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## CALIFORNIA COASTAL COMMISSION

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## RECORD PACKET COPY



Filed: 2/16/01  
49<sup>th</sup> Day: 4/05/01  
180<sup>th</sup> Day: 8/14/01  
Staff: SLG *MA*  
Staff Report: 3/21/01  
Hearing Date: 4/9/01-4/13/01  
Commission Action:

### STAFF REPORT: REGULAR CALENDAR

**APPLICATION NO.** 4-00-247

**APPLICANT:** Tom and Mary Hawkins **AGENT:** Dan Lang

**PROJECT LOCATION:** 3853 Carbon Canyon Road, Malibu, Los Angeles County

**PROJECT DESCRIPTION:** Construct new 6,910 sq. ft, 26 ft. high, two-story single family residence with a 1,502 sq. ft. attached garage to replace a 4,500 sq. ft. single family residence destroyed by fire. The project includes a 423 sq. ft. wine cellar, septic system, 120 sq. ft. cabana, lap swimming pool, tennis court, retaining walls, buried 8,000 gallon water tank, 940 cu. yards of grading (870 cu. yds. cut, 70 cu. yds. fill), and a pile foundation system for the residence, pool, and tennis court.

<b>Lot Area:</b>	72,651 sq. ft.
<b>Building Coverage:</b>	4,658 sq. ft.
<b>Pavement Coverage:</b>	16,868 sq. ft.
<b>Landscaped Area:</b>	15,726 sq. ft.
<b>Parking Spaces:</b>	8
<b>Height above existing grade:</b>	26 feet

**LOCAL APPROVALS RECEIVED:** Approval in Concept, City of Malibu Planning Department, dated 11/13/00; In Concept Approval (Septic System), City of Malibu Environmental Health Department, dated 6/26/00; Approval In Concept, City of Malibu Geology and Geotechnical Engineering, dated 8/07/00.

**SUMMARY OF STAFF RECOMMENDATION:** The proposed project is a single family residence fire rebuild on a parcel that is visible from Pacific Coast Highway. Staff recommends **approval** of the proposed project with eight (8) special conditions regarding Conformance with Geologic Recommendations, Landscaping and Erosion Control, Removal of Excavated Material, Drainage and Polluted Runoff, Assumption of Risk, Tennis Court Lighting Restriction, Color Restriction, and Future Improvements Deed Restriction.

**SUBSTANTIVE FILE DOCUMENTS:** Certified Malibu/Santa Monica Mountains Land Use Plan (1986); Response to City of Malibu Geology and Geotechnical Engineering Review Sheet Dated August 7, 2000 (Geoplan, Inc., 7/20/00); Response to City of Malibu Geology and Geotechnical Engineering Review Sheet Dated February 15, 2000 (Geoplan, Inc., 5/01/00); Geotechnical Engineering Report Update for Proposed Development at 3853 Carbon Canyon Road, Malibu (Strata-Tech, 12/23/99); Engineering Geologic Report/Update Proposed Redevelopment/Burnout at 3853 Carbon Canyon Road, Malibu (Strata-Tech, 11/18/99); Preliminary Geotechnical Investigation Proposed Fire Rebuild at 3853 Carbon Canyon Road, Malibu, California (Strata-Tech, 12/28/95); Engineering Geologic Supplement Proposed Fire Rebuild at 3853 Carbon Canyon Road, Malibu (Geoplan, Inc., 12/06/95).

**II. STAFF RECOMMENDATION**

**MOTION:** I move that the Commission approve Coastal Development Permit No. 4-00-247 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.

**III. 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.

#### IV. SPECIAL CONDITIONS

##### 1. Plans Conforming to Geologic Recommendations

- (a) All recommendations contained in the *Response to City of Malibu Geology and Geotechnical Engineering Review Sheet Dated August 7, 2000 (Geoplan, Inc., 7/20/00)*; *Response to City of Malibu Geology and Geotechnical Engineering Review Sheet Dated February 15, 2000 (Geoplan, Inc., 5/01/00)*; *Geotechnical Engineering Report Update for Proposed Development (Strata-Tech, 12/23/99)*; *Engineering Geologic Report/Update Proposed Redevelopment/Burnout (Strata-Tech, 11/18/99)*; *Preliminary Geotechnical Investigation Proposed Fire Rebuild (Strata-Tech, 12/28/95)*; *Engineering Geologic Supplement Proposed Fire (Geoplan, Inc., 12/06/95)* shall be incorporated into all final design and construction including recommendations concerning grading, footings, sewage, foundations on bedrock, lateral loads, retaining walls, concrete flatwork, temporary excavations, drainage, seismicity and seismic design, floor slabs, supplemental consulting, engineering consultation, agency review, and limitations. All plans must be reviewed and approved by the geotechnical consultants. Prior to the issuance of the coastal development permit, the applicants shall submit, for review and approval of the Executive Director, evidence of the consultants' review and approval of all project plans. Such evidence shall include affixation of the consulting geologists' stamp and signature to the final project plans and designs.
- (b) The final plans approved by the consultants 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 which may be required by the consultants shall require an

amendment to the permit or a new coastal permit. The Executive Director shall determine whether required changes are "substantial."

## **2. Landscape and Erosion Control Plan and Fuel Modification**

Prior to issuance of a coastal development permit, the applicants shall submit landscaping and erosion control plans, prepared by a licensed landscape architect or a qualified resource specialist, for review and approval by the Executive Director. The landscaping and erosion control plans shall be reviewed and approved by the consulting engineering geologist to ensure that the plans are in conformance with the consultants' recommendations. The plans shall incorporate the following criteria:

### **A) Landscaping Plan**

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

modification plan submitted pursuant to this special condition. The fuel modification plan shall include details regarding the types, sizes and location of plant materials to be removed, and how often thinning is to occur. In addition, the applicants shall submit evidence that the fuel modification plan has been reviewed and approved by the Forestry Department of Los Angeles County. Irrigated lawn, turf and ground cover planted within the fifty foot radius of the proposed house shall be selected from the most drought tolerant species or subspecies, or varieties suited to the Mediterranean climate of the Santa Monica Mountains.

**B) Interim Erosion Control Plan**

- (1) The plan shall delineate the areas to be disturbed by grading or construction activities and shall include any temporary access roads, staging areas and stockpile areas. The natural areas on the site shall be clearly delineated on the project site with fencing or survey flags.
- (2) The plan shall specify that should grading take place during the rainy season (November 1 – March 31) the applicants shall install or construct temporary sediment basins (including debris basins, desilting basins or silt traps), temporary drains and swales, sand bag barriers, silt fencing, stabilize any stockpiled fill with geofabric covers or other appropriate cover, install geotextiles or mats on all cut or fill slopes and close and stabilize open trenches as soon as possible. These erosion control measures shall be required on the project site prior to or concurrent with the initial grading operations and maintained through out the development process to minimize erosion and sediment from runoff waters during construction. All sediment should be retained on-site unless removed to an appropriate approved dumping location either outside the coastal zone or to a site within the coastal zone permitted to receive fill.
- (3) The plan shall also include temporary erosion control measures should grading or site preparation cease for a period of more than 30 days, including but not limited to: stabilization of all stockpiled fill, access roads, disturbed soils and cut and fill slopes with geotextiles and/or mats, sand bag barriers, silt fencing; temporary drains and swales and sediment basins. The plans shall also specify that all disturbed areas shall be seeded with native grass species and include the technical specifications for seeding the disturbed areas. These temporary erosion control measures shall be monitored and maintained until grading or construction operations resume.

**C) Monitoring**

Five years from the date of the receipt of the Certificate of Occupancy for the residence the applicants shall submit for the review and approval of the Executive Director, a landscape monitoring report, prepared by a licensed

Landscape Architect or qualified Resource Specialist, that certifies the on-site landscaping is in conformance with the landscape plan approved pursuant to this Special Condition. The monitoring report shall include photographic documentation of plant species and plant coverage.

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

### **3. Removal of Excavated Material**

Prior to the issuance of the coastal development permit, the applicants shall provide evidence to the Executive Director of the location of the disposal site for all excess excavated material from the site. Should the dumpsite be located in the Coastal Zone, a coastal development permit shall be required.

### **4. Drainage and Polluted Runoff Control Plan**

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

- (a) Selected BMPs (or suites of BMPs) shall be designed to treat, infiltrate or filter stormwater from each runoff event, up to and including the 85<sup>th</sup> percentile, 24-hour runoff event for volume-based BMPs, and/or the 85<sup>th</sup> percentile, 1-hour runoff event, with an appropriate safety factor, for flow-based BMPs.
- (b) Runoff shall be conveyed off site in a non-erosive manner.
- (c) Energy dissipating measures shall be installed at the terminus of outflow drains.
- (d) The plan shall include provisions for maintaining the drainage system, including structural BMPs, in a functional condition throughout the life of the approved development. Such maintenance shall include the following: (1) BMPs shall be inspected, cleaned and repaired when necessary prior to the onset of the storm season, no later than September 30<sup>th</sup> each year and (2) should any of the project's surface or subsurface drainage/filtration structures or other BMPs fail or

result in increased erosion, the applicants/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 applicants 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.

#### **5. Assumption of Risk**

A. By acceptance of this permit, the applicants acknowledge and agree (i) that the site may be subject to hazards from liquefaction, storm waves, surges, erosion, landslide, flooding, and wildfire; (ii) to assume the risks to the applicants 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.

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

#### **6. Tennis Court Lighting Restriction**

Prior to the issuance of the coastal development permit, the applicants shall execute and record a deed restriction in a form and content acceptable to the Executive Director incorporating the following condition: All lighting for the tennis court, whether temporary or permanent, shall be prohibited. The deed restriction shall include a legal description of the applicants entire parcel. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

### **7. Color Restriction**

The color of the structures, roofs, walls, and driveways permitted hereby shall be restricted to a color compatible with the surrounding environment (white tones shall not be acceptable). All windows shall be comprised of non-glare glass.

Prior to the issuance of the coastal development permit, the applicants shall execute and record a deed restriction, in a form and content acceptable to the Executive Director, which reflects the restrictions stated above on the proposed development. The document shall run with the land for the life of the structures approved in this permit, binding all successors and assigns, and shall be recorded free of prior liens and encumbrances that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

### **8. Future Improvements Deed Restriction**

This permit is only for the development described in Coastal Development Permit No. 4-00-247. Pursuant to Title 14 California Code of Regulations Sections 13250 (b)(6), the exemptions otherwise provided in Public Resources Code Section 30610(a) and (b) shall not apply to the entire parcel. Accordingly, any future structures, improvements, or change of use to the permitted structures approved under Coastal Development Permit 4-00-247, and any clearing of vegetation or grading, other than as provided for in the approved fuel modification, restoration plan, landscape and erosion control plans prepared pursuant to Special Condition 2, shall require an amendment to Permit No. 4-00-247 from the Commission or shall require an additional Coastal Development Permit from the Commission or from the applicable certified local government.

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

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

The Commission hereby finds and declares:

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

The subject site is located at 3853 Carbon Canyon Road, approximately 1/8-mile north of the intersection of Carbon Canyon Road and Pacific Coast Highway, in the City of Malibu. Access to the property is provided via a private driveway and easement through an adjacent property off of Carbon Canyon Road. The approximately 1.7-acre property



is located in an area developed with existing single family residences. (See Exhibits 1 and 2)

The applicants propose to construct a new 6,910 sq. ft., 26 ft. high, two-story single family residence with a 1,502 sq. ft. attached garage to replace a 4,500 sq. ft. single family residence destroyed by fire. The project includes a 423 sq. ft. wine cellar, septic system, 120 sq. ft. cabana, lap swimming pool, tennis court, retaining walls, buried 8,000 gallon water tank, 940 cu. yards of grading (870 cu. yds. cut, 70 cu. yds. fill), and a pile foundation system for the residence, pool, and tennis court. (See Exhibits 3-13)

The residence is proposed at the center of the property with a patio and infinity pool south of the residence (bluff side) and tennis court proposed at the interior of the property, north of the residence. The total impermeable coverage for the building footprint, tennis court, and hardscape covers, roughly, the interior 30% of the property, a total of 21,526 square feet of the subject 72,651 square foot parcel. The parcel contains remnant structures from the previous residence that burned down in 1993. Existing structures on the site include foundation, driveway, pipes, and retaining walls. Under the current proposal, the residence is sited generally in the same location as the previous residence, with minor changes in setback from the top of the south-facing slope and the addition of the development footprint of the tennis court (see Exhibit 4). A majority of the proposed residence is setback 40 feet or more from the top of the south slope; however, the Great Room (Exhibit 6) is approximately 30 feet from the top of the slope. The previous residence was situated nearer to 20 feet from the top of the slope in some places.

The parcel consists of the crest and flanks of a low, rounded, asymmetric ridge that descends northeasterly to Carbon Canyon Road and south-southwesterly to Pacific Coast Highway. The proposed building site is a graded pad on a prominent low ridge. Slopes descend from the pad area at a gradient of approximately 2:1 (horizontal to vertical) with topographic relief on the order of 135 feet between the graded pad at the building site and Pacific Coast Highway. To the north of the building pad site, the property descends with a corresponding elevation differential of approximately 90 feet between the pad and the foot of the driveway easement at Carbon Canyon Road. Slopes on the site range from nearly horizontal to as steep as 1½:1 (H:V).

Drainage of the site has been modified to flow to the north of the existing building pad site, where it is diverted by a retaining wall along the north property boundary and an alignment of temporary sand bags. Runoff flows down a swale parallel to the access roadway, through a culvert under Carbon Canyon Road, and into Carbon Canyon Creek, a designated blueline stream on the U.S. Geological Survey quadrangle maps. The riparian area surrounding Carbon Creek, at the point of confluence with the site drainage, is designated as Disturbed Oak Woodlands and Savannahs on the Malibu/Santa Monica Mountains Land Use Plan (LUP) maps. The coastal stream drains into the Pacific Ocean approximately ¼-mile downstream of the subject parcel. Brush clearance for fuel modification and fire safety as a result the proposed project will not extend into the Disturbed Oak Woodland or Carbon Creek area (see Exhibit 5).

The site has been extensively disturbed as a result of the previous residence and the 1993 fire. Vegetation on-site is relatively sparse, and there has been no significant return to natural habitat. The existing vegetative cover consists of grasses, a smattering of shrubs, and a row of Eucalyptus trees along the northern portion of the property. Twelve Eucalyptus trees will be removed as part of this project.

## **B. Geologic Stability and Hazards**

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

**(1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.**

**(2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs...**

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

### **1. Geology**

Section 30253 of the Coastal Act requires that new development assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic stability, or destruction of the site or surrounding area. The applicants propose to construct a new 6,910 square foot, 26 ft. high, two-story single family residence with a 1,502 sq. ft. attached garage, 423 sq. ft. wine cellar, septic system, 120 sq. ft. cabana, lap swimming pool, tennis court, retaining walls, buried 8,000 gallon water tank, 940 cu. yards of grading (870 cu. yds. cut, 70 cu. yds. fill), and a pile foundation system for the residence, pool, and tennis court.

The applicants have submitted several documents regarding the on-site geologic conditions, including: *Response to City of Malibu Geology and Geotechnical Engineering Review Sheet Dated August 7, 2000 (Geoplan, Inc., 7/20/00)*; *Response to City of Malibu Geology and Geotechnical Engineering Review Sheet Dated February 15, 2000 (Geoplan, Inc., 5/01/00)*; *Geotechnical Engineering Report Update for Proposed Development (Strata-Tech, 12/23/99)*; *Engineering Geologic Report/Update Proposed Redevelopment/Burnout (Strata-Tech, 11/18/99)*; *Preliminary Geotechnical Investigation Proposed Fire Rebuild (Strata-Tech, 12/28/95)*; *Engineering Geologic Supplement Proposed Fire (Geoplan, Inc., 12/06/95)*. These reports make numerous

recommendations regarding grading, footings, sewage, foundations on bedrock, lateral loads, retaining walls, concrete flatwork, temporary excavations, drainage, seismicity and seismic design, floor slabs, supplemental consulting, engineering consultation, agency review, and limitations. The reports conclude that the site is suitable for the intended use provided that the recommendations of the geotechnical consultant are incorporated into the design and subsequent construction of the project. However, seismic and slope stability issues have been specifically identified at this site.

The GeoPlan, Inc. reported dated November 18, 1999 states (page 3):

***The inactive Malibu Coast Fault, according to Dibblee (1993) is very near the south boundary of the property but 200+ feet from the proposed dwelling. Lengthy trenches east and west from the proposed dwelling exposed several faults of probably Pleistocene geologic age.***

The report goes on to state (page 5):

***Despite complex geologic structure, slopes flanking the building site exhibit no evident instability or significant deterioration and are judged to be grossly stable...***

***An ancient but partly reactivated landslide occurs several hundred feet northwest from the site and Yerkes, et al. (1971) suggests that a landslide is present at the former traffic circle within the north side of subject property, but the undeformed basal contact between stream terrace deposits and bedrock was exposed in Trench 6 without evident disruption.***

***According to Yerkes, et al., (1971) a landslide exists at the south boundary of the property. Clearly this is a misinterpretation of features seen on air photos. The feature is a graded pad which easily resembles a landslide on aerial photographs but would have been interpreted differently had field reconnaissance been conducted.***

Based on the conclusions of the Geoplan, Inc and Strata-Tech, Inc. reports, the Commission finds that the proposed development will be safe from geologic hazards if all recommendations of the geotechnical consultants are incorporated into the final project plans and designs. Accordingly, Special Condition 1 requires the applicants to demonstrate to the Executive Director's satisfaction that all recommendations in the geologic reports are incorporated into the final plans and designs.

As discussed above, the Commission notes that the applicants' engineering consultants have indicated that the proposed development will serve to ensure relative geologic and structural stability on the subject site. However, the Commission recognizes that development, even as designed and constructed to incorporate all recommendations of the consulting coastal and geotechnical engineers, may still involve the taking of some risk. When development in areas of identified hazards is proposed, the Commission considers the hazard associated with the project site and the potential cost to the public, as well as the individual's right to use the subject property.

The Commission finds that due to the possibility of liquefaction, storm waves, surges, erosion, landslide, flooding, and wildfire, the applicants shall assume these risks as conditions of approval. Because this risk of harm cannot be completely eliminated, the Commission requires the applicants to waive any claim of liability against the Commission for damage to life or property which may occur as a result of the permitted development. The applicants' assumption of risk, as required by Special Condition 5, when executed and recorded on the property deed, will show that the applicants are aware of and appreciate the nature of the hazards associated with development of the site, and that may adversely affect the stability or safety of the proposed development.

## **2. Erosion**

Section 30253 of the Coastal Act states that new development shall not create or contribute significantly to erosion, in addition to other site stability issues addressed above. As stated above, drainage of the property has been artificially modified to control flow, diverting it north of the property into Carbon Creek, a USGS blue line stream, and ultimately outflowing into the Pacific Ocean approximately ¼-mile downstream of the property.

The proposed project will increase the amount of impervious surfaces on the site, increasing both the volume and velocity of storm water runoff. If not controlled and conveyed off of the site in a non-erosive manner, this runoff will result in increased erosion on and off the site. Increased erosion may result in sedimentation of the nearby creek on an interim basis and after construction. Consequently, the consulting geologist recommended in the November 18, 1999 report that all stormwater from the building pad be contained and directed northward down the driveway to Carbon Canyon Road and that no stormwater be discharged onto the slopes.

Uncontrolled erosion leads to sediment pollution of downgradient water bodies. Surface soil erosion has been established by the United States Department of Agriculture, Natural Resources Conservation Service, as a principal cause of downstream sedimentation known to adversely affect riparian and marine habitats. Suspended sediments have been shown to absorb nutrients and metals, in addition to other contaminants, and transport them from their source throughout a watershed and ultimately into the Pacific Ocean. The construction of single family residences in sensitive watershed areas has been established as a primary cause of erosion and resultant sediment pollution in coastal streams.

In order to ensure that the risks from geologic hazard, erosion, and sedimentation are minimized, a drainage plan is required as defined by Special Condition 4. Special Condition 4 requires the implementation and maintenance of a drainage plan designed to ensure that runoff rates and volumes after development do not exceed pre-development levels and that drainage is conveyed in a non-erosive manner. This drainage plan is fundamental to reducing on-site erosion and the potential impacts to coastal streams, natural drainages, and environmentally sensitive habitat areas. Additionally, the applicants must monitor and maintain the drainage and polluted runoff

control system to ensure that it continues to function as intended throughout the life of the development.

Among the measures available to avoid erosion during and after construction are the implementation of rainy season controls such as the use of sediment basins (including debris basins, desilting basins, or silt traps) and the timely planting of appropriate, locally native landscape materials. These measures are among the requirements set forth in Special Condition 2.

Special Condition 2 requires the applicants to submit for the Executive Director's approval landscape and fuel modification plans that address on-site landscape and erosion control measures. Special Condition 2 requires the use of locally native plant species, which have been shown to provide superior erosion control when compared to the use of non-native species in the Santa Monica Mountains, for landscaping and erosion control. Use of the materials and methods required by that special condition will stabilize the site immediately after disturbance and additionally protect against long-term site erosion. Special Condition 2 (C) further requires the applicants to submit a monitoring report to demonstrate that the required landscaping and erosion control measures in the approved landscape plan have been successfully implemented. If fully implemented, Special Condition 2 will provide significant erosion control on the subject site, both during construction and during the life of the proposed development.

The proposed project will entail 940 cubic yards of grading for construction of the retaining wall, including 870 cu. yds. of cut grade and 70 cu. yds. of fill grade. Excavated materials that are placed in stockpiles are subject to increased erosion. The Commission notes that additional landform alteration would result if the excavated material were to be retained on site. In order to ensure that excavated material will not be stockpiled on site and that landform alteration is minimized, Special Condition 3 requires the applicants to remove all excavated material, including any debris resulting from demolition of existing development, from the site to an appropriate location and provide evidence to the Executive Director of the location of the disposal site prior to the issuance of the permit.

For the reasons cited above, the Commission finds that the proposed project as conditioned by Special Conditions 1, 2, 3, 4, and 5 will be consistent with the requirements of Coastal Act Section 30253 applicable to geology and site stability.

### **3. Wild Fire**

Section 30253 of the Coastal Act also requires that new development minimize the risk to life and property in areas of high fire hazard. The Coastal Act recognizes that new development may involve the taking of some risk. Coastal Act policies require the Commission to establish the appropriate degree of risk acceptable for the proposed development and to establish who should assume the risk. When development in areas of identified hazards is proposed, the Commission considers the hazard associated with the project site and the potential cost to the public, as well as the individual's right to use his property.

Vegetation in the coastal areas of the Santa Monica Mountains consists mostly of coastal sage scrub and chaparral. Many plant species common to these communities produce and store terpenes, which are highly flammable substances (Mooney in Barbour, Terrestrial Vegetation of California, 1988). Chaparral and sage scrub communities have evolved in concert with, and continue to produce the potential for, frequent wild fires. The typical warm, dry summer conditions of the Mediterranean climate combine with the natural characteristics of the native vegetation to pose a risk of wild fire damage to development that cannot be completely avoided or mitigated.

As a result of the hazardous conditions that exist for wildfires in the Santa Monica Mountains area, the Los Angeles County Fire Department requires the submittal of fuel modification plans for all new construction to reduce the threat of fires in high hazard areas. Typical fuel modification plans for development within the Santa Monica Mountains require setback, irrigation, and thinning zones that extend 200 feet from combustible structures. Off-site fuel modification is generally not recommended due to problems inherent with enforcement of regulations on adjacent property and the potential for confusion regarding responsibility for fuel modifications outside legal ownership. The 200-foot fuel modification zone around the proposed house site overlaps onto the neighboring properties. However, due to the density of the surrounding development, the proposed residence will not result in any additional brush clearance requirements on the neighboring properties (see Exhibit 5).

Due to the fact that the proposed project is located in an area subject to an extraordinary potential for damage or destruction from wild fire, the Commission can only approve the project if the applicants assume the liability from these associated risks. Through Special Condition 5, assumption of risk, the applicants acknowledge the nature of the fire hazard which exists on the site and which may affect the safety of the proposed development. Moreover, through acceptance of Special Condition 5 the applicants agree to indemnify the Commission, its officers, agents and employees against any and all claims, demands, damages, costs, expenses or liability arising out of the acquisition, design, construction, operation, maintenance, existence, or failure of the permitted project in an area where an extraordinary potential for damage or destruction from wild fire exists as an inherent risk.

The Commission finds that only as conditioned by Special Condition 5 is the proposed project consistent with Section 30253 of the Coastal Act applicable to hazards from wildfire. Additionally, the Commission finds that there will be no cumulative brush clearance impacts as a result of fuel modification requirements. The fuel modification of adjacent properties will overlap with the fuel modification of the proposed project.

### **C. Visual**

Section 30251 of the Coastal Act states that:

***The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed***

***to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.***

The subject site is visible from a scenic highway (Pacific Coast Highway) designated in the certified Malibu / Santa Monica Mountains Land Use Plan (LUP) to the south. To assess potential visual impacts of projects to the public, the Commission typically investigates publicly accessible locations from which the proposed development is visible, such as beaches, parks, trails, and scenic roads. The Commission also examines the building site and the size of the proposed structure. Staff visited the subject site and found the proposed building location to be appropriate and feasible, given the terrain and the surrounding existing development.

Nearby residences are of a similar massing, character, and location to be similarly visible, and the proposed plans are substantially in character with the type and scale of development in the surrounding area. As proposed, the residence will be setback slightly further from the bluff edge than the neighboring residences, thereby reducing its prominence in the respective viewshed. However, the development will be partially visible from Pacific Coast Highway. Due to the project's location and visibility from public resources, the Commission finds it necessary to require mitigation measures to minimize visual impacts as seen from nearby scenic areas.

The proposed project's impact on public views can be mitigated by requiring the residence and retaining walls to be finished in a non-obtrusive manner (i.e.: in a color compatible with the surrounding natural landscape and with non-reflective windows). The Commission therefore finds it necessary to minimize the visual impact of the project by requiring the applicants to use colors compatible with the surrounding environment and non-glare glass, as required by Special Condition 7. In addition, future construction on the property has the potential to negatively affect the visual character of the area as seen from the scenic highway. To insure that no additions or improvements are made to the property that may affect visual resources on-site without due consideration of the potential cumulative impacts, the Commission finds it necessary to require the applicants to record a future development deed restriction, which will require the applicants to obtain an amended or new coastal permit if additions or improvements to the site are proposed in the future, as required by Special Condition 8.

In addition, visual impacts associated with grading and the structure itself can be further reduced by the use of adequate and appropriate landscaping. A landscape plan relying principally on native, non-invasive plant species will ensure that the vegetation on-site remains visually compatible with the native flora of surrounding areas. In addition, vertical screening elements added to the landscape plan can soften views of the proposed residence from public areas such as Pacific Coast Highway. The Commission therefore finds it necessary to ensure that the final approved landscaping



plans are successfully implemented to soften the visual impact of the development, as required by Special Condition 2.

The proposed tennis court would be located on the north side of the lot, and therefore is not visible from Pacific Coast Highway. In addition, the tennis court development substantially in character with the type and scale of development in the surrounding area. However, the Commission has found that night lighting of areas in the Malibu / Santa Monica Mountains area creates a visual impact to nearby scenic beaches, scenic roads, parks, and trails. In addition, night lighting may alter or disrupt feeding, nesting, and roosting activities of native wildlife species. In order to mitigate the potential visual and environmental impact of the proposed development and to protect the nearby scenic areas from avoidable disturbance that would otherwise be associated with nighttime use of the tennis court, the Commission finds that it is necessary to require the applicants to submit a deed restriction prohibiting all tennis court lighting, whether temporary or permanent, as specified in Special Condition 6. The proposed project, as conditioned, will not result in a significant adverse impact to the scenic public views or character of the surrounding area in this portion of the Santa Monica Mountains.

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

**D. Water Quality**

The Commission recognizes that new development in the Santa Monica Mountains has the potential to adversely impact coastal water quality through the removal of native vegetation, increase of impervious surfaces, increase of runoff, erosion, and sedimentation, introduction of pollutants such as petroleum, cleaning products, pesticides, and other pollutant sources, as well as effluent from septic systems. Section 30231 of the Coastal Act states 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 applicants propose to construct a new 6,910 sq. ft, 26 ft. high, two-story single family residence with a 1,502 sq. ft. attached garage, 423 sq. ft. wine cellar, septic system, 120 sq. ft. cabana, lap swimming pool, tennis court, retaining walls, buried 8,000 gallon water tank, 940 cu. yards of grading (870 cu. yds. cut, 70 cu. yds. fill), and a pile foundation system for the residence, pool, and tennis court on a 1.7 acre site.



The site is considered a "hillside" development, with slopes that descend northeasterly toward Carbon Canyon Road and south-southwesterly to Pacific Coast Highway. Slopes on the site range from nearly horizontal to as steep as 1½:1 (Horizontal to Vertical). As noted previously, the applicants' parcel drains northerly into Carbon Canyon Creek, a designated USGS blue-line stream, and ultimately into the Pacific Ocean approximately ¼-mile downgradient of the proposed project site.

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

Such cumulative impacts can be minimized through the implementation of drainage and polluted runoff control measures. In addition to ensuring that runoff is conveyed from the site in a non-erosive manner, drainage and water pollution control measures should also include opportunities for runoff to infiltrate into the ground. Methods such as vegetated filter strips, gravel filters, and other media filter devices allow for infiltration. Because much of the runoff from the site is returned to the soil, overall runoff volume is reduced. Slow surface flow of runoff allows sediment and other pollutants to settle into the soil where they can be filtered. The reduced volume of runoff takes longer to reach streams and its pollutant load is greatly reduced.

In order to find the proposed development consistent with the water and marine resource policies of the Coastal Act, the Commission finds it necessary to require the incorporation of Best Management Practices designed to control the volume, velocity and pollutant load of stormwater leaving the developed site. Critical to the successful function of post-construction structural BMPs in removing pollutants in stormwater to the Maximum Extent Practicable (MEP), is the application of appropriate design standards for sizing BMPs. The majority of runoff is generated from small storms because most storms are small. Additionally, storm water runoff typically conveys a disproportionate

amount of pollutants in the initial period that runoff is generated during a storm event. Designing BMPs for the small, more frequent storms, rather than for the large infrequent storms, results in improved BMP performance at lower cost.

The project is conditioned, under Special Condition 4, to implement and maintain a drainage plan designed to ensure that runoff rates and volumes after development do not exceed pre-development levels and that drainage is conveyed in a non-erosive manner. This drainage plan is required in order to ensure that risks from geologic hazard are minimized and that erosion, sedimentation, and polluted runoff are minimized to reduce potential impacts to coastal streams, natural drainages, and environmentally sensitive habitat areas. Such a plan will allow for the infiltration and filtering of runoff from the developed areas of the site, most importantly capturing the initial "first flush" flows that occur as a result of the first storms of the season. This flow carries with it the highest concentration of pollutants that have been deposited on impervious surfaces during the dry season. Additionally, the applicants must monitor and maintain the drainage and polluted runoff control system to ensure that it continues to function as intended throughout the life of the development.

The Commission finds that sizing post-construction structural BMPs to accommodate (infiltrate, filter or treat) the runoff from the 85<sup>th</sup> percentile storm runoff event, in this case, is equivalent to sizing BMPs based on the point of diminishing returns (i.e. the BMP capacity beyond which, insignificant increases in pollutants removal (and hence water quality protection) will occur, relative to the additional costs. Therefore, the Commission requires the selected post-construction structural BMPs be sized based on design criteria specified in Special Condition 4, and finds that this will ensure the proposed development will be designed to minimize adverse impacts to coastal resources, in a manner consistent with the water and marine resource protection policies of the Coastal Act.

Furthermore, interim erosion control measure implemented during construction and post construction landscaping will serve to minimize the potential for adverse impacts to water quality resulting from drainage runoff during construction and in the post-development stage. Therefore, the Commission finds that Special Condition 2 is necessary to ensure the proposed development will not adversely impact water quality or coastal resources.

Finally, the proposed development includes installation of an on-site septic system with a 4,000 gallon tank to serve the residence. The 4,000 gallon septic tank will be located on the north side of the building pad. Effluent will be diverted to two 150 square foot leach trenches (see Exhibit 13). The applicants' geologic consultants performed percolation tests and evaluated the proposed septic system. The report concluded that the septic system is feasible and that there should perform satisfactorily without potential daylighting of effluent or instability. The City of Malibu Environmental Health Department has given in-concept approval of the proposed septic system, determining that the system meets the requirements of the plumbing code. The Commission has

found that conformance with the provisions of the plumbing code is protective of resources.

Therefore, the Commission finds that the proposed project, as conditioned to incorporate and maintain a drainage and polluted runoff control plan, is consistent with Section 30231 of the Coastal Act.

#### **E. Local Coastal Program**

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

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

Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal 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 with Chapter 3 policies of the Coastal Act. The preceding sections provide findings that the proposed project will be in conformity with the provisions of Chapter 3 if certain conditions are incorporated into the project and accepted by the applicants. As conditioned, the proposed development will not create adverse impacts and is found to be consistent with the applicable policies contained in Chapter 3. Therefore, the Commission finds that approval of the proposed development, as conditioned, will not prejudice the City's ability to prepare a Local Coastal Program for Malibu 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, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity would have on the environment.

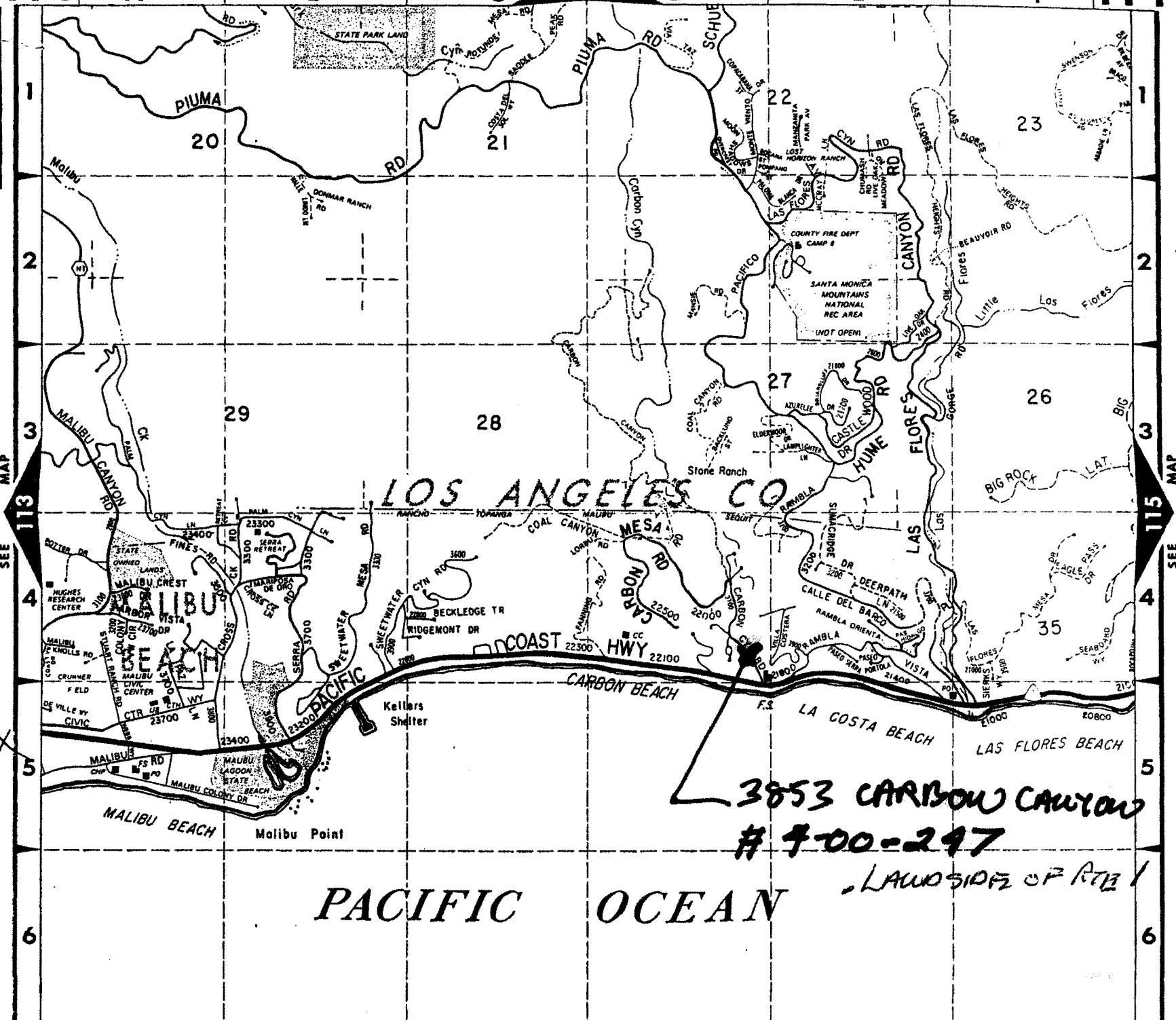
The Commission finds that the proposed project, as conditioned, will not have significant adverse effects on the environment, within the meaning of the California Environmental Quality Act of 1970. Therefore, the Commission finds that the proposed

**Application 4-00-247 (Hawkins)**  
**Page 20**

project, as conditioned to mitigate the identified effects, is consistent with the requirements of CEQA and the policies of the Coastal Act.

LOS ANGELES CO

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LOS ANGELES CO

PACIFIC OCEAN

3853 CARBON CANYON  
 # 400-297

LAWSIDE OF RT 22

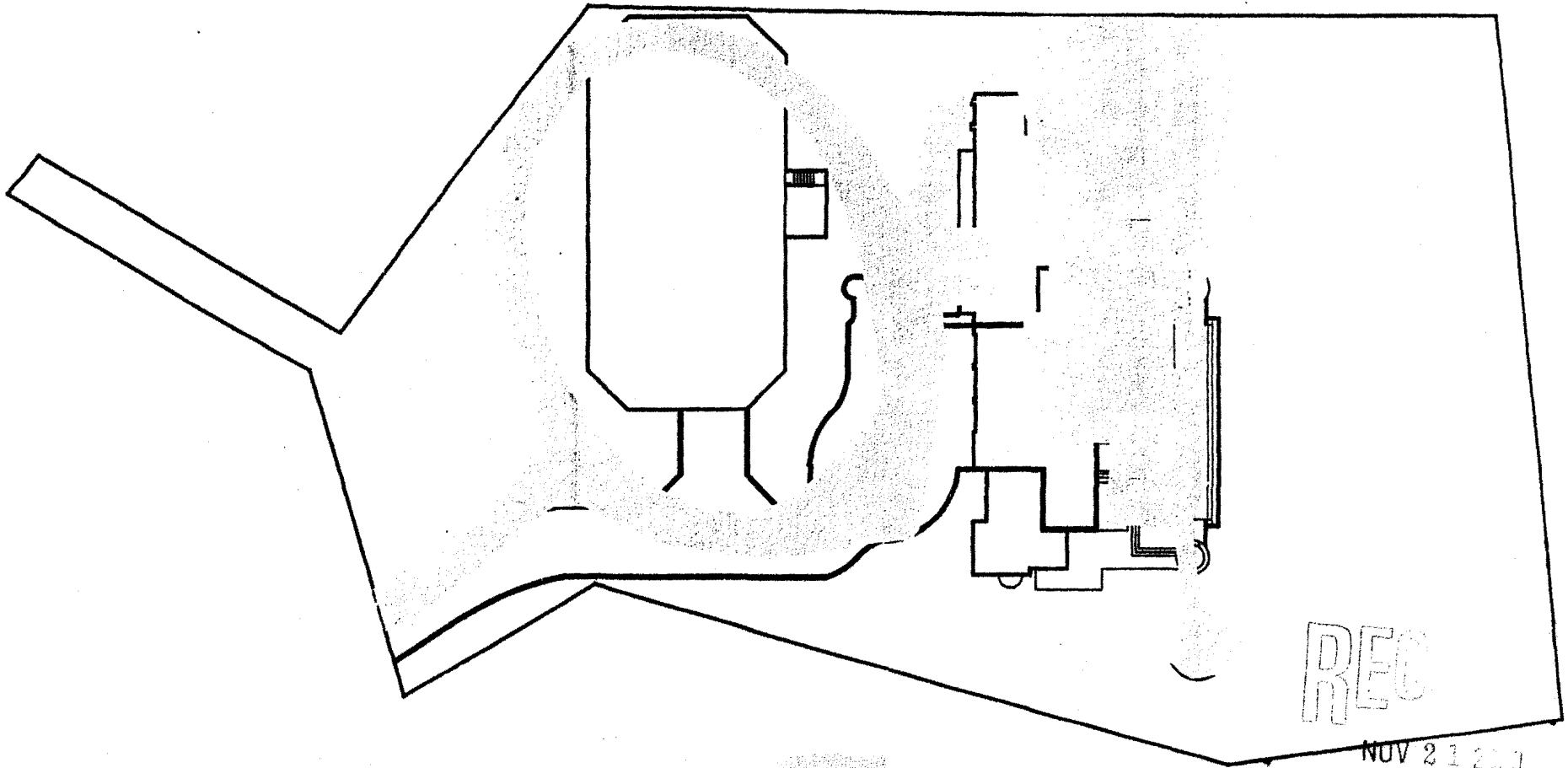
EXHIBIT 1  
 4-00-247  
 Vicinity Map

SEE MAP 113

SEE MAP 115







REC

NOV 21 2000

CA  
COASTAL  
SOUTH CENTRAL

INDICATES  
OLD BURNOUT  
DEVELOPMENT



EXHIBIT 4  
4-00-247  
Development  
Footprint

**& MARY HAWKINS**  
**CARBON CANYON ROAD**  
**BU, CA. 90292**

**OLD DEVELOPMENT vs. NEW DEVELOPMENT**

SCALE: 1" = 50'



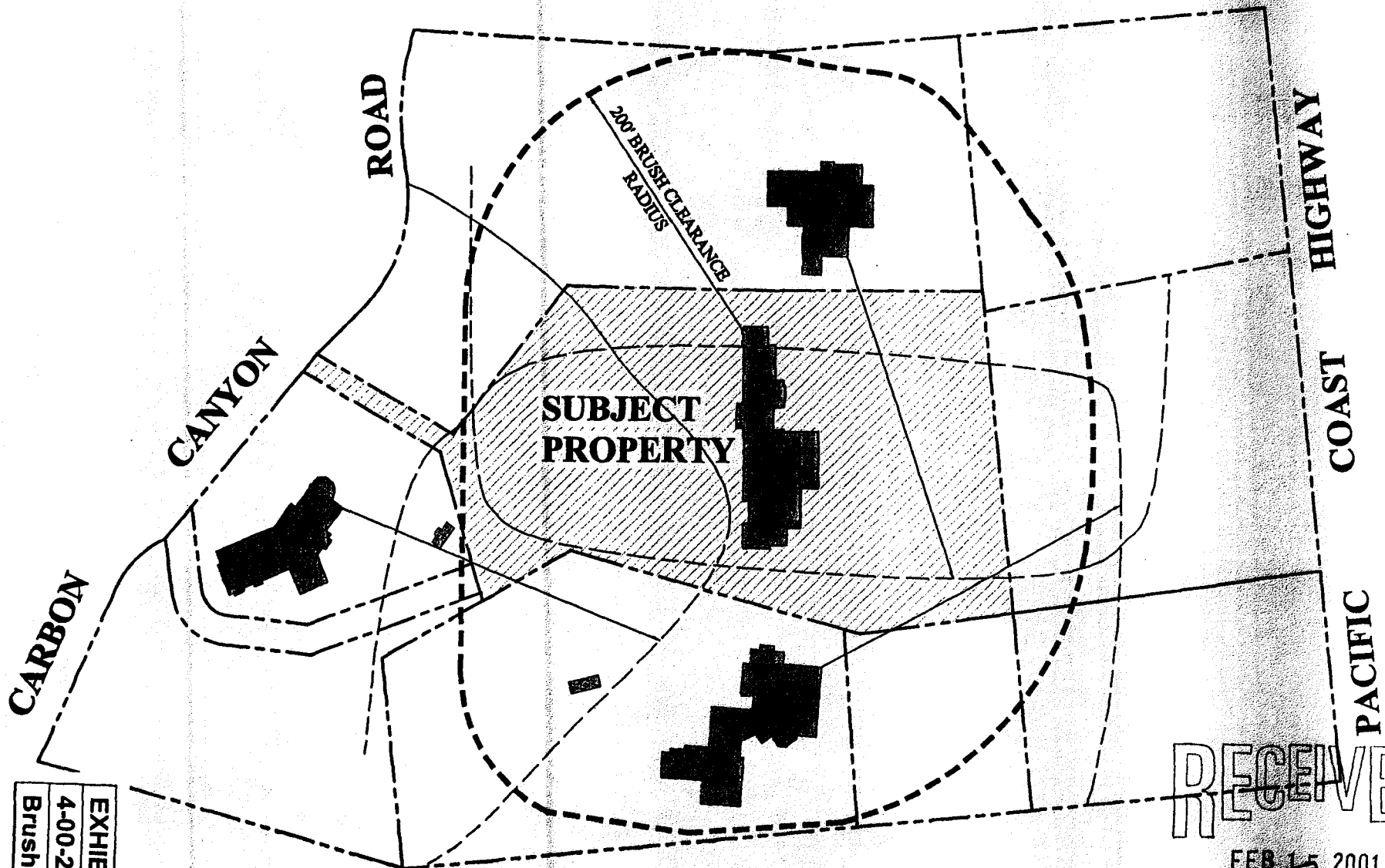


EXHIBIT 5  
4-00-247  
Brush Clearance Map

**1 & MARY HAWKINS**  
**CARBON CANYON ROAD**  
**LIBU, CA. 90292**

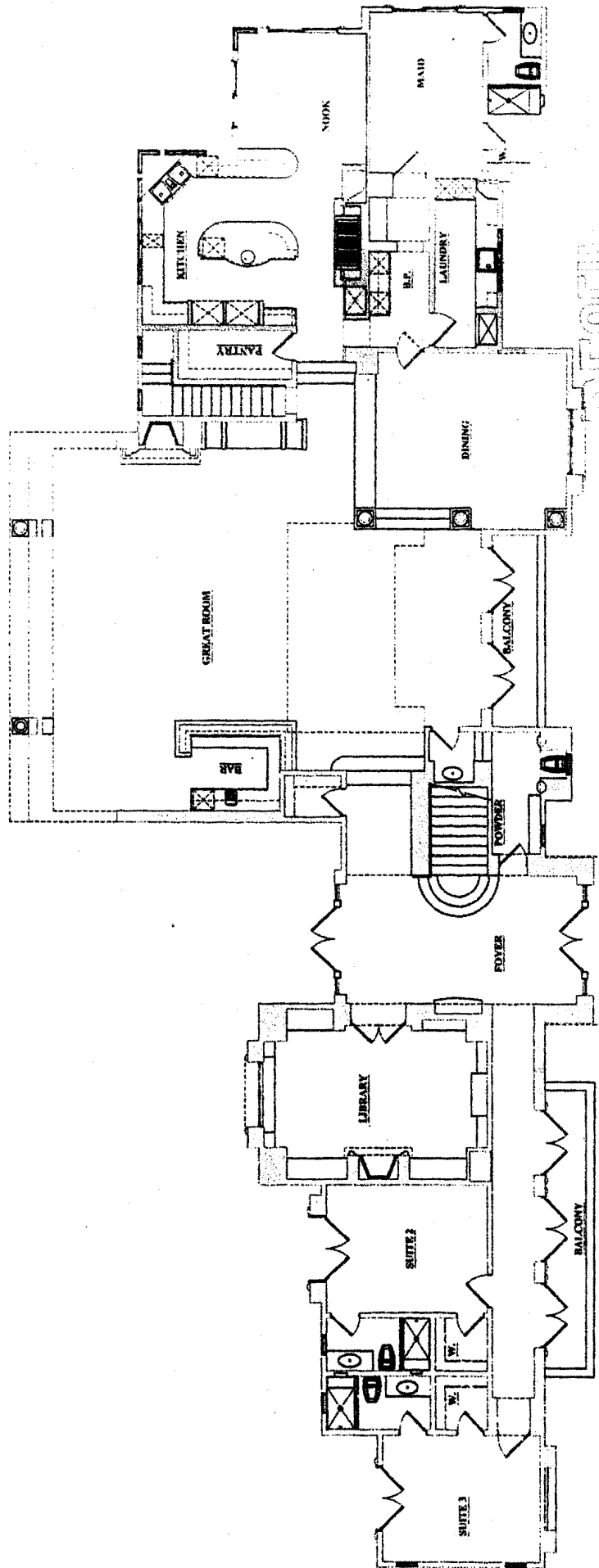
RECEIVED

FEB 15 2001

CALIFORNIA  
COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT

**200' BRUSH CLEARANCE MAP**

SCALE: 1" = 100'

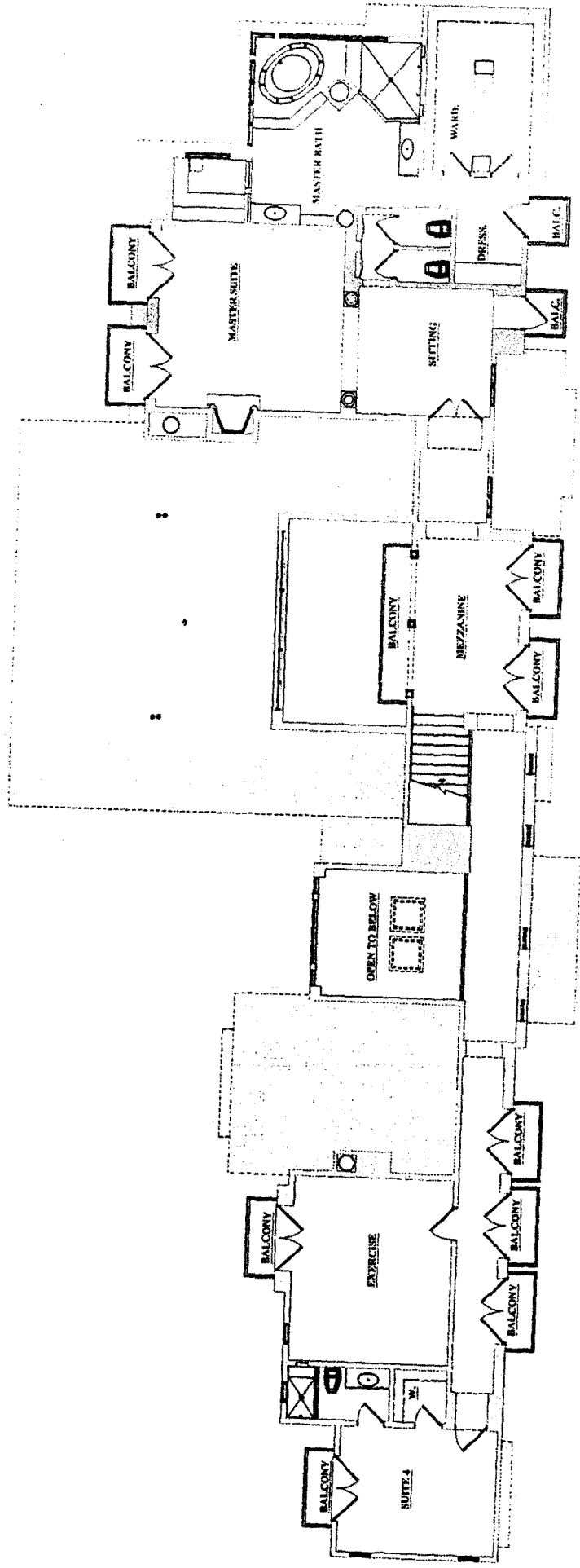


NOV 21 2000

CALIFORNIA  
 COASTAL COMMUNITY  
 SOUTH CENTRAL COMMUNITY

DIST. PLAN: 44475 90.07

<b>EXHIBIT 6</b>
<b>4-00-247</b>
<b>Ground Floor Plan</b>



RECORDED

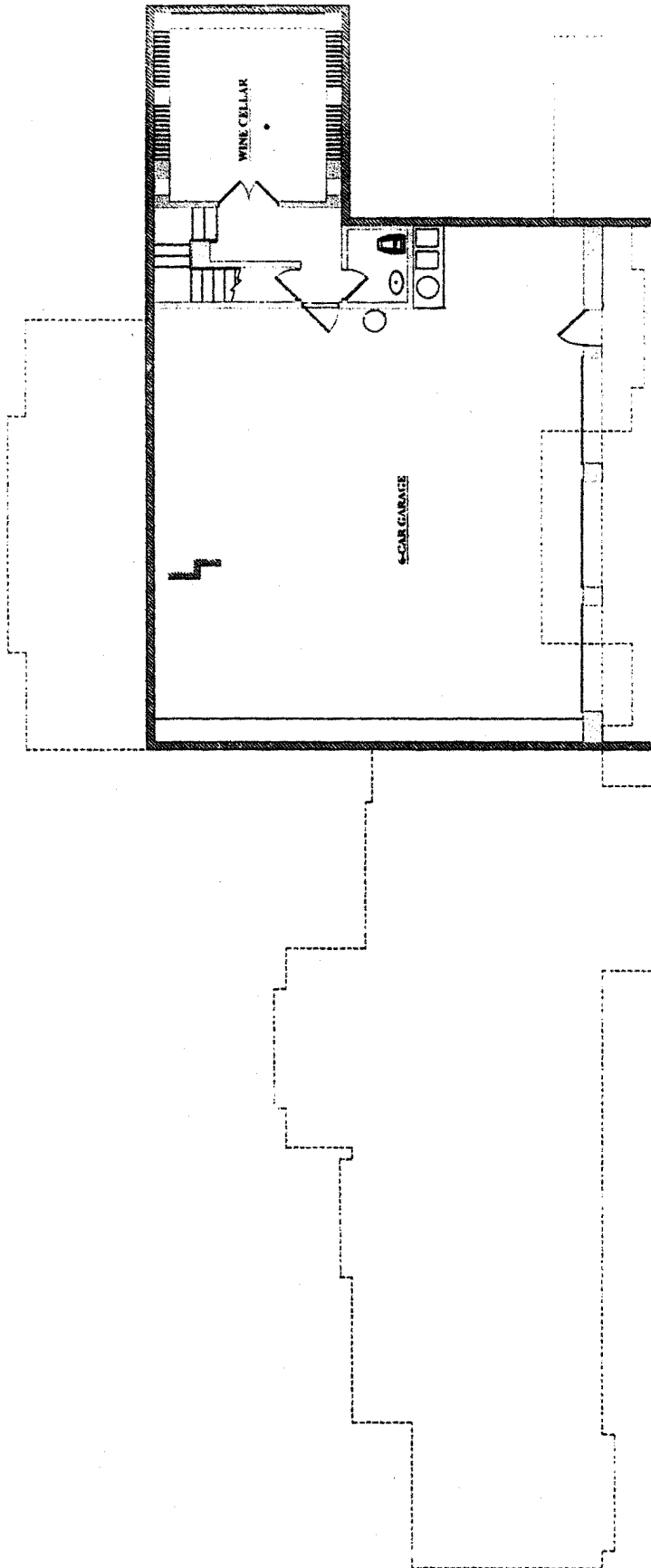
NOV 21 2003

*Handwritten signature*

SECOND FLOOR: 1,468.38 SQ. FT.  
 SECOND FLOOR: 1,895.86 SQ. FT.  
(Includes 400 sq. ft. for Stair)

COASTAL COMMUNITY COLLEGE  
 SOUTH CENTRAL CAMPUS

**EXHIBIT 7**  
**4-00-247**  
**Second Floor Plan**



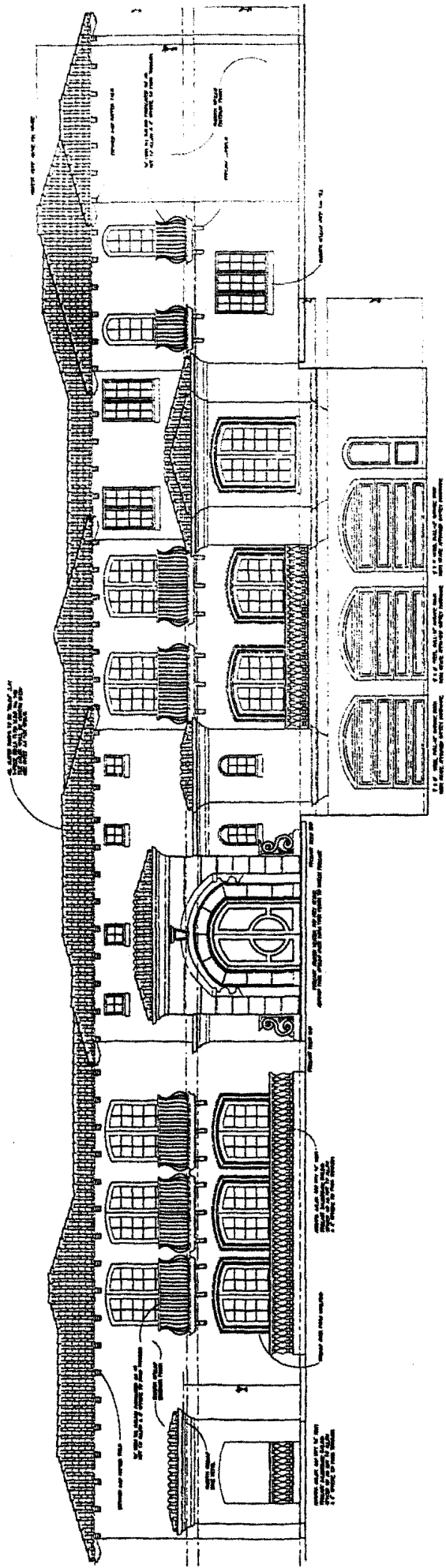
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CALIFORNIA  
COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT

WINTERVILLE, OR  
NOV 21 2000

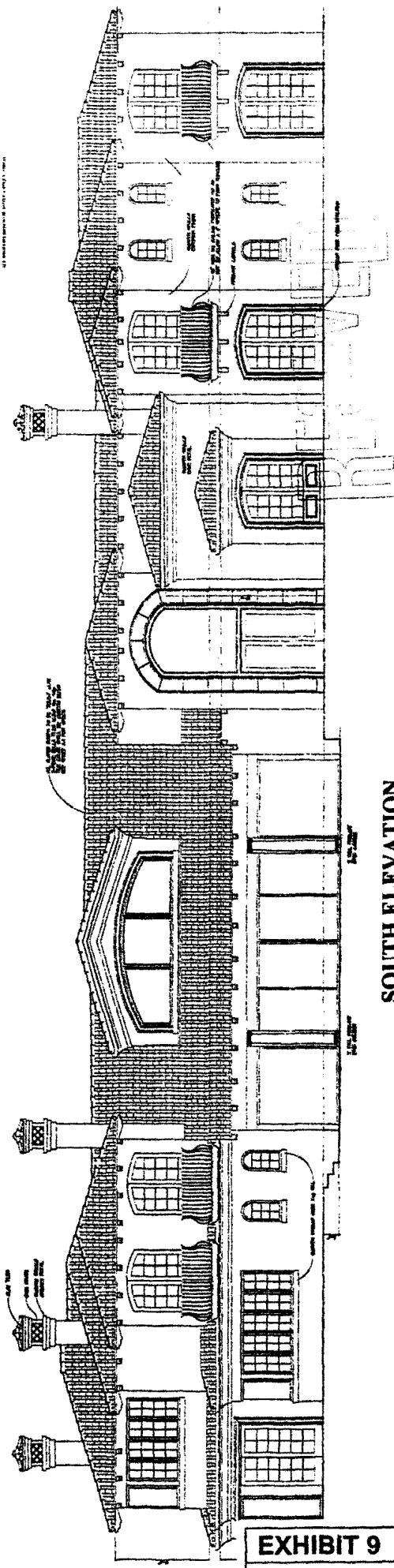
EXHIBIT 8
4-00-247
Basement Floor Plan



NORTH ELEVATION

**PAINING / FINISH NOTES:**

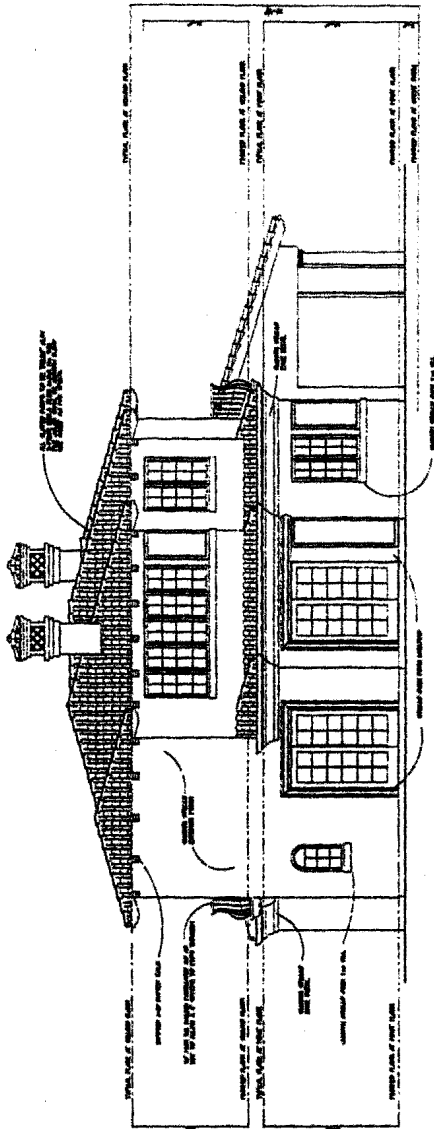
- 1. EXTERIOR WALLS: STUCCO
- 2. EXTERIOR ROOF: ASPHALT/FLY SHINGLES
- 3. EXTERIOR DOORS: OAK
- 4. EXTERIOR WINDOWS: OAK
- 5. EXTERIOR TRIM: OAK
- 6. EXTERIOR PORCHES: OAK
- 7. EXTERIOR BALCONIES: OAK
- 8. EXTERIOR STAIRS: OAK
- 9. EXTERIOR LIGHT FIXTURES: BRASS
- 10. EXTERIOR SIGNAGE: BRASS
- 11. EXTERIOR PAINT: WHITE
- 12. EXTERIOR STAIN: OAK
- 13. EXTERIOR GLASS: CLEAR
- 14. EXTERIOR METAL: BRASS
- 15. EXTERIOR IRONWORK: BLACK
- 16. EXTERIOR PLUMBING: BRASS
- 17. EXTERIOR ELECTRICAL: BRASS
- 18. EXTERIOR LANDSCAPING: GRASS
- 19. EXTERIOR FURNITURE: OAK
- 20. EXTERIOR LIGHTING: BRASS



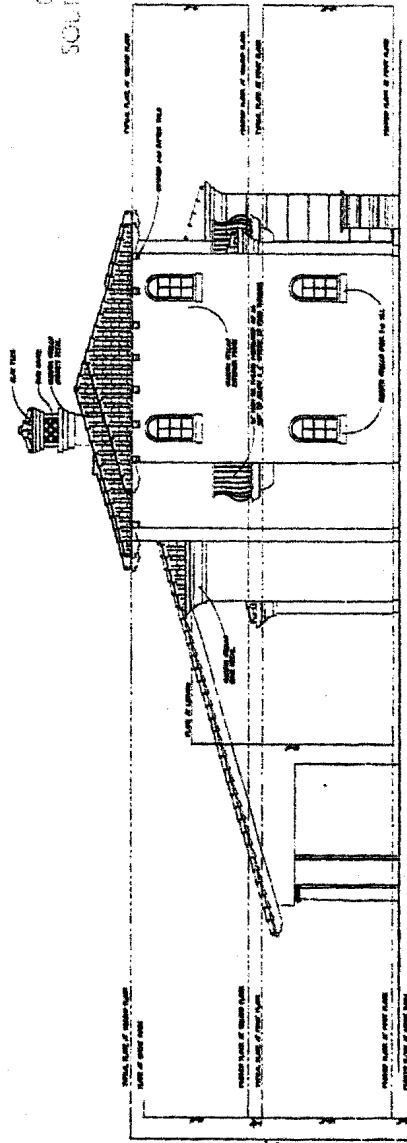
SOUTH ELEVATION

NOV 2 1 2000

MISSISSIPPI  
 COMMISSION  
 SOUTH CENTRAL DIVISION



**WEST ELEVATION**



**EAST ELEVATION**

NOV 2 1911

NOV 2 1911

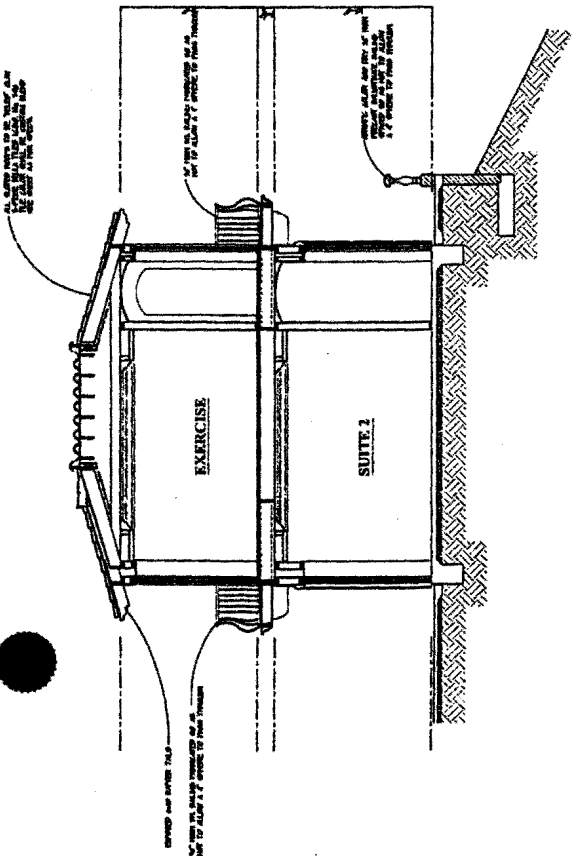
COOK

SOUTH

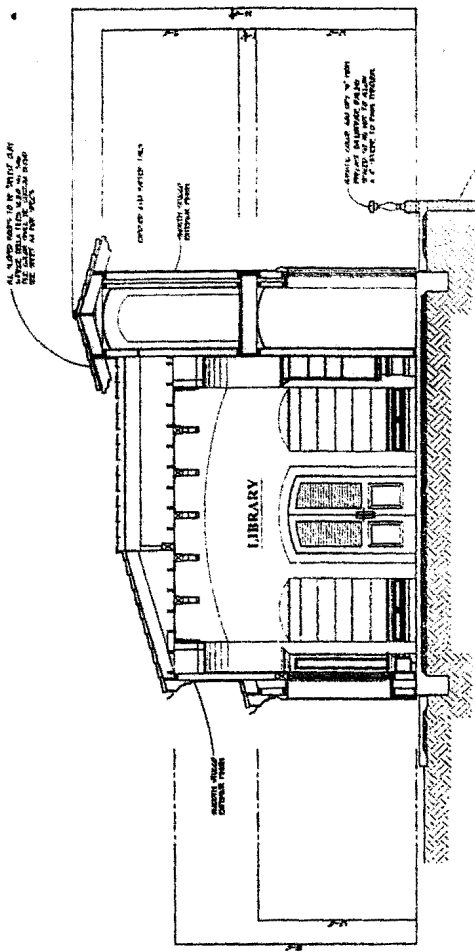
**PAINTING / FINISH NOTES:**

ALL EXTERIOR SURFACES TO BE PAINTED WITH A GOOD QUALITY OF PAINT.  
 ALL INTERIOR SURFACES TO BE PAINTED WITH A GOOD QUALITY OF PAINT.  
 ALL WOODWORK TO BE FINISHED WITH A GOOD QUALITY OF VARNISH.  
 ALL METALWORK TO BE FINISHED WITH A GOOD QUALITY OF PAINT.  
 ALL ROOFING TO BE FINISHED WITH A GOOD QUALITY OF SHINGLES OR SHAKES.  
 ALL GUTTERS TO BE FINISHED WITH A GOOD QUALITY OF PAINT.  
 ALL CHIMNEYS TO BE FINISHED WITH A GOOD QUALITY OF PAINT.  
 ALL STAIRS TO BE FINISHED WITH A GOOD QUALITY OF PAINT.  
 ALL FLOORS TO BE FINISHED WITH A GOOD QUALITY OF PAINT.  
 ALL WALLS TO BE FINISHED WITH A GOOD QUALITY OF PAINT.  
 ALL CEILING TO BE FINISHED WITH A GOOD QUALITY OF PAINT.

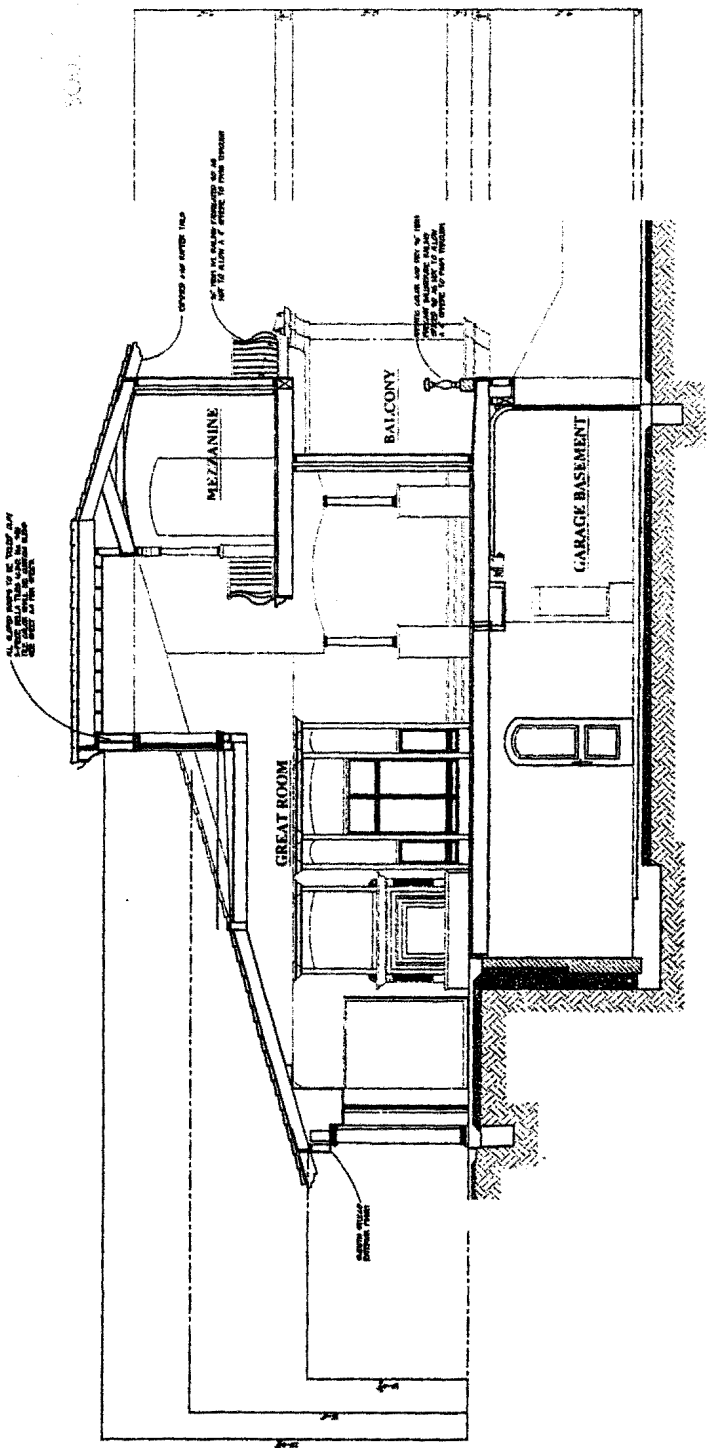
**EXHIBIT 10**  
**4-00-247**  
**Elevations**



SECTION A-A



SECTION B-B

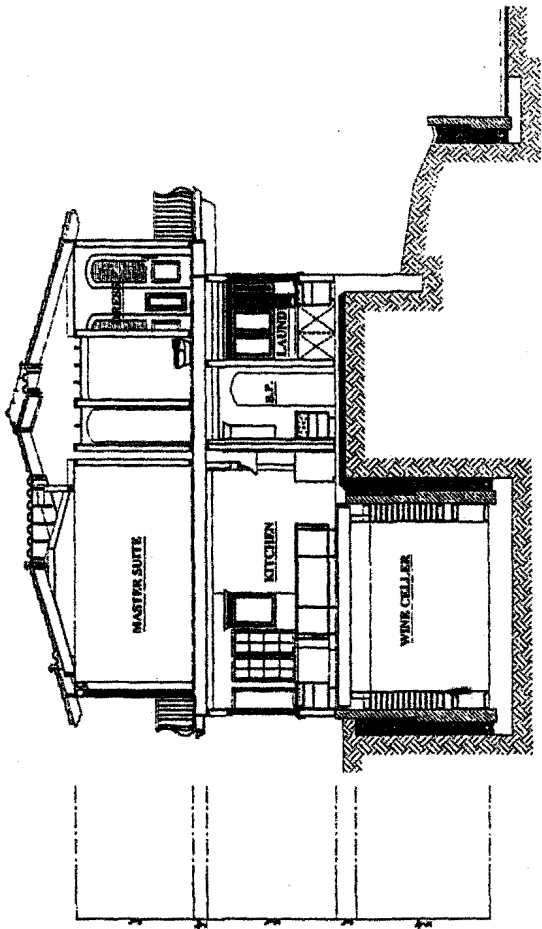


SECTION C-C

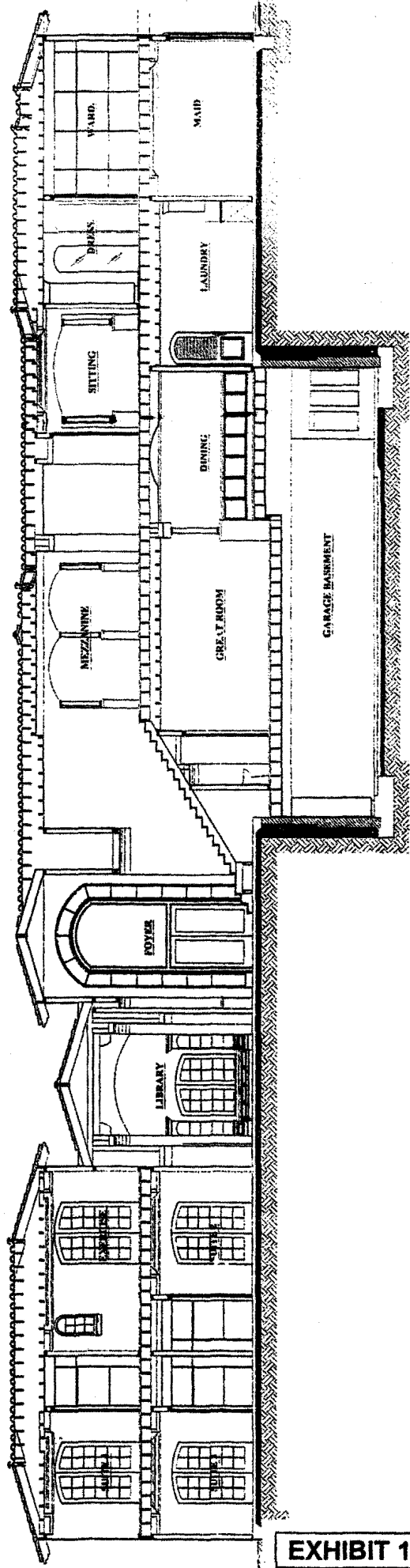
REVISED

NOV 21 2000

STATE ARCHIVES  
COLLEGE COMMISSION  
SOUTH CENTRAL COAST DISTRICT



SECTION D-D



SECTION E-E

EXHIBIT 12  
4-00-247  
Bldg. Sections



3853 CARBON CANYON RD.  
MALIBU, CA 90265

S.F.D.: 5 Bedroom/79 F.U. (N)  
CAPACITY: 10 F.U. (N)  
SEPTIC TANK: 4000 Gallon (N)  
ACTIVE: 2 - 3' X 90' Leach Trenches  
with 2' Extra Rock (N)  
FUTURE: 1600  
PERC RATE: 17 minutes/inch

CITY OF MALIBU ENVIRONMENTAL HEALTH
<b>IN-CONCEPT APPROVAL</b>
SIGNATURE JUN 26 2000 <i>L. Young</i>
FINAL APPROVAL IS REQUIRED PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMITS



1" = 40'

NOTES:

1. This approval is for a 5 bedroom (79 fixture units), and for a cabana (10 fixture units). A new private sewage disposal system shall be installed, as shown.
2. This approval only relates to the minimum requirements of the City of Malibu Uniform Plumbing Code and does not include an evaluation of any geological, or other potential problems, which may require an alternative method of wastewater disposal.
3. This approval is valid for one year or until City of Malibu Uniform Plumbing Code and/or Administrative Policy changes render it noncomplying.

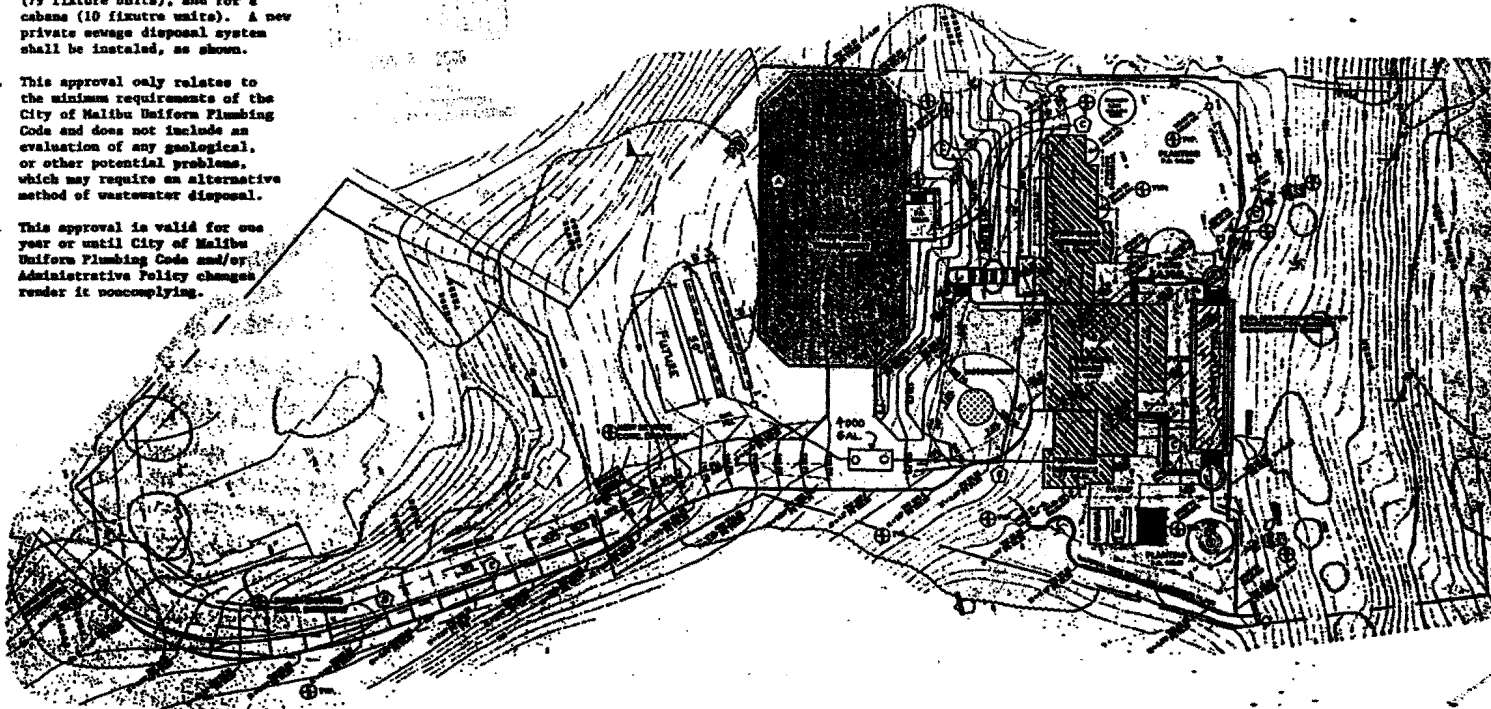


EXHIBIT 13
4-00-247
Septic Approval

