

CALIFORNIA COASTAL COMMISSION

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Th13a

STAFF REPORT: REGULAR CALENDAR

APPLICATION NO.: 4-10-093
APPLICANT: Walter E. Miller Trust
AGENT: Barry and Liaf Robles
PROJECT LOCATION: 2250 Cold Canyon Road, Los Angeles County
APN NO.: 4455-020-005

PROJECT DESCRIPTION: Request for after-the-fact approval of 541 sq. ft. guesthouse and 720 sq. ft. detached garage. In addition, the project includes the demolition and removal of unpermitted greenhouse; remodel of guesthouse and garage; replacement/expansion of septic system for existing 3,055 sq. ft. single-family residence; and removal of unpermitted septic system for guesthouse and replacement with new septic system.

MOTION & RESOLUTION: Page 3

SUMMARY OF STAFF RECOMMENDATION: Staff recommends **approval** of the proposed development with nine **(9) special conditions** regarding (1) plans conforming to geotechnical engineer's recommendations, (2) assumption of risk, waiver of liability and indemnity, (3) drainage and polluted runoff control plan; (4) structural appearance, (5) lighting restriction, (6) future development restriction, (7) deed restriction, (8) condition compliance, and (9) removal of debris.

The standard of review for the proposed project is the Chapter Three policies of the Coastal Act. In addition, the policies of the certified Malibu – Santa Monica Mountains Land Use Plan (LUP) serve as guidance. Following is a summary of the main issues raised by the project and how they are resolved by staff's recommendation:

- **VISUAL RESOURCES.** The proposed structure will be partially visible from public viewing areas; however the project is conditioned to minimize adverse impacts to visual resources.

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EXHIBITS

- Exhibit 1. Vicinity Map
 - Exhibit 2. Parcel Map
 - Exhibit 3. Aerial Photograph
 - Exhibit 4. Garage & Greenhouse Photos
 - Exhibit 5. Guesthouse Photos
 - Exhibit 6. Site Plan and Drainage
 - Exhibit 7. Existing Garage Plan
 - Exhibit 8. Existing Guesthouse Plan
 - Exhibit 9. Foundation Plan
 - Exhibit 10. Roof Framing Plan
 - Exhibit 11. Fuel Modification Plan
 - Exhibit 12. Brush Clearance Map
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LOCAL APPROVALS RECEIVED: County of Los Angeles Department of Regional Planning, Approval in Concept, dated 5/4/10; County of Los Angeles Environmental Health Services, Sewage Disposal System Conceptual Approval, dated 1/18/11; County of Los Angeles Department of Public Works, Geologic Review Sheet, dated 2/17/10

SUBSTANTIVE FILE DOCUMENTS: Certified Malibu/Santa Monica Mountains Land Use Plan; Engineering Geology and Geotechnical Engineering Report prepared by Earth Systems Southern California, dated 12/22/10; Septic System Design Report prepared by Earth Systems Southern California, dated 5/27/10; OWTS Design Report prepared by Earth Systems Southern California, dated 11/3/10; Preliminary Fuel Modification Plan prepared by Barrey Robles AIA, dated 1/20/11; and Brush Clearance Map prepared by Barrey Robles AIA, dated 1/20/11.

I. STAFF RECOMMENDATION

The staff recommends that the Commission adopt the following resolution:

MOTION: *I move that the Commission approve Coastal Development Permit No. 4-10-093 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 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 Geotechnical Engineer's Recommendations

By acceptance of this permit, the applicant agrees to comply with the recommendations contained in all of the geology, geotechnical, and/or soils reports referenced as Substantive File Documents. These recommendations, including recommendations concerning foundations, sewage disposal, and drainage, shall be incorporated into all final design and construction plans, which must be reviewed and approved by the consultant prior to commencement of development.

The final plans approved by the consultant shall be in substantial conformance with the plans approved by the Commission relative to construction, grading, and drainage. Any substantial changes in the proposed development approved by the Commission that may be required by the consultant shall require amendment(s) to the permit(s) or new Coastal Development Permit(s).

2. Assumption of Risk, Waiver of Liability and Indemnity

By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from wildfire and erosion; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

3. Drainage and Polluted Runoff Control Plan

A. ***Prior to issuance of the Coastal Development Permit***, the applicant shall submit for the review and approval of the Executive Director, two (2) copies of a final Drainage and Runoff Control Plan, including supporting calculations. The plan shall be prepared by a licensed civil engineer or qualified licensed professional and shall incorporate Best Management Practices (BMPs) including site design and source control measures designed to control pollutants and minimize the volume and velocity of stormwater and dry weather runoff leaving the developed site. In addition to the specifications above, the consulting civil engineer or qualified licensed professional shall certify in writing that the final Drainage and Runoff Control Plan is in substantial conformance with the following minimum requirements:

- (1) BMPs should consist of site design elements and/or landscape based features or systems that serve to maintain site permeability, avoid directly connected impervious area and/or retain, infiltrate, or filter runoff from rooftops, driveways and other hardscape areas on site, where feasible. Examples of such features include but are not limited to porous pavement, pavers, rain gardens, vegetated swales, infiltration trenches, cisterns.
- (2) Landscaping materials shall consist primarily of native or other low-maintenance plant selections which have low water and chemical treatment demands. An efficient irrigation system designed based on hydrozones and utilizing drip emitters or micro-sprays or other efficient design should be utilized for any landscaping requiring water application.
- (3) All slopes should be stabilized in accordance with provisions contained in the Landscaping and/or Erosion and Sediment Control Conditions for this Coastal Development Permit.
- (4) Runoff shall be conveyed off site in a non-erosive manner. Energy dissipating measures shall be installed at the terminus of outflow drains.
- (5) For projects located on a hillside, slope, or which may otherwise be prone to instability, final drainage plans should be approved by the project consulting geotechnical engineer.
- (6) 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 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, or qualified licensed 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.

4. Structural Appearance

Prior to issuance of the Coastal Development Permit, the applicant shall submit for the review and approval of the Executive Director, a color palette and material specifications for the outer surface of all structures authorized by the approval of this Coastal Development Permit. 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 this Coastal Development Permit if such changes are specifically authorized by the Executive Director as complying with this special condition.

5. Lighting Restriction

A. The only outdoor night lighting allowed on the subject parcel is limited to the following:

- (1) The minimum necessary to light walkways used for entry and exit to the structures, including parking areas on the site. This lighting shall be limited to fixtures that do not exceed two feet in height above finished grade, are directed downward and generate the same or less lumens equivalent to those generated by a 60 watt incandescent bulb, unless a greater number of lumens is authorized by the Executive Director.
- (2) Security lighting attached to the residence and garage shall be controlled by motion detectors and is limited to same or less lumens equivalent to those generated by a 60-watt incandescent bulb.
- (3) The minimum necessary to light the entry area to the driveway with the same or less lumens equivalent to those generated by a 60-watt incandescent bulb.

B. No lighting around the perimeter of the site and no lighting for aesthetic purposes is allowed.

6. Future Development Restriction

This permit is only for the development described in this Coastal Development Permit. Pursuant to Title 14 California Code of Regulations Section 13253(b)(6), the exemptions otherwise provided in Public Resources Code Section 30610(b) shall not apply to any of

the development governed by this permit. Accordingly, any future improvements to any portion of the development governed by this permit, including but not limited to the guest house and detached garage, 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.

7. Deed Restriction

Prior to issuance of the Coastal Development Permit, 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.

8. Condition Compliance

Within 180 days of Commission action on this coastal development permit application, or within such additional time as the Executive Director may grant for good cause, the applicant shall satisfy all requirements specified in the conditions hereto that the applicant is required to satisfy prior to issuance of this permit. Failure to comply with this requirement may result in the expiration of this coastal permit approval and the institution of enforcement action under the provisions of Chapter 9 of the Coastal Act.

9. Removal of Debris

Prior to issuance of the Coastal Development Permit, the applicant shall provide evidence to the Executive Director of the location of the disposal site for all excess material and debris from the site. If the disposal site is located in the Coastal Zone, the disposal site must have a valid coastal development permit for the disposal of fill material. If the disposal site does not have a coastal permit, such a permit will be required prior to the disposal of material.

IV. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

A. PROJECT DESCRIPTION AND BACKGROUND

The applicant requests after-the-fact approval of a 541 sq. ft. guesthouse and 720 sq. ft. detached garage. Additionally, the applicant proposes demolition and removal of an unpermitted greenhouse; remodel of guesthouse and greenhouse; update of septic system for existing 3,055 sq. ft. single-family residence (constructed prior to the effective date of the Coastal Act); and addition of septic system for guesthouse.

The site is located at 2250 Cold Canyon Road in the Santa Monica Mountains, Los Angeles County (Exhibits 1-3). The subject property (APN 4455-020-005) is 2.67 acres in size and situated among single-family residences to the west, south and east, and Cold Canyon Road to the north. The property is the site of an existing 3,055 sq. ft. single-family residence (constructed prior to the effective date of the Coastal Act) and the following unpermitted development: a 720 sq. ft. detached garage, 541 sq. ft. guesthouse, and 553 sq. ft. greenhouse. The proposed guesthouse and garage were constructed on the existing developed area of the project site, in close proximity to the existing residence. It does not appear that any grading was carried out to construct these accessory structures, aside from minor foundation grading.

The proposed project site slopes gently in the east-central area, which is the high point, and also is the location of the main residence and detached garage. The guesthouse is located approximately 60 feet southwest of the main residence (Exhibit 4). Maximum slope gradients range up to approximately 2:1 (horizontal to vertical), but slopes are generally flatter than 2.5:1. Elevations range from approximately 1014 feet adjacent to Cold Canyon Road to approximately 1079 feet at the main residence's pad.

The project site is located in a scenic area and is partially visible from Mulholland Highway (an LUP-designated Scenic Highway) to the north and public parkland to the south (Exhibit 1). However, due to the building site's distance from parkland and location amongst existing residential development of similar size and character, there will be no significant impacts to visual resources.

This area is not considered to be an environmentally sensitive habitat area (ESHA) due to the fact that the site has been previously developed with a single-family residence. The Los Angeles County Fire Department requires a 200-foot fuel modification (on-site) and/or brush clearance (off-site) zone from combustible structures. In this case, a majority of the 200-foot fuel modification/brush clearance zone overlaps with the fuel modification zones of the existing residence and adjacent developments (Exhibit 9). Therefore, fuel modification/brush clearance required for the proposed project will not result in impacts to environmentally sensitive habitat areas. Additionally, the proposed project will not be located in proximity to any oak trees.

B. PAST COMMISSION ACTION

In 2009, the Commission approved an exemption request (4-09-027-X) for remodeling of the existing single-family residence. During the review of exemption request 4-09-027-X, it was determined that there was development on the subject parcel that was

conducted after January 1, 1977 without a coastal development permit. This unpermitted development was comprised of three detached structures including a 720 sq. ft. garage, 541 sq. ft. guesthouse, and 553 sq. ft. greenhouse. According to the applicant, the guesthouse was built in the 1970s by the previous property owner, the detached garage was built in the 1980s by the current owner, and the greenhouse is to be disassembled and recycled. This matter was directed to the Enforcement Unit at that time. In 2010, the Commission approved another exemption request (4-10-054-X) for construction of a spa within an existing pool.

C. HAZARDS AND GEOLOGIC STABILITY

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.

The proposed development is located in the Malibu/Santa Monica Mountains area, an area historically subject to significant natural hazards including, but not limited to, landslides, erosion, flooding and wild fire. However, the Engineering Geology and Geotechnical Engineering Report prepared by Earth Systems Southern California, dated December 22, 2010, indicates that there are no landslides present on the proposed site:

As mentioned previously, no existing landslides were observed on, or trending into the site. In addition, the bedrock formation is massive (i.e. without obvious planes of weakness), and on-site slopes are relatively gentle. Furthermore, the site is not located within any of the Earthquake-Induced Landslide hazard zones mapped by C.D.M.G. (200b, and included in Appendix D). As a result, it appears that the hazard posed by landsliding is low.

The submitted geology, geotechnical, and/or soils reports referenced as Substantive File Documents conclude that the project site is suitable for the proposed project based on the evaluation of the site's geology in relation to the proposed development. The reports contain recommendations to be incorporated into the project plans to ensure the stability and geologic safety of the proposed project, the project site, and the adjacent properties. To ensure stability and structural integrity and to protect the site and the surrounding sites, the Commission requires the applicant to comply with the recommendations contained in the applicable reports, to incorporate those recommendations into all final design and construction plans, and to obtain the geotechnical consultant's approval of those plans prior to the commencement of construction.

Although the condition described above renders the project sufficiently stable to satisfy the requirements of Section 30253, no project is wholly without risks. Due to the fact that the proposed project is located in an area subject to an extraordinary potential for damage or destruction from natural hazards, including wildfire and erosion, those risks

remain substantial here. If the applicant nevertheless chooses to proceed with the project, the Commission requires the applicant to assume the liability from these associated risks. Through the assumption of risk condition, the applicant acknowledges the nature of the fire and/or geologic hazard that exists on the site and that may affect the safety of the proposed development.

The following special conditions are required, as determined in the findings above, to assure the project's consistency with Section 30253 of the Coastal Act and as a response to the risks associated with the project:

Special Condition 1: Plans Conforming to Geotechnical Engineer's Recommendations

Special Condition 2: Assumption of Risk, Waiver of Liability and Indemnity

For the reasons set forth above, the Commission finds that, as conditioned, the proposed project is consistent with Section 30253 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 proposed guesthouse and garage were constructed on the existing developed area of the project site, in close proximity to the existing residence (that was constructed prior to the effective date of the Coastal Act). It does not appear that any grading was carried out to construct these accessory structures, aside from minor foundation grading. No additional grading or landform alteration is proposed or necessary for the project at this time. The proposed development, while relatively small in size and accessory to the existing residence, will result in an increase in impervious surfaces on the site, 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.

Therefore, in order to minimize the potential for such adverse impacts to water quality and aquatic resources resulting from runoff, 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 site design, source control and/or treatment control measures.

Additionally, the applicant's geologic consultants have concluded that the site is suitable for the proposed new septic system for the single-family residence and the new, separate septic system for the guesthouse (existing unpermitted septic system to be removed), 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 systems, indicating that they meet the plumbing code requirements. The Commission has found that conformance with the provisions of the plumbing code is protective of water resources.

Finally, as part of the project, the applicant proposes to demolish and remove a 553 sq. ft. unpermitted greenhouse structure. In order to ensure that the construction materials and other debris resulting from this demolition are properly disposed of and do not result in increased erosion or sedimentation, the Commission requires the applicant to provide evidence of the disposal site.

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

Special Condition 3: Permanent Drainage and Polluted Runoff Control Plans
Special Condition 9: Removal of Debris

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

E. 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 Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

The proposed project area is located in the Malibu/Santa Monica Mountains in an area characterized by residential development at moderate densities on gently sloping, naturally vegetated hillsides. The site is partially visible from Mulholland Highway (an LUP-designated Scenic Highway) to the north and public parkland to the south (Exhibit 1). Development of the proposed residence raises two issues regarding the siting and design: (1) whether or not public views from public roadways will be adversely affected; or, (2) whether or not public views from public lands and trails will be affected.

The proposed project includes a request for after-the-fact approval of a one-story garage with a maximum height of 13 feet from existing grade at any given point and a one-story guesthouse with a maximum height of 12 ½ feet from existing grade at any point. These structures were constructed on the existing developed area of the project site, in close proximity to the existing residence (that was constructed prior to the effective date of the Coastal Act). It does not appear that any grading was carried out to construct these structures, aside from minor foundation grading. No additional grading or landform alteration is proposed or necessary for the project at this time. Additionally, development has been clustered together to minimize impacts to visual resources. Further, due to the project site's distance from parkland and location amongst existing residential development of similar size and character, there will be no significant impacts to visual resources.

The proposed structures are compatible with the character of other residential development in the area. The proposed structure height is consistent with the maximum height (35 feet above existing grade) that the Commission has permitted in past decisions in the Santa Monica Mountains and with the maximum height (35 feet) allowed under the guidance policies of the Malibu/Santa Monica Mountains LUP. In addition, the development would be partially screened by vegetation.

Nonetheless, the proposed development will be partially visible from public viewing areas. To minimize the visual impacts associated with development of the project site, the Commission requires: that the structures be finished in a color consistent with the surrounding natural landscape; that windows on the development be made of non-reflective glass; 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, such as additions to these accessory structures, that might otherwise be exempt, has the potential to impact scenic and visual resources of the area, the Commission requires that any future improvements 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.

The following special conditions are required to assure the project's consistency with Section 30251 of the Coastal Act:

Special Condition 4: Structural Appearance

Special Condition 5: Lighting Restriction

Special Condition 6: Future Development Restriction

Special Condition 7: 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.

F. CUMULATIVE IMPACTS

Section **30250(a)** of the Coastal Act states:

New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of the surrounding parcels.

Section **30252** of the Coastal Act states:

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

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

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

The Commission has consistently emphasized the need to address the cumulative impacts of new development in the Malibu/Santa Monica Mountains area, particularly those of subdivisions, multi-family residential development, and second residential units, all of which result in increased density. It is particularly critical to evaluate the potential cumulative impacts of increased density given the existence of thousands of undeveloped and poorly sited parcels in the mountains that were created decades ago in antiquated subdivisions. Construction of a guesthouse unit or second unit on a site where a primary residence exists intensifies the use of the subject parcel. The intensified use creates additional demands on public services, such as water, sewage,

electricity, and roads. Thus, guesthouses and second units pose potential cumulative impacts in addition to the impacts otherwise caused by the primary residential development.

In past actions, the Commission has limited the development of guesthouse units and second units on residential parcels in the Malibu and Santa Monica Mountain areas to a maximum of 750 sq. ft. In its review and action on the Malibu/Santa Monica Mountains Land Use Plan (LUP), the Commission found that placing an upper limit on the size of these units (750 sq. ft.) was necessary given the traffic and infrastructure constraints which exist in Malibu/Santa Monica Mountains area and given the abundance of existing vacant residential lots. Furthermore, in allowing these small units, the Commission found that the small size of units (750 sq. ft.) and the fact that they are likely to be occupied by one, or at most two people, such units would have less impact on the limited capacity of Pacific Coast Highway and other roads (as well as infrastructure constraints such as water, sewage, and electricity) than an ordinary single family residence.

The applicant is proposing legalization of an unpermitted 541 sq. ft. guest unit. This conforms to the Commission's past actions, allowing a maximum of 750 square feet for a guest unit or second dwelling unit in the Santa Monica Mountains area. However, future improvements to the proposed unit such as additional square footage could raise issues with regard to individual or cumulative impacts to coastal resources. To ensure that any additions or improvements that could further intensify the use of the unit will be reviewed by the Commission and to ensure that the unit conforms with the maximum 750 sq. ft. guidance, the Commission requires that any additions or improvements related to the unit, that may otherwise be exempt from coastal permit requirements, shall be reviewed by the Commission for consistency with the resource protection policies of the Coastal Act.

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.

The following special conditions are required to assure the project's consistency with Sections 30250 and 30252 of the Coastal Act, as well as the Los Angeles County LUP:

Special Condition 6: Future Development Restriction

Special Condition 7: Deed Restriction

The Commission finds that, as conditioned, the proposed development is consistent with Sections 30250 and 30252 of the Coastal Act.

G. UNPERMITTED DEVELOPMENT

Development has occurred on the subject site without the required coastal development permit.

The unpermitted development includes construction of three accessory structures including a 541 sq. ft. guest unit, 720 sq. ft. detached garage, and 553 sq. ft. greenhouse. This application includes the request for after-the-fact approval for the guest unit and detached garage in order to move forward with the proposed project. Additionally, the applicant requests to disassemble and remove the greenhouse.

In order to ensure that the unpermitted development component of this application is resolved in a timely manner, the Commission finds it necessary to require the applicant to fulfill all of the Special Conditions that are a prerequisite to the issuance of this permit, within 180 days of Commission action. The following special condition is required to assure the project's consistency with all applicable Chapter 3 policies of the Coastal Act:

Special Condition 8: Condition Compliance

Although development has taken place prior to submission of this permit application, consideration of the application by the Commission has been based solely upon the Chapter 3 policies of the Coastal Act. Approval of this permit does not constitute a waiver of any legal action with regard to any alleged violations nor does it constitute an admission as to the legality of any development undertaken on the subject site without a coastal permit. The Commission's enforcement division will evaluate further actions to address this matter.

H. LOCAL COASTAL PROGRAM (LCP) PREPARATION

Section **30604(a)** of the Coastal Act states that:

a) Prior to certification of the local coastal program, a coastal development permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity with the provisions of Chapter 3 (commencing with Section 30200) of this division and that the permitted development will not prejudice the ability of the local government to prepare a local 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 projects will be in conformity with the provisions of Chapter 3 if certain conditions are incorporated into the projects 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 project's consistency with Section 30604 of the Coastal Act:

Special Conditions 1 through 9

Therefore, the Commission finds that approval of the proposed 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).

I. 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. 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 to minimize impacts include limiting lighting, restricting structure color, and requiring future improvements to be considered through a CDP. The following special conditions are required to assure the project's consistency with Section 13096 of the California Code of Regulations:

Special Conditions 1 through 9

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 proposed project, as conditioned to mitigate the identified impacts, can be found to be consistent with the requirements of the Coastal Act to conform to CEQA.

DATE 10-20-2007

DATE 10-20-2007



T. I. S., R. 17 W.

2000

Parcel Map



EXHIBIT 3

Permit 4-10-093

Aerial Photograph



GREENHOUSE REMOVED
& RECYCLED

EXHIBIT 4

Permit 4-10-093

Garage & Greenhouse Photo



EXHIBIT 5

Permit 4-10-093

Guesthouse Photos

2500 Day Camps Road
Caldwells, California 91702

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Shawley, J. ed. *with Graham Johnson*. (translating) 2004.

Journal of Interpersonal Violence 33(16)

and the 1970s, it is not clear that the 1980s have been any different. The 1980s have been a decade of the individual, and the 1990s have been a decade of the individual.

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See also 100-101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 91

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[illegible][illegible]

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[illegible]

Variable	Mean	SD	Min	Max
Age (years)	41.17	8.71	20	60
Gender (male/female)	240 (75)	160 (50)	0	400
Education (years)	14.18	2.08	8	20
Marital status (married/separated/divorced/widowed)	111 (35)	111 (35)	0	222

[illegible][illegible]

Variable	Mean	SD	Min	Max
Age	38.5	10.5	25	55
Gender	0.5	0.5	0	1
Marital status	0.5	0.5	0	1
Education	12.5	1.5	10	15
Income	15.5	5.5	10	25
Health	1.5	0.5	1	2
Stress	2.5	0.5	2	3
Depression	1.5	0.5	1	2
Life satisfaction	4.5	0.5	4	5

[illegible]

Control group

with the following information:

1. *Journal of the American Medical Association*, 1997; 277: 1001-1005.

1000

1

10

Figure 1

10

Figure 1
Schematic diagram of the experimental setup for the study of the effect of the initial concentration of the reactants on the rate of the reaction.

[illegible]

EXHIBIT 6
Permit 4-10-093
Site Plan and Drainage

00000	00000
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00000	00000
00000	00000
00000	00000

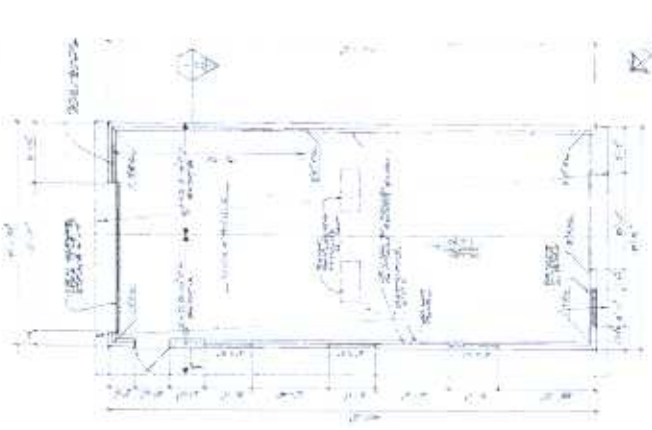
EXISTING
GARAGE

1. 姓名	2. 性别	3. 年龄	4. 职业	5. 住址	6. 电话
7. 身份证号	8. 血型	9. 身高	10. 体重	11. 学历	12. 婚姻状况
13. 健康状况	14. 过敏史	15. 既往病史	16. 手术史	17. 家族病史	18. 其他

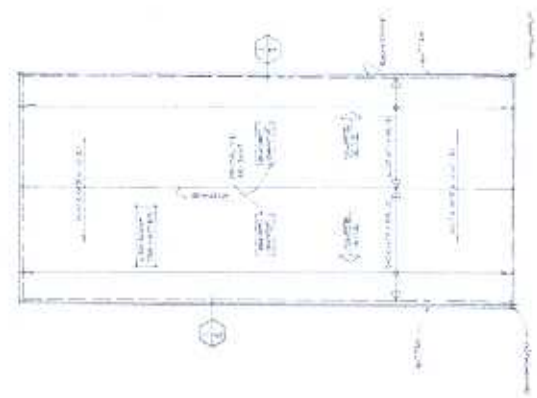
Planning of Existing Accessory Buildings
Water Meter
2520 Oak Canyon Road
Calverton, California 91308

Battery poles are - ANCHORED

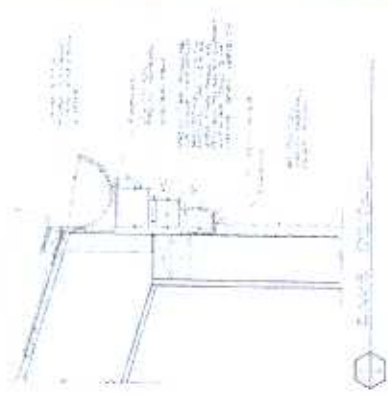
AMMETER/RESISTOR **WIRING** **INTERIOR**



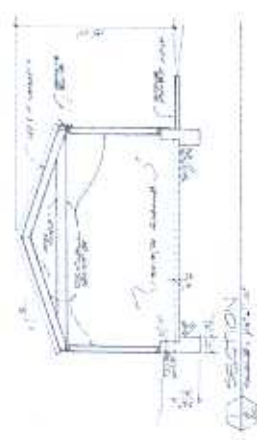
EXERCISE: FLOPPY PLAN



RECEIVED BY (Name)



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[illegible]

SECTION 10

SEGREGATION

1. The first step in the process of the scientific method is to ask a question. This question should be based on an observation or a problem that you want to solve. For example, you might observe that plants grow better in some soils than others, and you might want to know why.

2. The second step is to do background research. This means finding out what other people have already discovered about the topic you are interested in. You can do this by reading books, articles, or looking up information on the Internet.

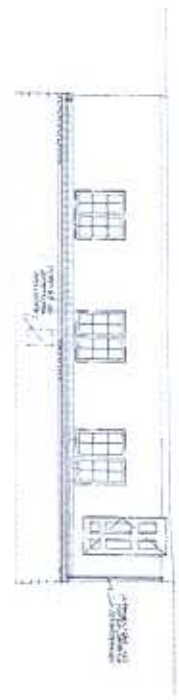
3. The third step is to form a hypothesis. A hypothesis is a statement that you think is true, but you need to test it to find out if it is. For example, you might hypothesize that plants grow better in soil with more nutrients.

4. The fourth step is to test the hypothesis. This means doing an experiment to see if your hypothesis is correct. You can do this by growing plants in different soils and measuring how well they grow.

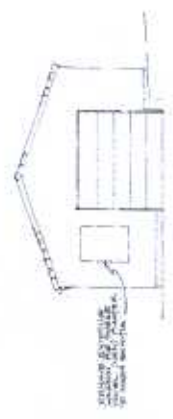
5. The fifth step is to analyze the data. This means looking at the results of your experiment and seeing if they support your hypothesis. If they do, then your hypothesis is probably correct. If they don't, then you might need to change your hypothesis and try again.

6. The sixth step is to draw a conclusion. This means deciding what you have learned from your experiment. You might conclude that plants do grow better in soil with more nutrients, or you might conclude that they don't.

7. The seventh step is to communicate your results. This means telling other people about what you have found. You can do this by writing a report, giving a presentation, or publishing your results in a journal.



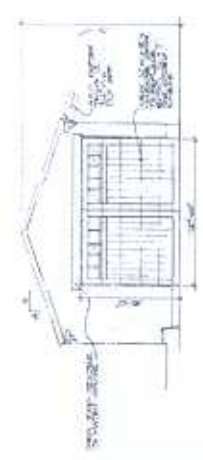
WEST ELEVATION (continued)



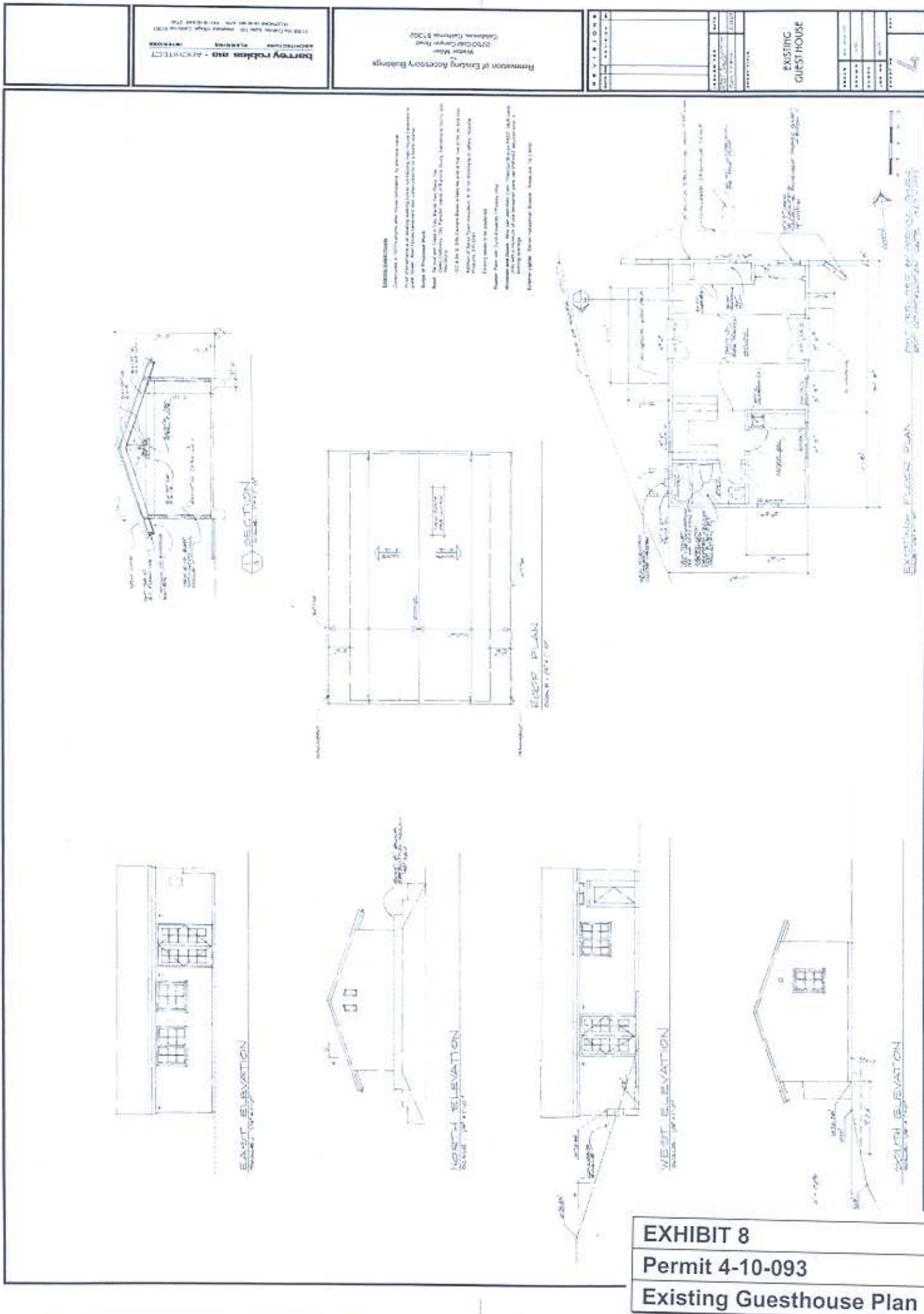
SOUTH ELEVATION (examples)



FAST FILE EXAM ON

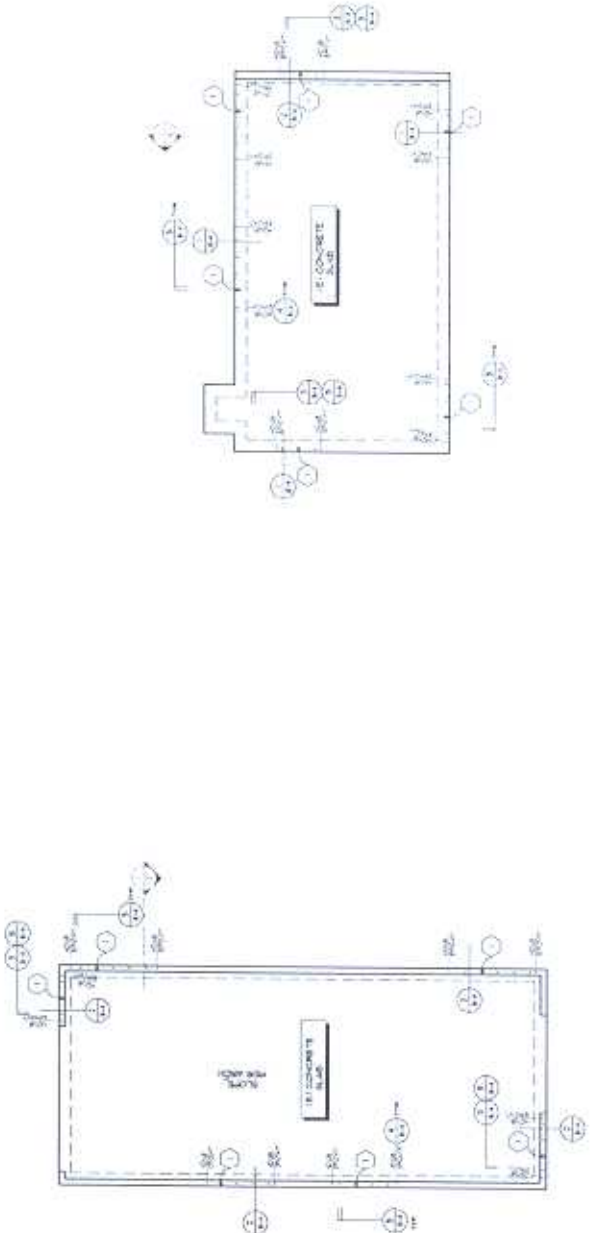


NORTH ELEVATION (cont.)



1. ALL FOUNDATION WORK SHALL BE DONE IN ACCORDANCE WITH THE 2008 CALIFORNIA BUILDING CODE AND ALL APPLICABLE LOCAL ORDINANCES.
 2. ALL FOUNDATION WORK SHALL BE DONE IN ACCORDANCE WITH THE 2008 CALIFORNIA BUILDING CODE AND ALL APPLICABLE LOCAL ORDINANCES.
 3. ALL FOUNDATION WORK SHALL BE DONE IN ACCORDANCE WITH THE 2008 CALIFORNIA BUILDING CODE AND ALL APPLICABLE LOCAL ORDINANCES.
 4. ALL FOUNDATION WORK SHALL BE DONE IN ACCORDANCE WITH THE 2008 CALIFORNIA BUILDING CODE AND ALL APPLICABLE LOCAL ORDINANCES.
 5. ALL FOUNDATION WORK SHALL BE DONE IN ACCORDANCE WITH THE 2008 CALIFORNIA BUILDING CODE AND ALL APPLICABLE LOCAL ORDINANCES.

NOTES:
 1. SEE 3-FLOOR STRUCTURAL SCOPE OF WORK.
 2. ALL FOUNDATION WORK SHALL BE DONE IN ACCORDANCE WITH THE 2008 CALIFORNIA BUILDING CODE AND ALL APPLICABLE LOCAL ORDINANCES.
 3. ALL FOUNDATION WORK SHALL BE DONE IN ACCORDANCE WITH THE 2008 CALIFORNIA BUILDING CODE AND ALL APPLICABLE LOCAL ORDINANCES.
 4. ALL FOUNDATION WORK SHALL BE DONE IN ACCORDANCE WITH THE 2008 CALIFORNIA BUILDING CODE AND ALL APPLICABLE LOCAL ORDINANCES.
 5. ALL FOUNDATION WORK SHALL BE DONE IN ACCORDANCE WITH THE 2008 CALIFORNIA BUILDING CODE AND ALL APPLICABLE LOCAL ORDINANCES.



GUEST HOUSE

GARAGE



FOUNDATION PLAN
 10148 GOLD CANYON ROAD
 CALABASAS, CALIFORNIA

EXHIBIT 11
Permit 4-10-093
Fuel Modification Plan

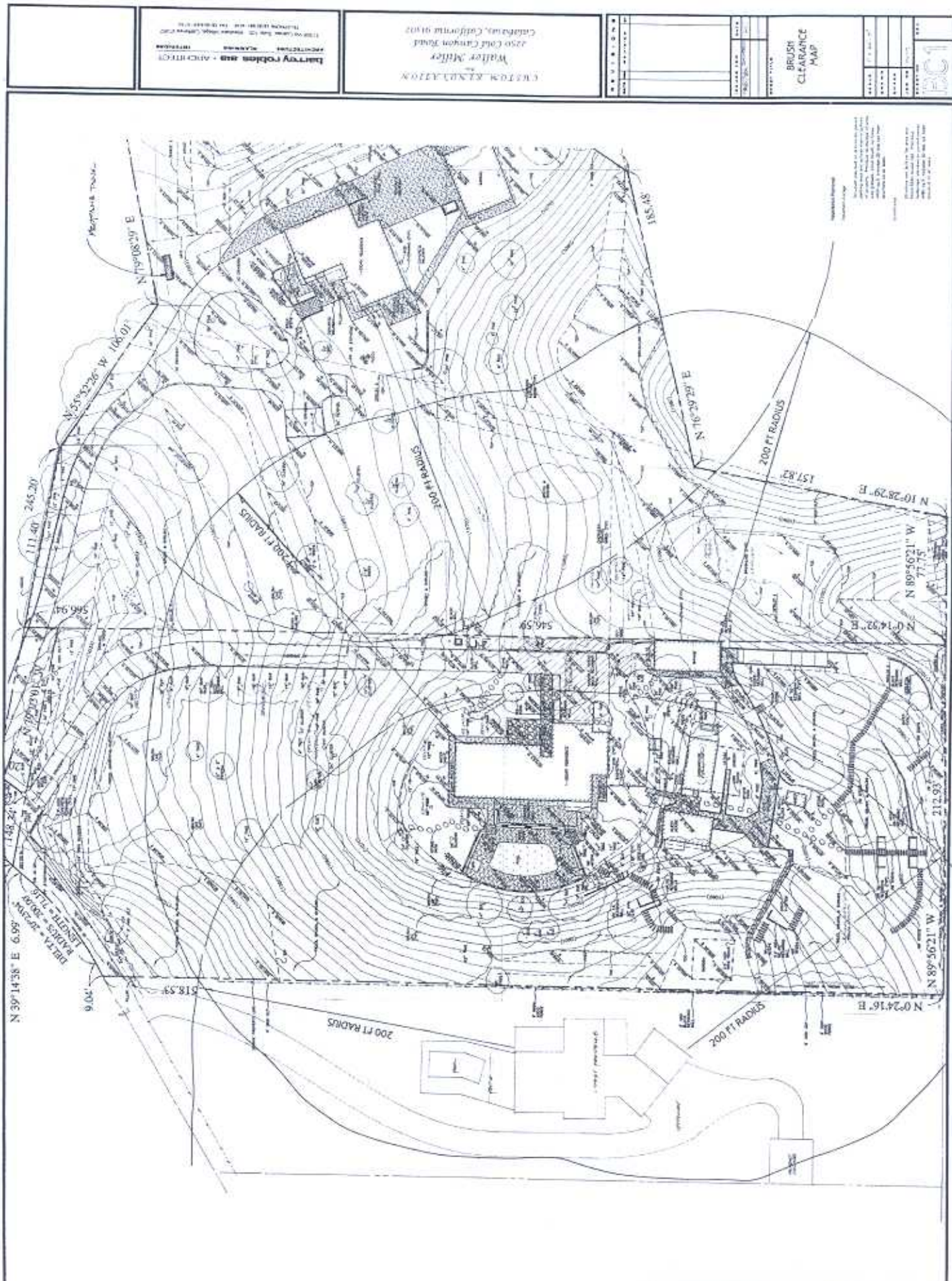


EXHIBIT 12

Permit 4-10-093

Brush Clearance Map