoration activities, if approved by the Commission as an amendment to this coastal development permit or a new coastal development permit;
- (4) If approved by the Commission as an amendment to this coastal development permit or a new coastal development permit,
  - a. construction and maintenance of public hiking trails; and
  - b. construction and maintenance of roads, trails, and utilities consistent with existing easements.

B. ***Prior to the issuance by the Executive Director of the NOI for this Coastal Development Permit Amendment***, the applicant shall submit for the review and approval of the Executive Director, and upon such approval, for attachment as an Exhibit to the NOI, a formal legal description and graphic depiction, prepared by a licensed surveyor, of the portion of the subject property affected by this condition, as generally described on **Exhibit 6** attached to the findings in support of approval of this permit.

#### **14. Updated Interim Erosion Control Plans and Construction Responsibilities**

A. ***Prior to the issuance of the Coastal Development Permit***, the applicant shall submit to the Executive Director an updated Interim Erosion Control and Construction Best Management Practices plan, prepared by licensed civil engineer or qualified water quality professional. The consulting civil engineer/water quality professional shall certify in writing that the Interim Erosion Control and Construction Best Management Practices (BMPs) plan is in conformance with the following requirements:

1. Erosion Control Plan

- (a) 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 plan and on-site with fencing or survey flags.
- (b) Include a narrative report describing all temporary run-off and erosion control measures to be used during construction.
- (c) The plan shall identify and delineate on a site or grading plan the locations of all temporary erosion control measures.
- (d) 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.
- (e) The 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.
- (d) The plan shall specify that grading shall take place only during the dry season (April 1 – October 31). This period may be extended for a limited period of time if the situation warrants such a limited extension, if approved by the Executive Director. 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, and shall 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.



- (e) The erosion control measures shall be required on the project site prior to or concurrent with the initial grading operations and maintained throughout 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 of the coastal zone or within the coastal zone to a site permitted to receive fill.
- (f) 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.

## 2. Construction Best Management Practices

- (a) No demolition or construction materials, debris, or waste shall be placed or stored where it may enter sensitive habitat, receiving waters or a storm drain, or be subject to wave, wind, rain, or tidal erosion and dispersion.
- (b) No demolition or construction equipment, materials, or activity shall be placed in or occur in any location that would result in impacts to environmentally sensitive habitat areas, streams, wetlands or their buffers.
- (c) Any and all debris resulting from demolition or construction activities shall be removed from the project site within 24 hours of completion of the project.
- (d) Demolition or construction debris and sediment shall be removed from work areas each day that demolition or construction occurs to prevent the accumulation of sediment and other debris that may be discharged into coastal waters.
- (e) All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day.
- (f) The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction.
- (g) Debris shall be disposed of at a legal disposal site or recycled at a recycling facility. If the disposal site is located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place unless the Executive Director determines that no amendment or new permit is legally required.
- (h) All stock piles and construction materials shall be covered, enclosed on all sides, shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil.
- (i) Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems.
- (j) The discharge of any hazardous materials into any receiving waters shall be prohibited.
- (k) Spill prevention and control measures shall be implemented to ensure the proper handling and storage of petroleum products and other construction materials. Measures

shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The area shall be located as far away from the receiving waters and storm drain inlets as possible.

- (l) Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of demolition or construction-related materials, and to contain sediment or contaminants associated with demolition or construction activity, shall be implemented prior to the on-set of such activity
- (m) All BMPs shall be maintained in a functional condition throughout the duration of construction activity.

B. The final Interim Erosion Control and Construction Best Management Practices plan, shall be in conformance with the site/ development plans approved by the Coastal Commission. Any changes to the Coastal Commission approved site/development plans required by the consulting civil engineer/water quality professional shall be reported to the Executive Director. No changes to the Coastal Commission approved final site/development plans shall occur without an amendment to the coastal development permit, unless the Executive Director determines that no amendment is required.

#### **IV. FINDINGS AND DECLARATIONS**

The Commission hereby finds and declares:

##### **A. Project Description and Background**

The Commission approved CDP 4-02-254 (Diamond) on May 11, 2005 for the construction of a one story, 17 foot high, 2,093 sq. ft. single-family residence, 400 sq. ft. two car detached garage, driveway, retaining walls, septic system, and approximately 2,550 cu. yds. of grading (2000 cu. yds. cut, 550 cu. yds. fill).

The applicant proposes to amend CDP 4-02-254 to redesign the approved residence to a two-story, 2,576 sq. ft. residence with a two-car attached garage, septic system, and 7,335 cu. yds. of grading (5,000 cu. yds. cut and 2,335 cu. yds. of fill). The redesigned residence will consist of a concrete shell construction that is cut into the slope, just above the road.

The project site is a vacant 8.3-acre parcel located in the western Santa Monica Mountains, immediately north of Mulholland Highway and approximately ½ mile east of Highway 23. The area surrounding the project site is characterized by natural hillside terrain, which is sparsely developed with custom single-family residences. The subject parcel is a long, narrow lot that is bisected by an east-west trending ridge characterized by prominent volcanic outcrops. The proposed project site is located on the southern flank of the ridge, which descends steeply (at gradients ranging from 2:1 to near vertical) approximately 300 feet to Mulholland Highway.

The project site is located in a scenic area. The volcanic rock outcrop on the ridge above the proposed building site is designated a scenic element in the certified Malibu - Santa Monica Mountains Land Use Plan (LUP). The proposed building site is adjacent to Mulholland Highway, a designated scenic road in the LUP, and is directly opposite an LUP-designated public viewing area

## **B. SENSITIVE RESOURCES**

Section **30240** of the Coastal Act protects environmentally sensitive habitat areas (ESHA) by restricting development in and adjacent to ESHA. 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.

Section **30107.5** of the Coastal Act, defines an environmentally sensitive area as:

"Environmentally sensitive area" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.

In addition, the Malibu/Santa Monica Mountains LUP provides policy guidance regarding the protection of environmentally sensitive habitats. The Coastal Commission has applied the following relevant policies as guidance in the review of development proposals in the Santa Monica Mountains.

P57 Designate the following areas as Environmentally Sensitive Habitat Areas (ESHAs): (a) those shown on the Sensitive Environmental Resources Map (Figure 6), and (b) any undesignated areas which meet the criteria and which are identified through the biotic review process or other means, including those oak woodlands and other areas identified by the Department of Fish and Game as being appropriate for ESHA designation.

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

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

P69 Development in areas adjacent to environmentally sensitive habitat areas (ESHAs) shall be subject to the review of the Environmental Review Board, 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.

P72 Open space or conservation easements or equivalent measures may be required in order to protect undisturbed watershed cover and riparian areas located on parcels proposed for development. Where new development is proposed adjacent to Environmentally Sensitive Habitat Areas, open space or conservation easements shall be required in order to protect resources within the ESHA.

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

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

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

The undeveloped portions of the property contain primarily native chaparral vegetation contiguous with a larger area of native chaparral habitat. Rock outcrops and mesic (moist) north-facing slopes on the site provide microhabitats for species such as purple needlegrass (*Nasella pulchra*) and chalk live-forever (*Dudleya pulverulenta*) and possibly the federally threatened Conejo dudleya (*Dudleya parva*). In addition, because grading and clearance of chaparral occurred without benefit of a coastal development permit, the existing graded areas and non-native grassland on the site must also be considered chaparral habitat. In considering CDP 4-02-254, the Commission found that the habitat on the project site is part of a large, contiguous block of pristine native vegetation, is especially valuable because of its special role in the ecosystem of the Santa Monica Mountains, and it is easily disturbed by human activity. Accordingly, the Commission found that the chaparral habitat on the project site meets the definition of ESHA in the Coastal Act.

The Commission considered that the residence proposed in CDP 4-02-254 was not a resource dependent use that can be permitted within ESHA pursuant to the provisions of Section 30240 of the Coastal Act. However, the Commission found that, notwithstanding Section 30240, a residential project on the subject property must be allowed to permit the applicant a reasonable economic use of their property consistent with Section 30010 of the Coastal Act. Siting and design alternatives were considered in order to protect ESHA against any significant disruption of habitat values. The development area was limited to no more than 10,000 sq. ft. and the project was conditioned to restrict the remaining habitat areas on the project site (outside of the approved development area) to only open space uses. Additionally, the permit was conditioned to landscape all graded or disturbed slopes, to control erosion during construction, to limit lighting, to provide mitigation for the removal of habitat, to require that removal of vegetation not be undertaken until all other local approvals are received, and to ensure that future development will be considered by the Commission in a new CDP. As conditioned, the Commission found that the residence development was consistent with Section 30240 of the Coastal Act.

The proposed changes to the approved residence will result in a completely new design. The approved residence was a conventional wood frame structure on a graded pad with a driveway cut into the slope leading up to the pad. The structure now proposed will be comprised of two concrete "shells" (one for the residence and one for the garage) that will be cut into the base of the slope with a motor court area directly adjacent to Mulholland Highway (Exhibit 2). The amended project does include an increase in total site grading from 2,550 cu. yds. of grading (2000 cu. yds. cut, 550 cu. yds. fill) to 7,335 cu. yds. of grading (5,000 cu. yds. cut and 2,335 cu. yds. of fill). However, review of the grading plans indicates that much of this grading is to excavate the hill, both where the two "shells" will be constructed as well as behind (upslope) them, so that the structure may be constructed in place. After this construction, backfill will be

replaced on the slope above and around the structure such that it will approximate the original ground elevations (Exhibit 3). Therefore, the revised building will be notched into the slope and the slopes above will mimic the natural slopes, once they have been re-vegetated (to the extent that such re-vegetation is consistent with Fire Department requirements for fuel modification). Although the applicant did not provide any information about the size of the proposed development area (including all structures, pad area, and graded slopes, but not including the driveway and one turnaround area), staff calculated the development area for the project, as proposed to be amended, to be approximately 7,292 sq. ft. in size. This proposed development area conforms to the maximum development area of 10,000 sq. ft. that the Commission has typically allowed in similar situations on sites containing ESHA, and is slightly smaller than the development area of the approved project (approximately 8,000 sq. ft.).

Additionally, the revised project will be located much lower on the slope, nearer to Mulholland Highway. The building pad for the approved residence would have been at approximately 1890 foot elevation, while the revised residence will have a first floor elevation of approximately 1862 feet (although there is no building pad as such). Further, the approved project included two cut slopes with retaining walls partially behind the residence. The highest point of the approved grading would have extended to the 1933 foot elevation. The highest point of the grading proposed for the revised project would extend only to the 1892 foot elevation. So, the project, as proposed to be amended, will be located at a lower elevation, nearer to the highway and will be notched into the slope. As such, the fuel modification area (up to 200 foot radius from all structures) will extend slightly less far up the slope north of the building site. Therefore, the revised project is sited and designed to minimize impacts to ESHA.

As described above, CDP 4-02-254 was conditioned to require the applicant to record an open space restriction over the habitat areas on the site, outside of the approved development area, in order to protect ESHA. This restriction (implemented through the deed restriction) was recorded by the applicant, with a legal description and graphic depiction (Exhibit 9) of the open space area. However, the revised project includes development that would be located within a portion of the open space area. Additionally, the recorded open space restriction excludes areas of the site (approved development area) that would not be part of the revised development area. As such, the Commission finds it necessary to require the applicant to record an updated deed restriction that imposes the terms and conditions of this permit, including the updated open space restriction (along with a legal description and graphic depiction of the open space area, generally shown in Exhibit 6) as restrictions on use and enjoyment of the property and thereby provide any prospective purchaser of the site with recorded notice that the restrictions are imposed on the subject property.

The Commission finds that the use of non-native and/or invasive plant species for residential landscaping results in both direct and indirect adverse effects to native plants species indigenous to the Malibu/Santa Monica Mountains area. Direct adverse effects from such landscaping result from the direct occupation or displacement of native plant communities by new development and associated non-native landscaping, and mitigation for that effect was discussed in the previous section. Indirect adverse effects include offsite migration and colonization of native plant habitat by non-native/invasive plant species (which tend to outcompete native species) adjacent to new development. The Commission notes that the use of exotic plant species for residential landscaping has already resulted in significant adverse effects to native plant communities in the Malibu/Santa Monica Mountains area. Therefore, in order to minimize adverse effects to the indigenous plant communities of the Malibu/Santa Monica Mountains area that are not directly and immediately affected by the proposed

development, the Commission requires that all landscaping consist primarily of native plant species and that invasive plant species shall not be used.

Furthermore, fencing of the property would adversely impact the movement of wildlife through the ESHA and wildlife migration corridor on this parcel. Therefore, the Commission finds it is necessary to limit fencing to the perimeter of the approved development area, turnaround, and driveway. This is required to be shown on the updated landscaping plan.

The Commission also finds that the amount and location of any new development that could be built in the future on the subject site consistent with the resource protection policies of the Coastal Act is significantly limited by the unique nature of the site and the environmental constraints discussed above. Therefore, the permitting exemptions that apply by default under the Coastal Act for, among other things, improvements to existing single family homes and repair and maintenance activities may be inappropriate here. In recognition of that fact, and to ensure that any future structures, additions, change in landscaping or intensity of use at the project site that may otherwise be exempt from coastal permit requirements are reviewed by the Commission for consistency with the resource protection policies of the Coastal Act, the future development restriction is required. Further, the Commission requires the applicant to record a deed restriction that imposes the terms and conditions of this permit as restrictions on use and enjoyment of the property and thereby provides any prospective purchaser of the site with recorded notice that the restrictions are imposed on the subject property.

These same conditions were required as part of the original approval. However, given that the project, as amended, includes a complete redesign of the residence (including a change from a detached garage to an attached garage), the Commission finds it necessary to require that updated landscaping plans, updated future improvements restriction, and updated deed restriction be provided and implemented by the applicant to reflect the revised siting and design of the structure.

The following special conditions are required, as determined in the findings above, to assure the project's consistency with Section 30240 of the Coastal Act:

- Special Condition 2.** Updated Landscaping and Fuel Modification Plans
- Special Condition 6.** Updated Future Development Restriction
- Special Condition 8.** Updated Deed Restriction
- Special Condition 12.** Updated Open Space Restriction

For the reasons set forth above, the Commission finds that the project, as proposed to be amended, as conditioned, is consistent with Section 30240 of the Coastal Act.

## **C. Visual Resources**

Section 30251 of the Coastal Act states:

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

Section 30251 of the Coastal Act requires scenic and visual qualities to be considered and preserved. The subject site is located within a rural area characterized by expansive, naturally vegetated mountains and hillsides. The project site is located in a scenic area. The volcanic rock outcrop on the ridge above the proposed building site is designated a scenic element in the certified Malibu - Santa Monica Mountains Land Use Plan (LUP). The proposed building site is adjacent to Mulholland Highway, a designated scenic road in the LUP, and is directly opposite an LUP-designated public viewing area.

In approving CDP 4-02-254, the Commission found that the applicant minimized the proposed grading for the project, and that the proposed residence and garage were not excessive in height or size and were compatible with other existing residential development in the area. However, the Commission found that the proposed development would be in an area nearly surrounded by vacant land and undisturbed hillside terrain. As the proposed residence would be unavoidably visible from scenic viewing areas, the Commission found it necessary to condition the permit to require the applicant to landscape all graded or disturbed slopes, to limit exterior materials to earthtone colors, to limit lighting, to require that removal of vegetation not be undertaken until all other local approvals are received, and to ensure that future development would be considered by the Commission in a new CDP.

The proposed changes to the approved residence will result in a completely new design. The approved residence was a conventional wood frame structure on a graded pad with a driveway cut into the slope leading up to the pad. The structure now proposed will be comprised of two concrete "shells" (one for the residence and one for the garage) that will be cut into the base of the slope with a motor court area directly adjacent to Mulholland Highway (Exhibit 2). The amended project does include an increase in total site grading from 2,550 cu. yds. of grading (2000 cu. yds. cut, 550 cu. yds. fill) to 7,335 cu. yds. of grading (5,000 cu. yds. cut and 2,335 cu. yds. of fill). However, review of the grading plans indicates that much of this grading is to excavate the hill, both where the two "shells" will be constructed as well as behind (upslope) them, so that the structure may be constructed in place. After this construction, backfill will be replaced on the slope above and around the structure such that it will approximate the original ground elevations (Exhibit 3). Therefore, the redesigned project will actually result in less landform alteration as the revised building will be notched into the slope and the slopes above will mimic the natural slopes, once they have been re-vegetated (to the extent that such re-vegetation is consistent with Fire Department requirements for fuel modification). Although the applicant did not provide any information about the size of the proposed development area (including all structures, pad area, and graded slopes, but not including the driveway and one turnaround area), staff calculated the development area for the project, as proposed to be

amended, to be approximately 7,292 sq. ft. in size. This proposed development area conforms to the maximum development area of 10,000 sq. ft. that the Commission has typically allowed in similar situations, and is slightly smaller than the development area of the approved project (approximately 8,000 sq. ft.).

Additionally, the revised project will be located much lower on the slope, nearer to Mulholland Highway. The building pad for the approved residence would have been at approximately 1890 foot elevation, while the revised residence will have a first floor elevation of approximately 1862 feet (although there is no building pad as such). Further, the approved project included two cut slopes with retaining walls partially behind the residence. The highest point of the approved grading would have extended to the 1933 foot elevation. The highest point of the grading proposed for the revised project would extend only to the 1892 foot elevation. So, the project, as proposed to be amended, will be located at a lower elevation, nearer to the highway and will be notched into the slope. As such, the project, as proposed to be amended will be less visible from public viewing areas than the original project. Therefore, the revised project is sited and designed to minimize impacts to visual resources.

Nonetheless, the proposed development will still be unavoidably visible from public viewing areas. The Commission has considered siting and design alternatives that would avoid or reduce any impacts to visual resources. There is no feasible alternative whereby the structure would not be visible from public viewing areas. To minimize the visual impacts associated with development of the project site, the Commission requires: that the structure be finished in a color consistent with the surrounding natural landscape; that windows on the development be made of non-reflective glass; use of appropriate, adequate, and timely planting of native landscaping to soften the visual impact of the development from public view areas; and a limit on night lighting of the site to protect the nighttime rural character of this portion of the Santa Monica Mountains.

In recognition that future development normally associated with a single-family residence, that might otherwise be exempt, has the potential to impact scenic and visual resources of the area, the Commission requires that any future improvements on the subject property shall be reviewed by the Commission for consistency with the resource protection policies of the Coastal Act through a coastal development permit. Additionally, the Commission requires the applicant to record a deed restriction that imposes the terms and conditions of this permit as restrictions on use and enjoyment of the property and provides any prospective purchaser of the site with recorded notice that the restrictions are imposed on the subject property.

These same conditions were required as part of the original approval. However, given that the project, as amended, includes a complete redesign of the residence (including a change from a detached garage to an attached garage), the Commission finds it necessary to require that updated landscaping plans, updated color palette, updated future improvements restriction, and updated deed restriction be provided and implemented by the applicant to reflect the revised siting and design of the structure. The following special conditions are required to assure the project's consistency with Section 30251 of the Coastal Act:

- Special Condition 2.** Updated Landscaping and Fuel Modification Plans
- Special Condition 5.** Updated Structural Appearance
- Special Condition 6.** Updated Future Development Restriction
- Special Condition 8.** Updated Deed Restriction



For the reasons set forth above, the Commission finds that the proposed project, as conditioned, is consistent with Section 30251 of the Coastal Act.

#### **D. Water Quality**

Section **30231** of the Coastal Act states that:

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

The Commission recognizes that new development in the Santa Monica Mountains has the potential to adversely impact coastal water quality and aquatic resources because changes such as the removal of native vegetation, the increase in impervious surfaces, and the introduction of new residential uses cause increases in runoff, erosion, and sedimentation, reductions in groundwater recharge and the introduction of pollutants such as petroleum, cleaning products, pesticides, and other pollutants, as well as effluent from septic systems.

The construction of a residence on the proposed project site will result in an increase in impervious surfaces, which leads to an increase in the volume and velocity of stormwater runoff that can be expected to leave the site and eventually be discharged to coastal waters, including streams, wetlands, and estuaries. The pollutants commonly found in runoff associated with residential use can reduce the biological productivity and the quality of such waters and thereby reduce optimum populations of marine organisms and have adverse impacts on human health. In order to minimize such potential impacts, the Commission conditioned CDP 4-02-254 to limit the development area to no more than 10,000 sq. ft. and the project was conditioned to restrict the remaining habitat areas on the project site (outside of the approved development area) to only open space uses. Additionally, the permit was conditioned to landscape all graded or disturbed slopes, to control erosion during construction, to implement a permanent drainage system that employs best management practices to treat polluted runoff from the site, and to ensure that future development will be considered by the Commission in a new CDP.

The proposed changes to the approved residence will result in a completely new design. The approved residence was a conventional wood frame structure on a graded pad with a driveway cut into the slope leading up to the pad. The structure now proposed will be comprised of two concrete "shells" (one for the residence and one for the garage) that will be cut into the base of the slope with a motor court area directly adjacent to Mulholland Highway (Exhibit 2). The amended project will be located in a different location on the site than the approved project. Given that the amended project is substantially different from the approved design, the landscaping plan, interim erosion control plan, and permanent drainage plans that were previously developed by the applicant are not adequate to serve for the project, as proposed to be amended.

Therefore, in order to ensure that the project, as amended, will minimize the potential for such adverse impacts to water quality and aquatic resources resulting from runoff both during construction and in the post-development stage, the Commission requires the incorporation of

Best Management Practices designed to control the volume, velocity and pollutant load of stormwater and dry weather flows leaving the developed site, including: 1) site design, source control and/or treatment control measures; 2) implementing erosion sediment control measures during construction and post construction; and 3) revegetating all graded and disturbed areas with primarily native landscaping.

Additionally, the applicant's geologic consultants have concluded that the site is suitable for the proposed septic system and that there would be no adverse impact to the site or surrounding areas from the use of a septic system. The County of Los Angeles Environmental Health Department has given in-concept approval of the proposed septic system, indicating that it meets the plumbing code requirements. The Commission has found that conformance with the provisions of the plumbing code is protective of water resources.

The following special conditions are required, as determined in the findings above, to assure the amended project's consistency with Section 30231 of the Coastal Act:

**Special Condition 2:** Updated Permanent Drainage and Polluted Runoff Control Plans

**Special Condition 14:** Interim Erosion Control Plans and Construction Responsibilities

**Special Condition 3:** Updated Landscaping and Erosion Control Plans

Therefore, the Commission finds that the project, as proposed to be amended, as conditioned, is consistent with Section 30231 of the Coastal Act.

## **E. Local Coastal Program**

Section 30604(a) of the Coastal Act states:

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

Section 30604(a) of the Coastal Act provides that the Commission shall issue a Coastal Development Permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program, which conforms to Chapter 3 policies of the Coastal Act. The preceding sections provide findings that the proposed project, as amended, will be in conformity with the provisions of Chapter 3 if certain conditions are incorporated into the amended project and are accepted by the applicant. As conditioned, the proposed development will avoid or minimize adverse impacts and is found to be consistent with the applicable policies contained in Chapter 3. The following special conditions are required to assure the amended project's consistency with Section 30604 of the Coastal Act:

**Special Conditions 2, 3, 5, 6, 8, 12, and 14**

Therefore, the Commission finds that approval of the amended development, as conditioned, will not prejudice the County of Los Angeles' ability to prepare a Local Coastal Program for this area which is also consistent with the policies of Chapter 3 of the Coastal Act, as required by Section 30604(a).

## **F. California Environmental Quality Act**

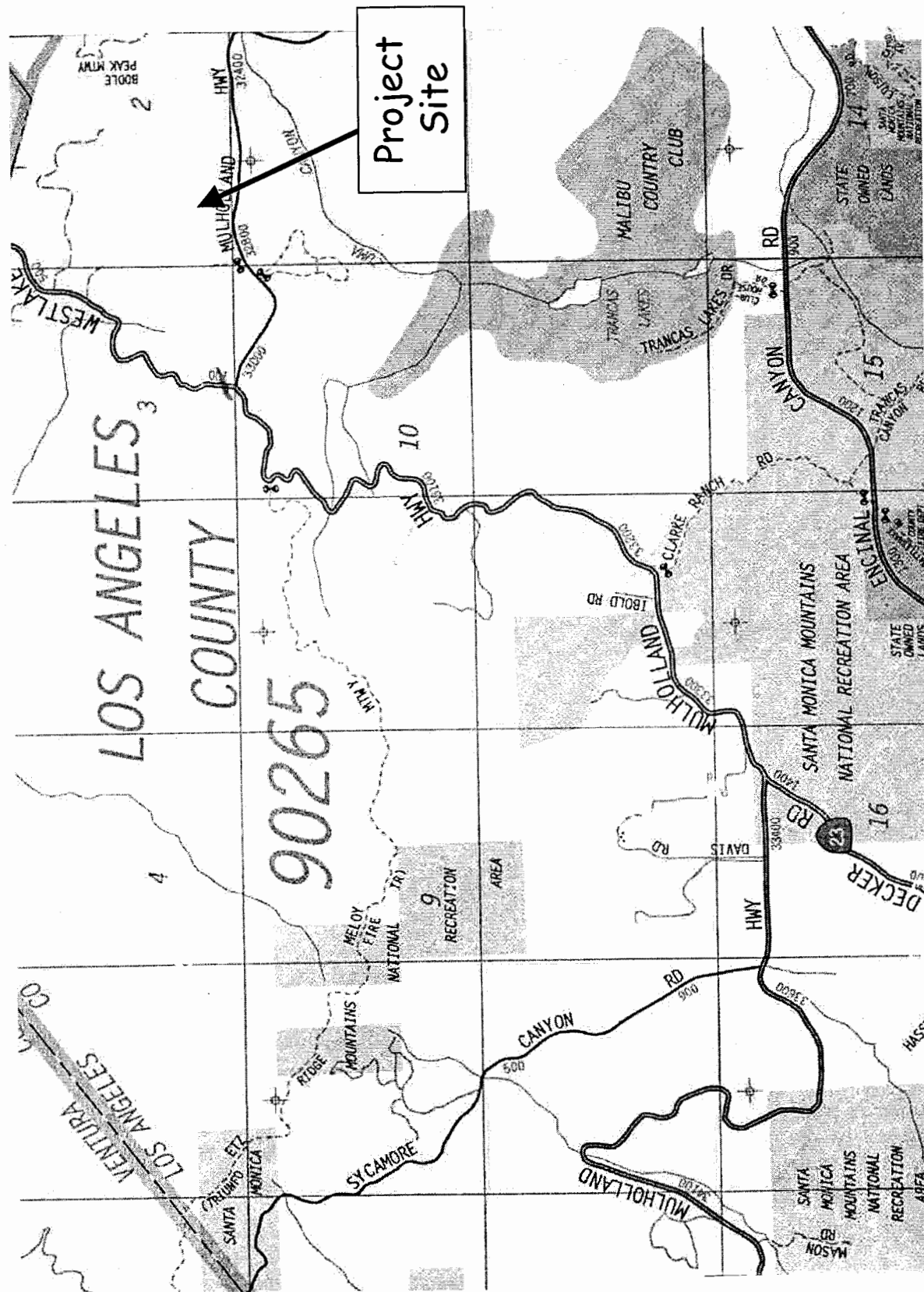
Section 13096(a) of the Commission's administrative regulations requires Commission approval of a Coastal Development Permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California 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 incorporates its findings on Coastal Act consistency at this point as if set forth in full. These findings address and respond to all public comments regarding potential significant adverse environmental effects of the project that were received prior to preparation of the staff report. As discussed in detail above, project alternatives and mitigation measures have been considered and incorporated into the project, as amended. Five types of mitigation actions include those that are intended to avoid, minimize, rectify, reduce, or compensate for significant impacts of development. Mitigation measures required as part of this coastal development permit include the avoidance of impacts to ESHA through clustering structures, and by prohibiting development outside of the approved development area as required by recording an open space deed restriction. Mitigation measures required to minimize impacts include requiring drainage best management practices (water quality), interim erosion control (water quality and ESHA), limiting lighting (ESHA), restricting structure color (visual resources), and requiring future improvements to be considered through a CDP. Finally, the habitat impact mitigation condition is a measure required to compensate for impacts to ESHA.

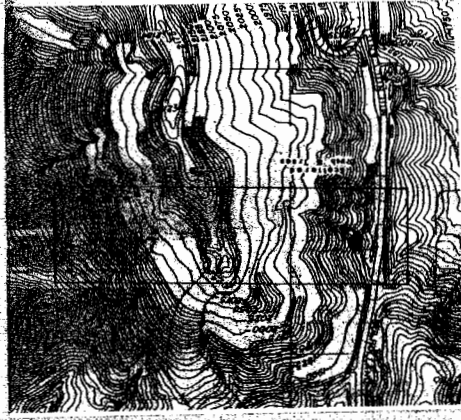
The following special conditions are required to assure the amended project's consistency with Section 13096 of the California Code of Regulations:

### **Special Conditions 2, 3, 5, 6, 8, 12 and 14**

As conditioned, there are no feasible alternatives or feasible mitigation measures available, beyond those required, which would substantially lessen any significant adverse impact that the activity may have on the environment. Therefore, the Commission finds that the project, as proposed to be amended and as conditioned to mitigate the identified impacts, can be found to be consistent with the requirements of the Coastal Act to conform to CEQA.



<b>EXHIBIT 1</b>
<b>CDP 4-02-254-A1</b>
<b>Vicinity Map</b>



TOTAL SITE TOPOGRAPHY  
SCALE 1" = 200'

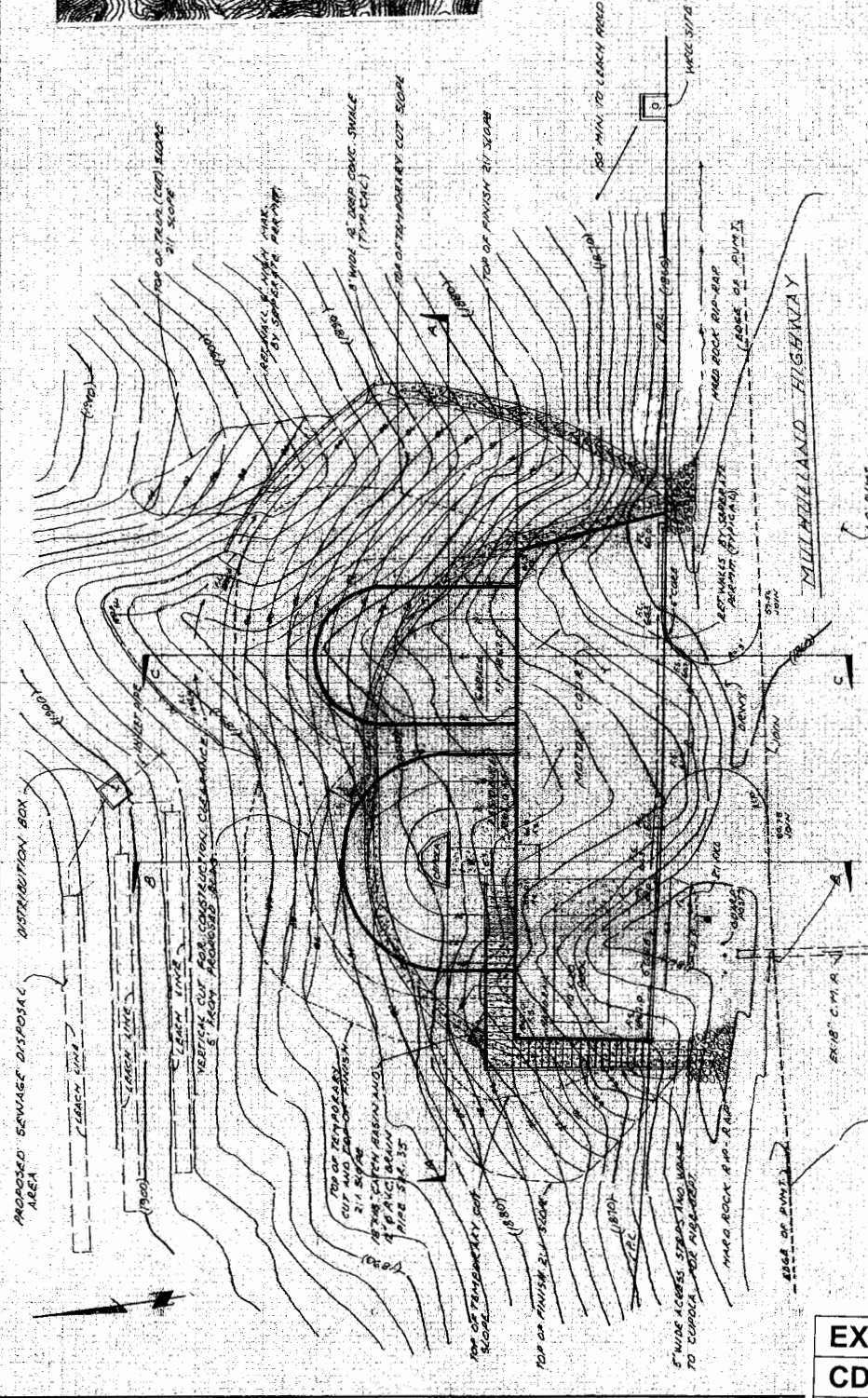
SHEET 29 120  
100 - 25 300' ON A RILE

ENGINEER: JAMES J. BECK  
REGISTERED PROFESSIONAL ENGINEER  
NO. 4577 - 8707 (C)  
(310) 223-3900 (C)

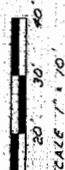
OWNER: TOM SHOTKE  
MILINDLAND, CA.  
JOB ADDRESS: 32797 MILLINDLAND HWY.  
LEGAL DESCR.: A PORTION OF THE SOUTH EAST  
1/4 OF SOUTH EAST 1/4 OF SECTION 3, T15,  
R 15 W, S 18 N.

G.A.C. NO. A.P.M. 2058-016-017  
ENGINEERING & SURVEYING CO., INC.  
2100 WINDMILL STREET, SUITE 100  
CANAJO PARK, CA 91201  
TEL: (916) 344-9882  
FAX: (916) 344-9883  
DATE: 10/27/00

JOB NO. SHEET 3 OF 4



GRADING PLAN  
SCALE: 1" = 70'



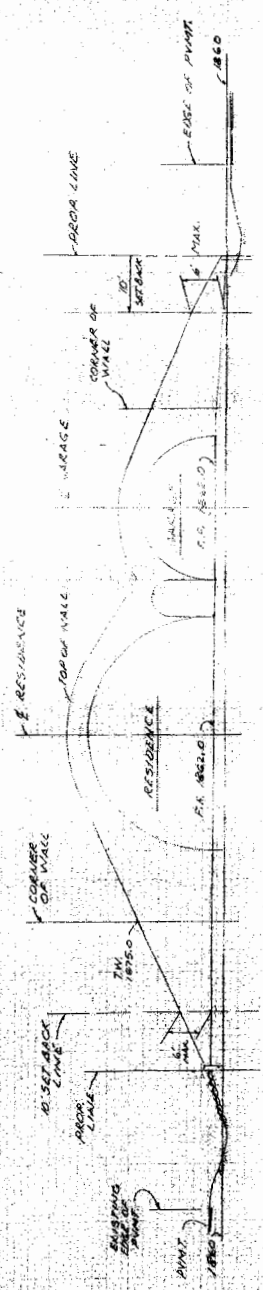
410' ON SOUTH SIDE OF MILLINDLAND HWY AND WEST OF PROPOSED DRIVEWAY

END  
FOUR  
CONTOUR  
SURFACE  
SHALL  
HUB  
1870  
AS  
210  
210  
210  
210

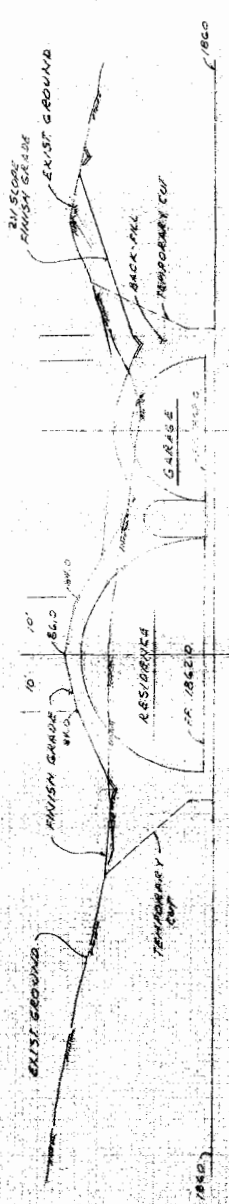
NOTE: RESIDENCE AND GARAGE ARE BY FORM WORKS BUILDINGS, INC. (S70) 242-2100  
RESIDENCE: 40' DOME AND 2'-6" SECTIONS  
GARAGE: 25' DOME AND 4'-6" SECTIONS  
WITH CONNECTION.  
STRUCTURES ARE BY SEPARATE PERMIT.



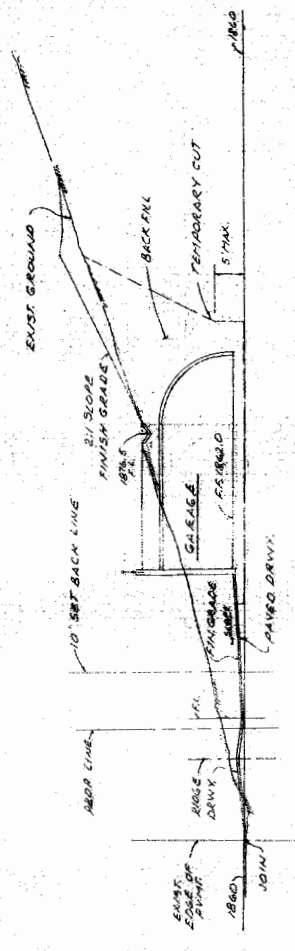
EXHIBIT 2  
CDP 4-02-254-A1  
Amended Site Plan



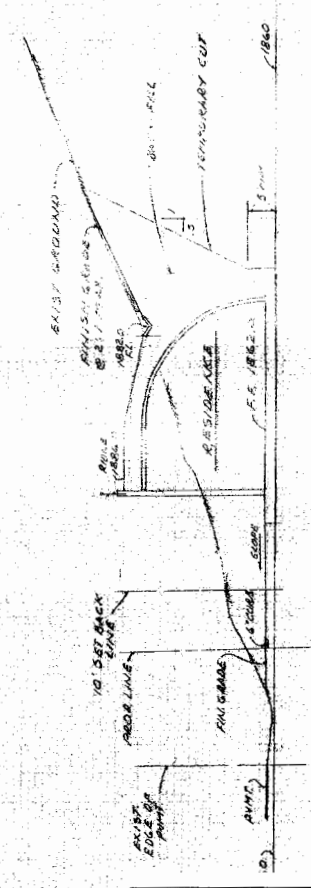
SECTION D-D  
SCALE: 1"=10'



SECTION A-A  
SCALE: 1"=10'

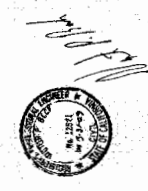


SECTION C-C  
SCALE: 1"=10'



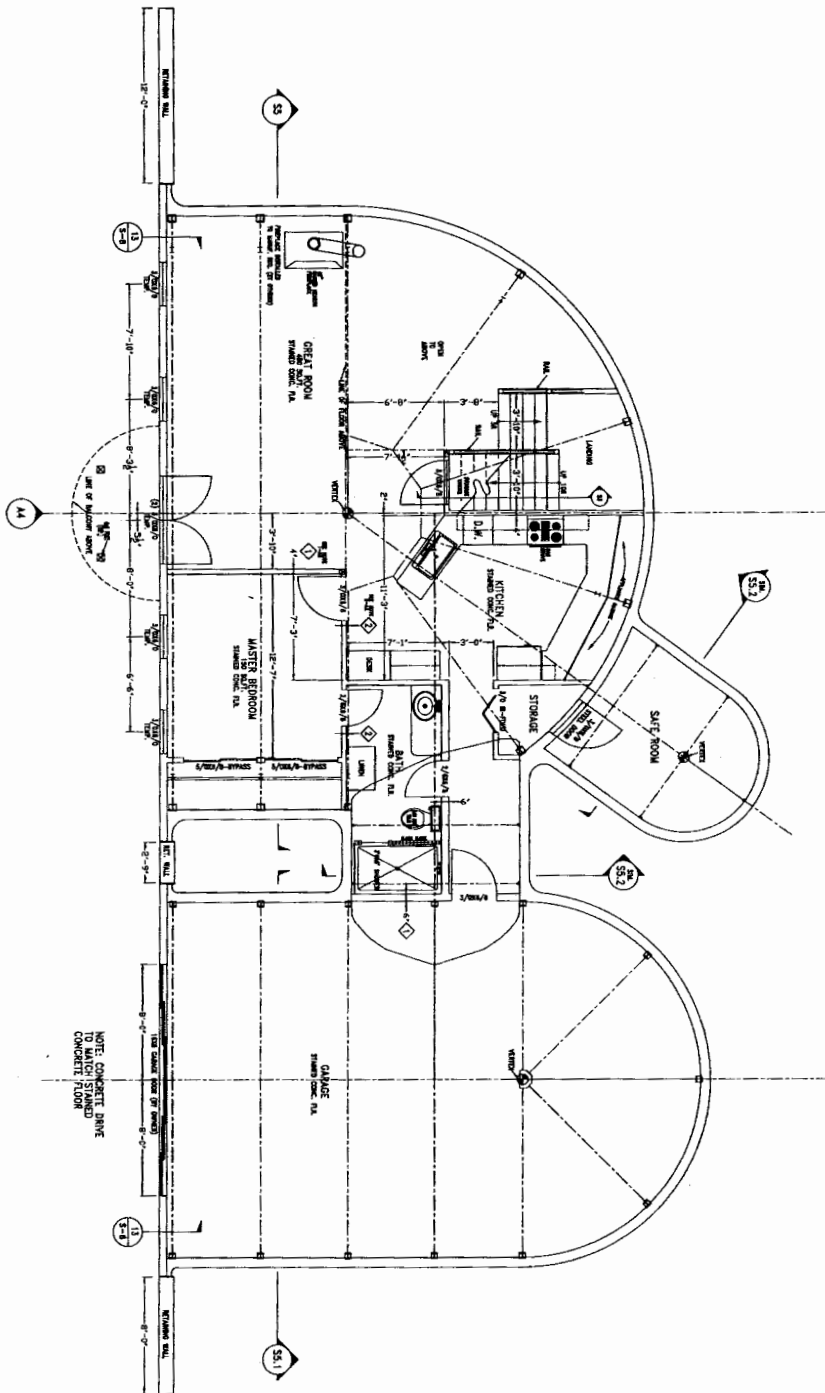
SECTION B-B  
SCALE: 1"=10'

OWNER: TOPP, SHOTKRE  
JOB ADDRESS: 32737 MULHOLLAND HWY.  
MALIBU, CA.  
LEGAL DESCR: A PORTION OF SE 1/4 OF SECTION 3, T1S, R10N, S8M



G.P.C. NO. A.P.M. 2018-015-017  
JOB NO. SHEET 4 OF 4

**EXHIBIT 3**  
**CDP 4-02-254-A1**  
**Amended Cross Sections**



- NOTES:
- ◇ ALL WALL DIMENSIONS = NOMINAL DIMENSIONS UNO.
  - ◇ SOME WALLS ARE LOCATED BY THEIR RELATIVE LOCATION TO THE ARCHED VERTICAL BEAMS.
  - ◇ SEE 7/58A FOR PARTITION DETAILS

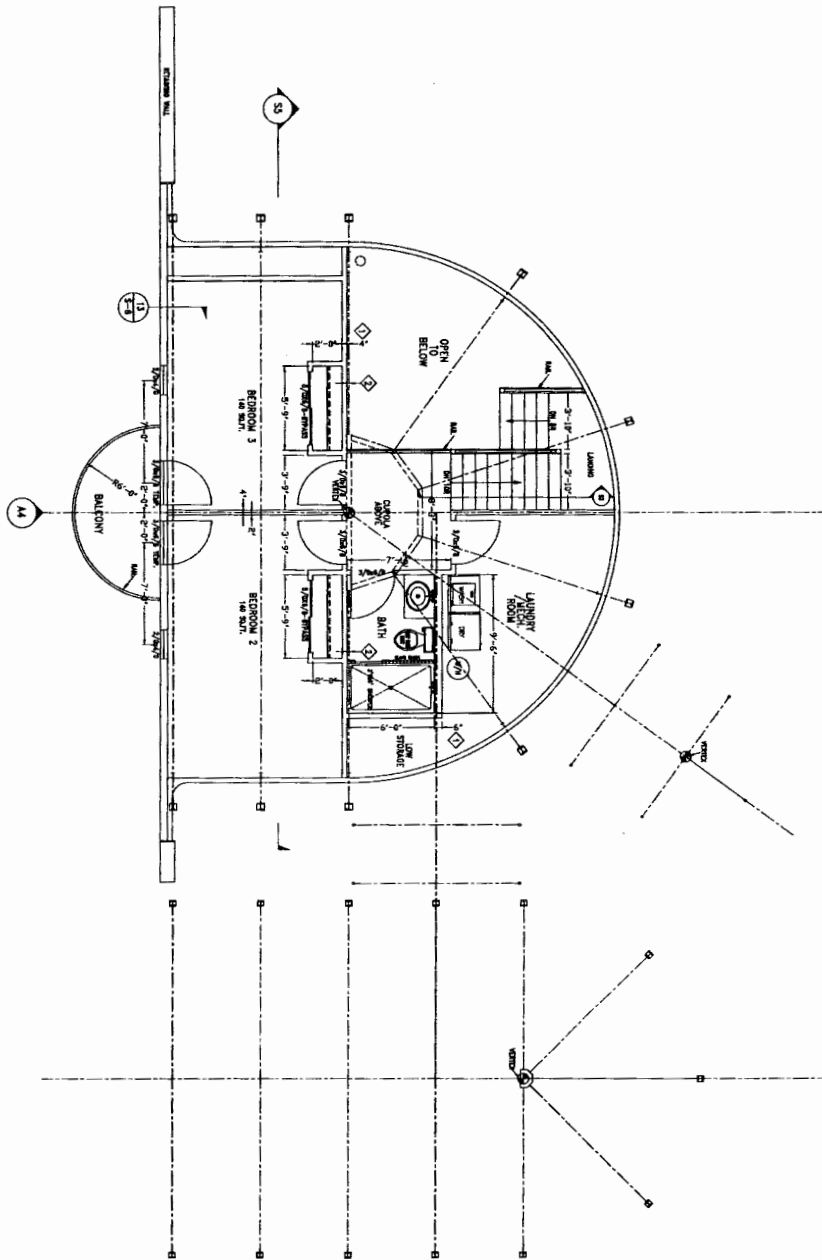
**EXHIBIT 4**  
**CDP 4-02-254-A1**  
**Amended Floor Plans (2 pages)**



**DIAMOND, LORETTA A.**  
 GENERAL CONTRACTOR, Durango, Colo. 81302  
 Formwork Building, Inc.  
 p.o. box 1509 durango, co 81302

**LOWER LEVEL FLOOR PLAN**  
 1/4" = 1'-0"

THIS PLAN AND SPECIFICATIONS ARE DRAWING FOR EXHIBITION AND NOT FOR CONSTRUCTION. THE DRAWING IS NOT TO BE USED FOR CONSTRUCTION. THE DRAWING IS NOT TO BE USED FOR CONSTRUCTION. THE DRAWING IS NOT TO BE USED FOR CONSTRUCTION.



NOTES:  
 ♦ ALL WALL DIMENSIONS = NOMINAL DIMENSIONS U.N.O.  
 ♦ SOME WALLS ARE LOCATED BY THEIR RELATIVE LOCATION TO THE ARCHED VERTICAL BEAMS.



**DIAMOND, LORETTA A.**  
 GENERAL CONTRACTOR, Studio, Tom C. & Sonos 637568  
 Formworks Building, Inc.  
 p.o. box 1509 durango, co 81302

**UPPER LEVEL FLOOR PLAN**  
 1/4" = 1'-0"  
 1" = 1'-0"

REVISION		
NO.	DATE	DESCRIPTION
1		FIN

PLANS AND RECORDS ARE COPYRIGHTED BY THE COPYRIGHTOR. LEGAL ACTION WILL BE TAKEN AGAINST ANYONE WHO REPRODUCES OR TRANSMITS THESE PLANS WITHOUT THE WRITTEN PERMISSION OF THE COPYRIGHTOR.

REFERENCE NUMBER  
 SET NUMBER  
 ISSUED

Copyright: Plan No. 12454  
 U.S. Patent No. 4,288,392  
 U.S. Patent No. 4,282,248



NO.	DATE	DESCRIPTION

PLANS AND ELEVATIONS  
CONTRACT NO. 4-02-254-A1  
SHEET NO. 1-1  
DATE: 10/1/01

ISSUED  
SET NUMBER  
REFERENCE NUMBER

THIS PLAN AND ELEVATION ARE PREPARED BY THE ARCHITECT AND CONTRACTOR AND ARE SUBJECT TO THE GENERAL CONDITIONS OF CONTRACT AND SPECIFICATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND CONDITIONS OF THE EXISTING STRUCTURE. THE ARCHITECT AND CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.

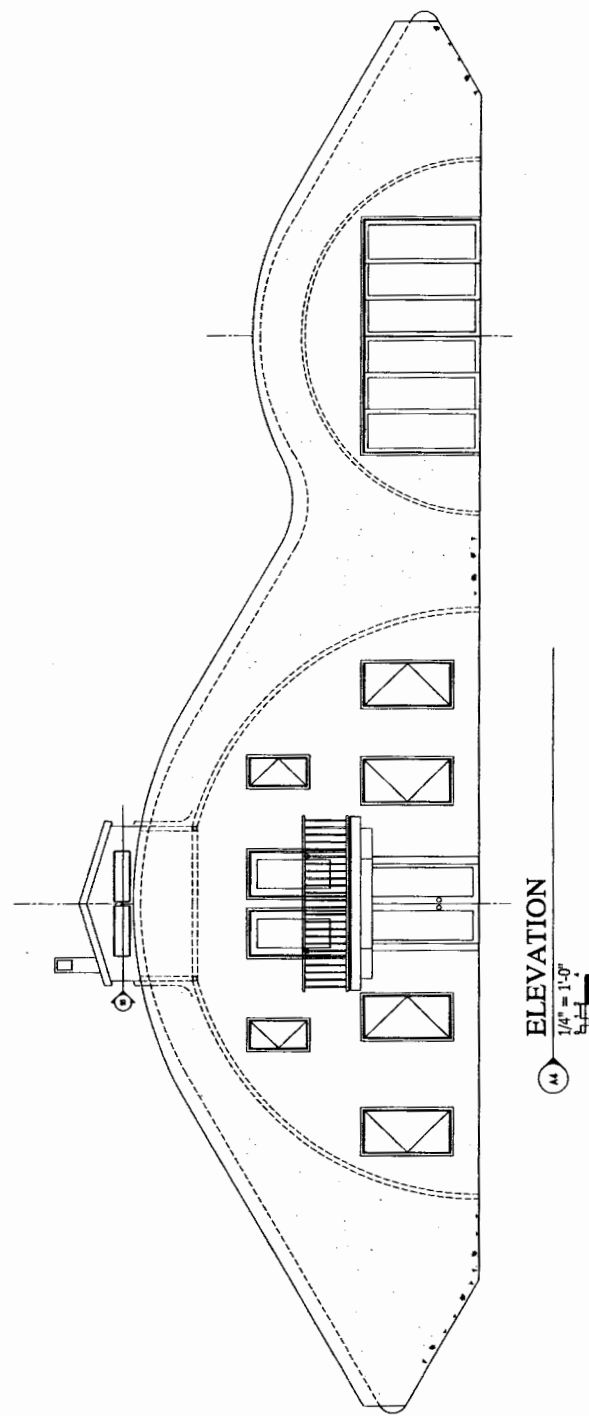
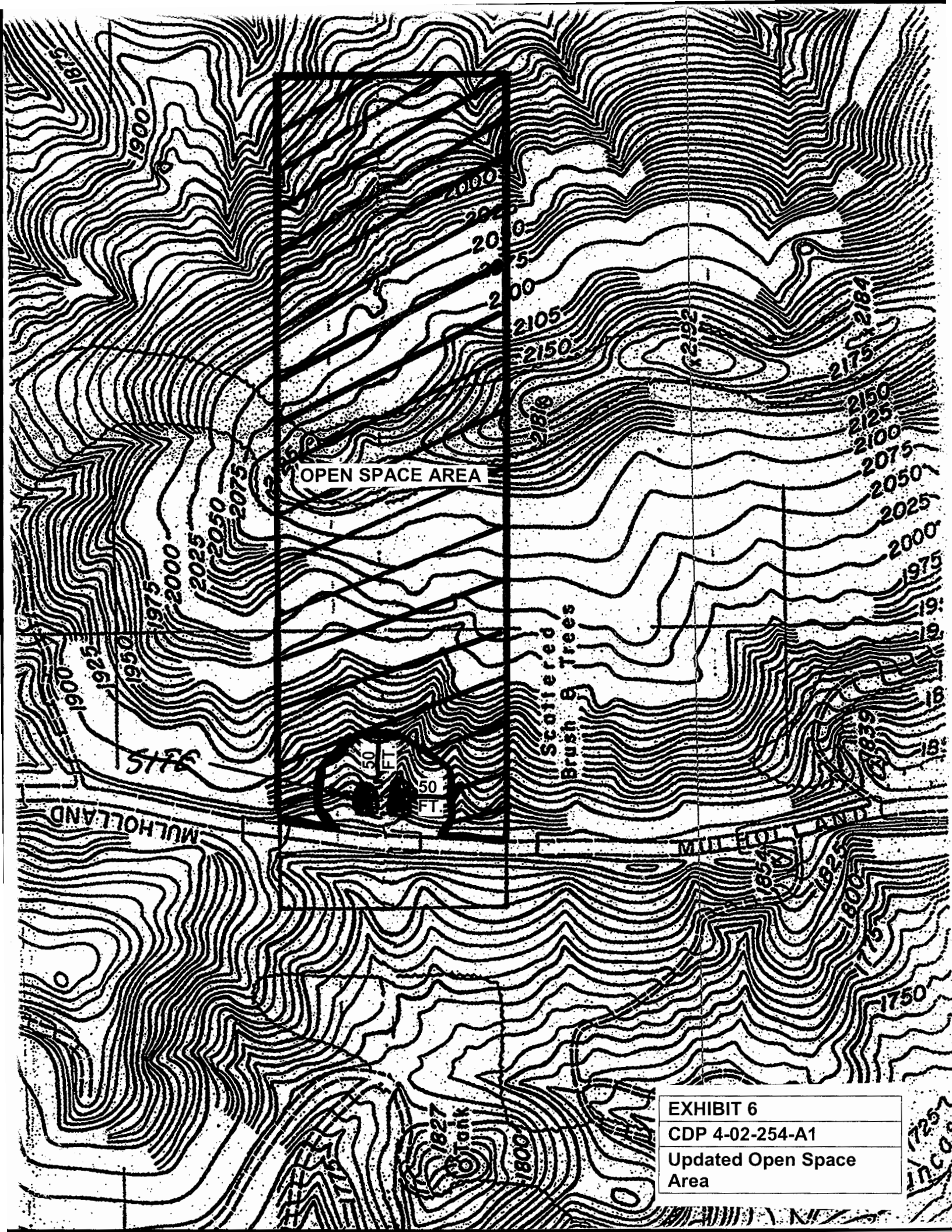


EXHIBIT 5  
CDP 4-02-254-A1  
Amended Elevation



OPEN SPACE AREA

SITE

MULHOLLAND

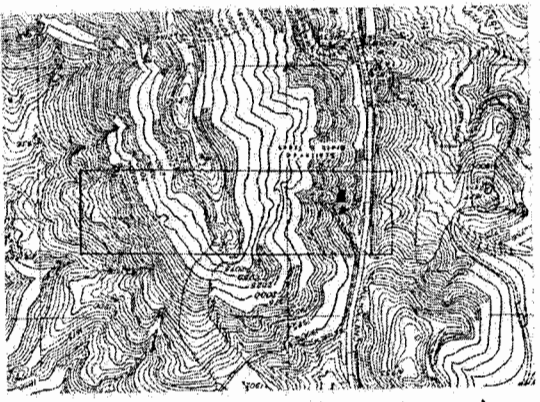
MULHOLLAND

Scattered  
Brush & Trees

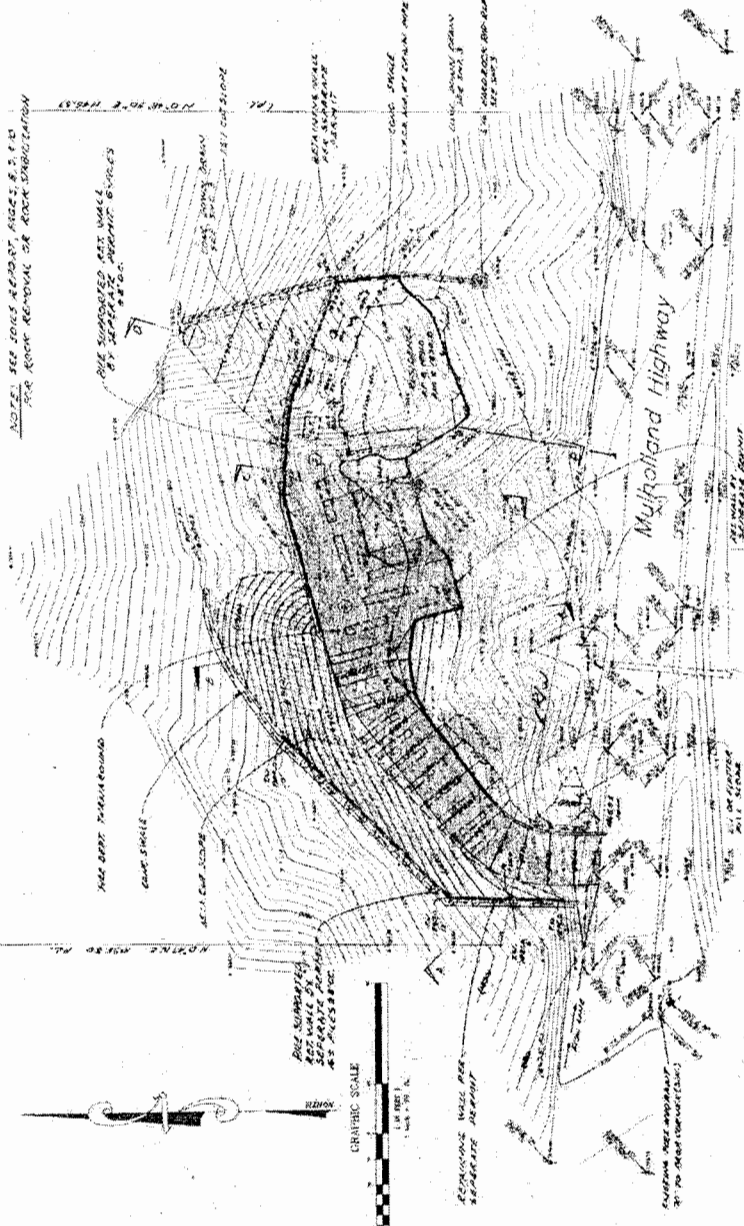
50 FT  
50 FT

EXHIBIT 6  
CDP 4-02-254-A1  
Updated Open Space  
Area

INCORPORATED



TOTAL SIZE TOPOGRAPHY  
SCALE: 1"=200'



NOTE: SEE NOTES SHEET, SHEET 2 OF 3 FOR ROCK REMOVAL OR ROCK SUBSTITUTION

THIS SUPPORTED RET WALL BY SEPARATE RETAINING WALLS

SEE SHEET 2 OF 3 FOR RETAINING WALLS

SEE SHEET 3 OF 3 FOR RETAINING WALLS

SEE SHEET 4 OF 3 FOR RETAINING WALLS

SEE SHEET 5 OF 3 FOR RETAINING WALLS

SEE SHEET 6 OF 3 FOR RETAINING WALLS

SEE SHEET 7 OF 3 FOR RETAINING WALLS

SEE SHEET 8 OF 3 FOR RETAINING WALLS

SEE SHEET 9 OF 3 FOR RETAINING WALLS

SEE SHEET 10 OF 3 FOR RETAINING WALLS

NOTE: THIS ROAD DRAIN DRAIN TO BE 4" PVC CON. IS TO BE INSTALLED AS SHOWN

THE SEPTIC SYSTEM AS SHOWN IS TO BE INSTALLED AS SHOWN

SEE SHEET 2 OF 3 FOR SEPTIC SYSTEM

SEE SHEET 3 OF 3 FOR SEPTIC SYSTEM

SEE SHEET 4 OF 3 FOR SEPTIC SYSTEM

SEE SHEET 5 OF 3 FOR SEPTIC SYSTEM

SEE SHEET 6 OF 3 FOR SEPTIC SYSTEM

SEE SHEET 7 OF 3 FOR SEPTIC SYSTEM

SEE SHEET 8 OF 3 FOR SEPTIC SYSTEM

SEE SHEET 9 OF 3 FOR SEPTIC SYSTEM

SEE SHEET 10 OF 3 FOR SEPTIC SYSTEM

LEGEND

GRID SQUARES

PAVING CONTRACTOR

PAVING SURFACE

PAVING CURBS

PAVING JOINTS

PAVING REPAIRS

RETAINING WALL

SEPTIC SYSTEM

SEPTIC TRENCH LINES

SEPTIC TRENCH LINES

DEVELOPMENT AREA: 2.815 AC

VEGETATION REMOVAL AREA: 0.0000 AC (100' FROM FROM BOUNDARIES WITHIN PROPERTY)

DRAWN: C. G. DIAMOND (02) 03-27-91

JOB ADDRESS: 12737 MULHOLLAND HWY

PROJECT: 12737 MULHOLLAND HWY

LOCAL OFFICE: 12737 MULHOLLAND HWY

DATE: 03-27-91

SCALE: 1"=200'

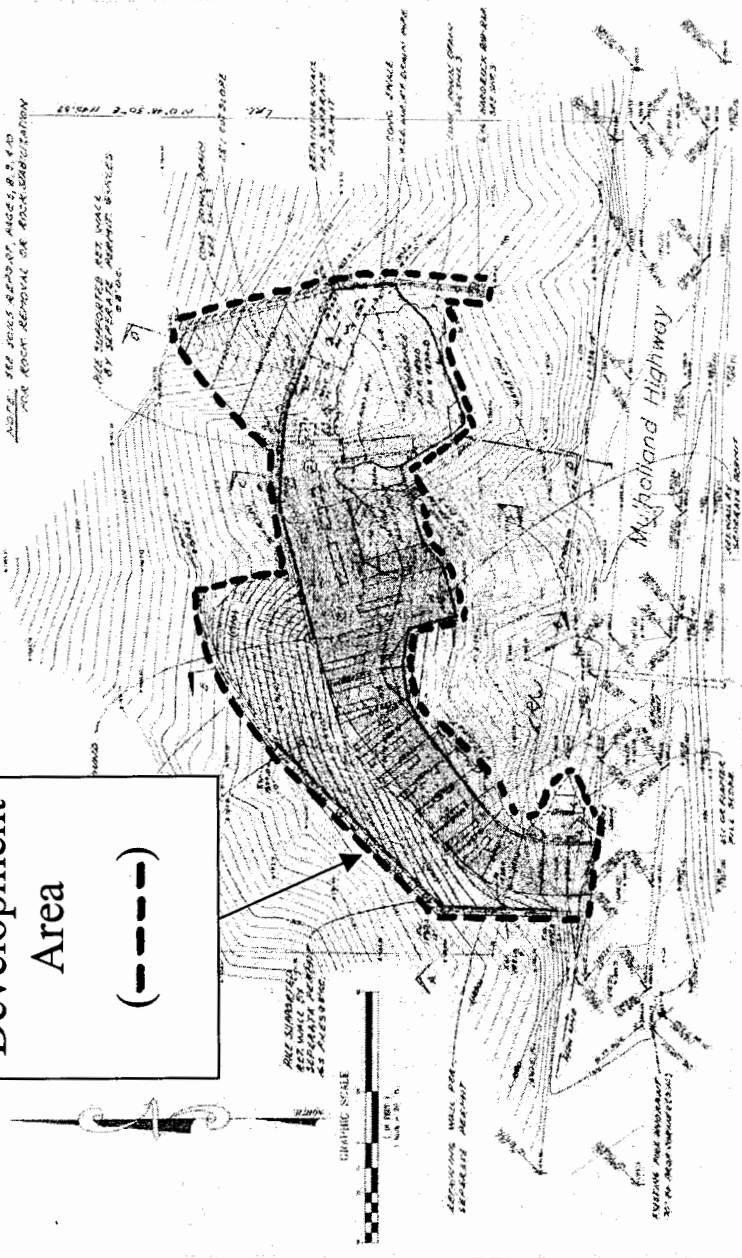
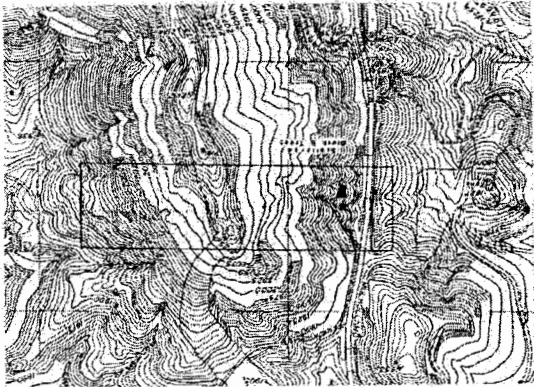
DATE: 03-27-91

DATE: 03-27-91

DATE: 03-27-91

EXHIBIT 7  
CDP 4-02-254-A1  
Original Site/Grading Plan

Development Area (---)



DEVELOPMENT AREA: 2,125 SQ. FEET  
 VEGETATION REMOVAL AREA: 10,000 SQ. FEET (TOTAL AREA WITH VEGETATION REMOVAL: 12,125 SQ. FEET)

OWNER: C.A. DIAMOND (022) 623-2791  
 JOB ADDRESS: 11701 MULHOLLAND HWY., HOLLYWOOD, CA  
 LEGAL: SECTION 3, TOWNSHIP 10 N., RANGE 14 W., S. 4 M.  
 COUNTY: LOS ANGELES COUNTY, CALIF.

DATE: 12/15/40	SCALE: 1" = 200'	DATE:
BECK ENGINEERING & SURVEYING CO., INC. 11701 MULHOLLAND HWY., HOLLYWOOD, CALIF. 91601		
TITLE: SITE PLAN	PROJECT NO. 11701	DATE:
JOB NO. 07-114	SCALE: 1" = 200'	DATE:



NOTE: THIS PLAN IS BASED UPON THE SURVEY MADE BY THE ENGINEER AND SURVEYOR IN 1938. THE ENGINEER AND SURVEYOR ARE NOT RESPONSIBLE FOR THE ACCURACY OF THE SURVEY DATA OR THE RESULTS THEREOF.

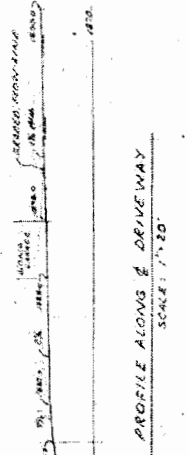
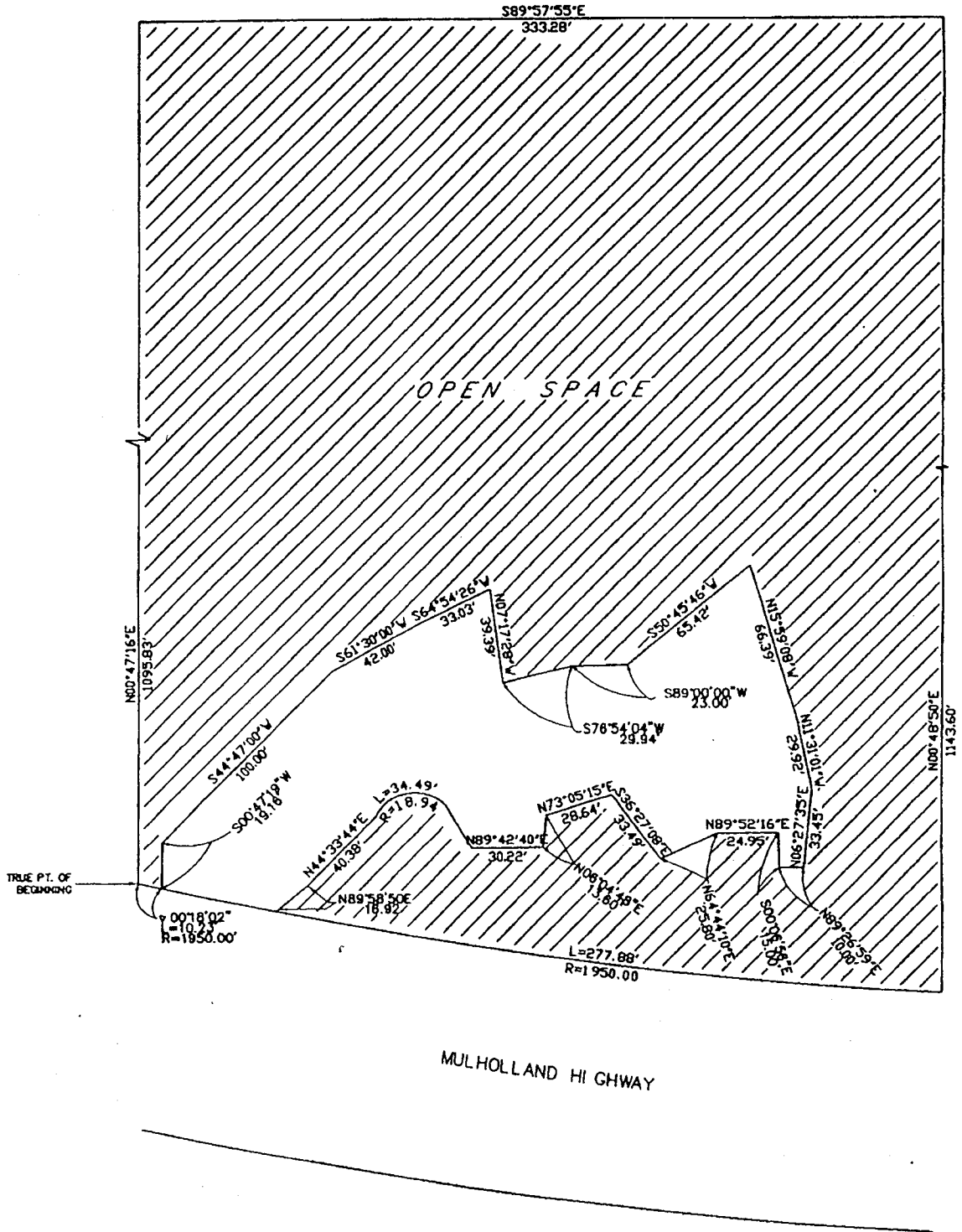


EXHIBIT 8  
 CDP 4-02-254-A1  
 Original Development Area



<b>EXHIBIT 9</b>
<b>CDP 4-02-254-A1</b>
<b>Original Open Space Area Exhibit</b>