

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
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**RECORD PACKET COPY**

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 Staff: J Johnson-V *for*
 Staff Report: 5/23/01
 Hearing Date: 6/15/01
 Comm Action:

STAFF REPORT: REGULAR CALENDAR

APPLICATION NO.: 4-01-045

APPLICANT: Robert and Eileen Helper & Nikolaus and Maria Schoenberger

PROJECT LOCATION: 29725 Pacific Coast Highway and 29732 Baden Place,
 City of Malibu, Los Angeles County

PROJECT DESCRIPTION: Adjust lot line between two parcels moving one acre to expand one parcel to 1.75 acres and reduce size of second parcel to 2.43 acres. Construct a one story 5,451 sq. ft. single family residence and three car garage, retaining walls, pool/spa, fence, septic system, and grade 262 cubic yards of cut and 240 cubic yards of fill.

Existing Parcel Area (net):	
Parcel 1	3.51 acres
Parcel 2	0.73 acres
Proposed Parcel Area (net):	
Parcel 1	2.43 acres
Parcel 2	1.75 acres
Proposed Development Parcel 1	
Building coverage:	5,451 sq. ft.
Pavement coverage (Proposed Application No. 4-01-053)	14,180 sq. ft.
Parking Area Coverage:	2,400 sq. ft.
Parking spaces:	6
Ht abv fin grade:	18 ft.
Plan Designation:	Residential I
Zoning:	1 dwelling unit/ 1 acres
Project Density	one du/acre

SUMMARY OF STAFF RECOMMENDATION

The applicants request approval to adjust the parcel line between two parcels to add one acre of land to the smaller parcel with an existing single family residence, reduce the size of the other larger parcel accordingly, and construct

a single family residence on the larger lot accessed from Pacific Coast Highway by private driveways. The driveway to this proposed residence is located along the eastern boundary of the larger parcel and an adjoining parcel the east which is the subject of Application Number 4-01-053 scheduled for the June 2001 Commission meeting. Staff recommends approval of the proposed project with Special Conditions addressing: landscape, erosion control and fuel modification plans; disposal of excavated material, drainage and polluted runoff control plan; future development deed restriction; structural appearance deed restriction; plans conforming to geologic recommendation; and a wildfire waiver of liability. The project, as conditioned, will therefore be consistent with the Coastal Act.

LOCAL APPROVALS RECEIVED: Approval in Concept: City of Malibu Planning Department, dated 2/22/01; In Concept Approval, City of Malibu Environmental Health Department, dated December 22, 2000; Approved in Concept Geology and Geotechnical Engineering Review Sheet, City of Malibu, dated February 8, 2001; Preliminary Fuel Modification Plan, Los Angeles County Fire Department, dated 2/8/01; Coastal Commission Approval Only, County of Los Angeles Fire Department, dated 3/1/01.

SUBSTANTIVE FILE DOCUMENTS:

Coastal Permit Application No. 4-01-053, Helper & Martin; Coastal Permit No. 400214, Banvard; Updated Soils and Engineering-Geologic Investigation by California GeoSystems, dated October 27, 2000; Phase One Archaeological Study by Robert Wlodarski, Historical, Environmental, Archaeological, Research Team, dated August 2000.

STAFF RECOMMENDATION:

MOTION: *I move that the Commission approve Coastal Development Permit No. 4-01-045 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.

I. RESOLUTION TO APPROVE THE PERMIT:

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

II. Standard Conditions.

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.

2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.

3. Interpretation. Any questions of intent or interpretation of any term or condition will be resolved by the Executive Director or the Commission.

4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. Special Conditions

2. LANDSCAPE, EROSION CONTROL, AND FUEL MODIFICATION PLANS

PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit revised 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 revised plans shall incorporate the following criteria:

A) Landscaping and Erosion Control Plans

- 1) All graded & disturbed areas and the building pad areas on the subject site shall be planted and maintained for erosion control purposes within (60) days of receipt of the certificate of occupancy for the residence. The disturbed portions of the site shall also be planted and maintained for erosion control purposes. 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 on the subject site 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. The plan shall include vertical elements, such as trees and shrubs, which partially screen the appearance of the proposed residence, from the public road, Pacific Coast Highway, Zuma Beach Park, the beach and ocean located to the south and southeast;
- 3) Plantings shall 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 20 feet of the proposed residence and garage 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 final fuel modification plan shall include details regarding the types, sizes and location of plant materials to be removed, and how often thinning is to occur. In addition, the applicant shall submit evidence that the Final Fuel Modification Plan has been reviewed and approved by the Los Angeles County Fire Department, Forestry Division, Fire Prevention Bureau. Any irrigated lawn, turf and ground cover planted within the 100 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.

- 6) The final drainage/erosion control plan shall be implemented within 30 days of completion of final grading. By acceptance of this permit, the applicant agrees to maintain the drainage devices on a yearly basis in order to ensure that the system functions properly. Should the devices fail or any erosion result from the drainage from the project, the applicant or successor in interests shall be responsible for any necessary repairs and restoration.

B) Interim Erosion Control Plan

- 1) The landscape/erosion control 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 to be left undisturbed such as native trees and vegetation shall be clearly delineated on the project site with fencing or survey flags.
- 2) The plan shall specify that should grading take place during the rainy season (November 1 – March 31) the applicant shall install or construct temporary sediment basins (including debris basins, desilting basins or silt traps), temporary drains and swales, sand bag barriers, silt fencing, stabilize any stockpiled fill with geo-fabric covers or other appropriate cover, install geo-textiles or mats on all cut or fill slopes and close and stabilize open trenches as soon as possible. These erosion measures shall be required on the project site prior to or concurrent with the initial grading operations and maintained through out the development process to minimize erosion and sediment from runoff waters during construction. All sediment should be retained on-site unless removed to an appropriate approved dumping location either outside the coastal zone or to a site within the coastal zone permitted to receive fill.
- 3) The plan shall also include temporary erosion control measures should grading or site preparation cease for a period of more than 30 days, including but not limited to: stabilization of all stockpiled fill, access roads, disturbed soils and cut and fill slopes with geo-textiles 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 (5) years from the date of the receipt of the Certificate of Occupancy for the residence the applicant shall submit for the review and approval of the Executive Director, a landscape monitoring report, prepared by a licensed Landscape Architect or qualified Resource Specialist, that certifies the on-site landscaping is in conformance with the landscape plan approved pursuant to this Special Condition. The monitoring report shall include photographic documentation of plant species and plant coverage.

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

2. DISPOSAL OF EXCAVATED MATERIAL

The applicant shall dispose of all of the excavated or cut excess material consisting of 22 cubic yards to an appropriate disposal site located either outside of the Coastal Zone or a site located within the Coastal Zone with a valid Coastal Development Permit for the disposal of fill material, except for the 240 cubic yards of material proposed to be used for fill on the project site.

3. DRAINAGE AND POLLUTED RUNOFF CONTROL PLAN

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant 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 85th percentile, 24-hour runoff event for volume-based BMPs, and/or the 85th percentile, 1-hour runoff event, with an appropriate safety factor, for flow-based BMPs.
- (b) Runoff shall be conveyed off site in a non-erosive manner.
- (c) Energy dissipating measures shall be installed at the terminus of outflow drains.
- (d) The plan shall include provisions for maintaining the drainage system, including structural BMPs, in a functional condition throughout the life of the approved development. Such maintenance shall include the following: (1) BMPs shall be inspected, cleaned and repaired when necessary prior to the onset of the storm season, no later than September 30th each year and (2) should any of the project's surface or subsurface drainage/filtration structures or other BMPs fail or result in increased erosion, the applicant/landowner or successor-in-interest shall be responsible for any necessary repairs to the drainage/filtration system or BMPs and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration

plan to the Executive Director to determine if an amendment or new coastal development permit is required to authorize such work.

4. FUTURE DEVELOPMENT DEED RESTRICTION

- A. This permit is only for the development described in Coastal Development Permit No. 4-01-045. Pursuant to Title 14 California Code of Regulations Section 13250(b)(6), the exemptions otherwise provided in Public Resources Code Section 30610 (a) shall not apply to the entire property. Accordingly, any future improvements to the entire property including the permitted residence and garage, and clearing of vegetation or grading, other than as provided for in the approved fuel modification landscape and erosion control plan prepared pursuant to Special Condition Number Two (2), shall require an amendment to Permit No. 4-01-045 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.
- B. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall execute and record a deed restriction in a form and content acceptable to the Executive Director, which reflects the above restrictions on development in the deed restriction and shall include legal descriptions of the applicant's entire parcel. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

5. STRUCTURAL APPEARANCE DEED RESTRICTION

- A. The color of the structure and roof 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. Night lighting, if any, shall be directed downward, be of low intensity, at low height and shielded; security lighting, if any, shall be controlled by motion detector.
- B. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall execute and record a deed restriction, in a form and content acceptable to the Executive Director, which reflects the restrictions stated above on the proposed development. The document shall run with the land for the life of the structure 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.

6. PLANS CONFORMING TO GEOLOGIC RECOMMENDATION

PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the

applicant shall submit, for the review and approval by the Executive Director, evidence of the Engineering Geologist and Engineer consultant's review and approval of all project plans. All recommendations contained in the submitted geologic report titled:

Updated Soils and Engineering-Geologic Investigation by Geosystems, dated October 27, 2000,

shall be incorporated into all final design and construction including: site preparation, foundation and building setback, foundations, lateral design, retaining walls, foundation settlement, floor slabs, temporary excavation slopes, swimming pool and drainage, pavement/proposed parking area/fill placement, drainage protection, and private sewage disposal system. All plans must be reviewed and approved by the consultants.

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.

7. WILDFIRE WAIVER OF LIABILITY

PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit a signed document which shall indemnify and hold harmless the California Coastal Commission, its officers, agents and employees against any and all claims, demands, damages, costs, expenses, of liability arising out of the acquisition, design, construction, operations, 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 to life and property.

IV. Findings and Declarations.

A. Project Description and History

The applicants are requesting approval to adjust the lot line between two parcels moving one acre of land to expand create a lot with 1.75 acres and reduce size of the second lot to 2.43 acres (Exhibits 3 and 4). The applicants also request approval to construct a one story 5,451 sq. ft. single family residence and three car garage, three retaining walls, pool/spa, fence, septic system, and grade 262 cubic yards of cut and 240 cubic yards of fill to construct the residence. Three retaining walls are proposed to construct the residence and guest parking area ranging in size from 0 ft. to 2 ft high by 26 ft long, 2 ft. to 4 ft. by 62 ft. long, and 4 ft. to 6 ft. by 132 feet long. (Exhibits 5 - 11)

The subject site, consisting of one vacant parcel on the east and a second parcel on the west developed with a single family residence, is located inland of Pacific Coast Highway and directly across from Zuma Beach Park (Exhibits 1 and 2). The site is surrounded by residential development located to the west, north, and east. The

subject site fronts on Pacific Coast Highway. To the south of the site beyond Pacific Coast Highway is Zuma Beach Park and the Pacific Ocean. Driveway access to the two parcels is directly from Pacific Coast Highway and will be taken immediately off of an existing driveway used by the residences located to the west of the site and the one subject lot to the west. The building site after the lot line adjustment is completed will be a 2.43 acre parcel located on the northern portion of the parcel at an elevation of 76 feet above sea level. This subject parcel proposed for the residence includes a topographic relief of about 40 feet.

The Los Angeles County Land Use Plan designates these parcels as Residential I, one dwelling unit per acre. The subject site is not located within any designated environmentally sensitive habitat areas. The existing drainage on a portion of these lots is not a mapped stream. The applicant provided an archaeological report titled; Phase One Archaeological Study by Robert Wlodarski, Historical, Environmental, Archaeological, Research Team, dated August 2000. The results of the Study indicated that no prehistoric or historic archaeological resources were encountered within the project area and that any proposed improvements to the project area will have no adverse impact on known cultural resources.

The project site has been the subject of previous permit actions and a pending action by the Commission. The applicant, Bob Helper, and an adjoining property owner, Ms. Martin, to the east propose to construct a common driveway to their respective building sites on this subject site and an adjoining parcel to the east which is also scheduled on the Commission's June 2001 agenda (Application No. 4-01-053). On June 7, 1999, the Commission approved Coastal Development Permit No. 4-99-022 to adjust the lot lines among three existing lots; two lots are still vacant, and one lot included a duplex. No new lots were created as a result of this Permit. On July 13, 1989, the Commission approved Coastal Development Permit No. 5-89-187 to demolish a single family residence, and subdivide three parcels into 10 residential lots and one common area lot for road and landscaping, construct 10 single family residences, 35 feet above existing grade, pools and decks, two parking courts, 45 parking spaces, septic systems and extension of Baden Place, a public street. The Commission in January 1992 extended this Coastal Permit for an additional year. Coastal Permit No. 5-89-187 expired in July 1993 and the project was never constructed.

B. Accommodating New Development Near Sensitive Resource Areas

Section 30250 (a) of the Coastal Act provides that new development be located within or near existing developed areas able to accommodate it, with adequate public services, where it will not have significant adverse effects, either individually or cumulatively, on coastal resources:

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 only 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 surrounding parcels.

Section 30105.5 of the Coastal Act defines the term "cumulatively", as it is applied 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.

Section 30231 of the Coastal Act is designed to protect and enhance, or restore where feasible, marine resources and the biologic productivity and quality of coastal waters, including streams. Section 30231 of the Coastal Act states as follows:

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, and minimizing alteration of natural streams.

In addition, Section 30240 of the Coastal Act states that environmentally sensitive habitat areas must be protected against disruption of habitat values:

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

The Coastal Act requires that new development, including lot line adjustments and residential development, be permitted within contiguous, or in close proximity to existing developed areas, or if outside such areas, only where public services are adequate and only where public access and coastal resources will not be individually or cumulatively affected by such development. Section 30250 requires three tests to be met by the proposed development.

The new development proposed in this project consists of adjusting a lot line between two parcels by moving one acre to expand one parcel to 1.75 acres and reduce the size of the second parcel to 2.43 acres located at 29725 Pacific Coast Highway and 29732 Baden Place, in the City of Malibu (Exhibits 3 and 4). The applicants also propose to construct a one story 5,451 sq. ft. single family residence and three car

garage, three retaining walls, pool/spa, fence, septic system, and grade 262 cubic yards of cut and 240 cubic yards of fill, located at 29725 Pacific Coast Highway (Exhibits 5 - 11). The proposed project is located within an existing residential subdivision that appears to have been created in 1949 prior to the effective date of the Coastal Act. The majority of the surrounding parcels are developed with residences, except for the subject parcel on the east and an adjoining parcel further to the east, not a part of this application. About a quarter mile east of the subject site at the intersection of Pacific Coast Highway and Busch Drive, a small commercial shopping center is located. Because most of the surrounding lots are already developed and the site is located on the lower terrace area of the Santa Monica Mountains in the City of Malibu, the Commission finds that the new development proposed in this application will be located within an existing developed area, and meets the first test of Section 30250 of the Coastal Act.

The two subject parcels, one developed with a residence, the other vacant, are already provided with or are adjacent to public services, (i.e., public road access, water, electricity and telephone), therefore, the development is located in an area able to accommodate it and meets the second test. The third test, addressing whether or not the proposed project will have significant adverse effects, either individually or cumulatively, on coastal resources is discussed below. Potential individual impacts on coastal resources will be addressed first.

The Commission has reviewed and approved the previous lot line adjustment on this site in Coastal Permit Number 4-99-022 to ensure that reconfigured parcels are of sufficient size, have access to roads and other utilities, are geologically stable and include an appropriate potential building pad area where future structures can be developed consistent with the resource protection policies of the Coastal Act. In this case, the Commission has reviewed a conceptual common driveway leading from an existing driveway leading from Pacific Coast Highway to two building sites on the northern portions of two parcels, the parcel on the west of these two parcel is one of the parcels that is the subject of this application (Exhibits 5 and 6). The applicant proposes to construct this common driveway to serve the two building sites on these two parcels in Application No. 4-01-053, Helper & Martin, scheduled for the Commission's June 2001 meeting. The grading proposed is the minimum necessary to meet the Los Angeles County Fire Department requirements for fire protection purposes. The site does not include any designated environmentally sensitive resources on site, and the site is not located within a sensitive watershed area.

Minimizing erosion of the site is important to reduce geological hazards on the site and minimize sediment deposition into the drainages leading to Zuma Creek and the designated wetland at the mouth of Zuma Creek. As required by Special Condition Number One, the applicants are required to submit a Final Landscape and Fuel Modification Plan for the proposed development. The applicant has submitted a Preliminary Fuel Modification Plan; this Plan needs to be revised to include the Commission's required Special Condition One language with any revisions to meet this Special Condition. These plans incorporate the use of native species and illustrate how these materials will be used to provide erosion control to those areas of the site disturbed by development activities. These plans also illustrate that

vegetation will be "thinned" rather than "cleared" for fuel modification purposes, thus allowing for the continued use of existing native plant materials for on-site erosion control. The thinning, rather than complete removal, of native vegetation helps to retain the natural erosion control properties, such as extensive and deep root systems, provided by these species. Special Condition Number One requires that this Preliminary Fuel Modification Plan be revised and approved as a Final Plan by the Los Angeles County Fire Department, Forestry Division, Fire Prevention Bureau.

Regarding non-point source pollution and the effects of runoff and erosion on sensitive coastal resources discussed above previously such effects need to be minimized. The proposed project will increase the amount of impervious coverage on-site which may increase both the quantity and velocity of stormwater runoff. If not controlled and conveyed off-site in a non-erosive manner, this runoff may result in increased erosion, affect site stability, and impact downslope water quality in the ESHA designated Zuma Creek and Wetland. As a result, site drainage needs to be collected and distributed in a non-erosive manner. Because of the slopes on-site and the resultant potential for significant water velocities and soil erosion, it is important to adequately control site drainage through runoff detention, velocity reduction, and/or other best management practices (BMPs). Interim erosion control measures implemented during construction will minimize short-term erosion and enhance site stability. To ensure that runoff is conveyed off-site in a non-erosive manner, the Commission finds it necessary to require the applicant, through Special Conditions Numbers One and Three, to submit drainage / erosion control plans conforming to the recommendations of the consulting geologist and engineer for review and approval by the Executive Director and to assume responsibility for the maintenance of all drainage devices on-site.

In addition to controlling erosion during grading operations, landscaping of the graded and disturbed areas of the project will enhance the stability of the site. Long-term erosion can be minimized by requiring the applicant to revegetate the site with native plants compatible with the surrounding environment. Invasive and non-native plant species are generally characterized as having a shallow root structure in comparison with their high surface / foliage weight. The Commission has found that such plant species do not serve to stabilize slopes and may adversely affect the overall stability of a project site. Native species, alternatively, tend to have a deeper root structure and aid in preventing erosion. Invasive, non-indigenous plant species tend to supplant species that are native to the Malibu / Santa Monica Mountains area. Increasing urbanization in this area has already caused the loss or degradation of major portions of native habitat and native plant seed banks through grading and removal of topsoil. Moreover, invasive and fast-growing trees and groundcovers originating from other continents which have been used for landscaping in this area have seriously degraded native plant communities adjacent to development. Therefore, the Commission finds that in order to ensure site stability, all disturbed, graded, and sloped areas on-site shall be landscaped with appropriate native plant species, as specified in Special Condition Number One.

The applicant proposes to excavate 262 cubic yards of material and fill 240 cubic yards on site to construct the residence and garage, pool/spa, and septic system on

the Parcel 1, the eastern parcel of the two subject parcels. To ensure that the remainder of the cut material is disposed of at an appropriate site located either outside the coastal zone or a site located within the coastal zone with a valid coastal development permit for the disposal of fill material, Special Condition Number Two is necessary.

The Commission has repeatedly emphasized the need to address the cumulative impacts of new development in the watersheds of the Santa Monica Mountains and Malibu area through past permit actions. This is due to the potential for future expansions of individual residential and related development which would be exempt from coastal development permit requirements. The Commission notes concern about the potential for future impacts on coastal resources that may occur as a result of further development of the subject property. Specifically, the expansion of the building site and developed area would require more vegetation removal as required for fuel modification by the Los Angeles County Fire Department. Further, adding more impervious surfaces to the site through future development or expansion could have adverse impacts on the existing drainage of the site, which in turn would have significant impacts on the Zuma Creek watershed and wetland due to increased erosion and sedimentation. Therefore, the Commission finds it is necessary to require the applicant to record a Future Development Deed Restriction to ensure that expanded development at this site that would otherwise be exempt from Commission permit requirements will be reviewed for consistency with the coastal resource policies of the Coastal Act. Special Condition Number Four is necessary to ensure that any future additions or vegetation removal, which otherwise may be exempt from coastal permit requirements will be consistent with the Coastal Act.

a. Water Quality

The Commission recognizes that new development in the Santa Monica Mountains and Malibu area has the potential to adversely impact coastal water quality through the removal of native vegetation, increase of impervious surfaces, increase in 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 requires that the biological productivity and quality of coastal waters and streams be maintained and restored by minimizing the effects of waste water discharges and controlling runoff, among other means.

As described above, the proposed project includes the construction of a one story 5,451 sq. ft. single family residence and three car garage, retaining walls, pool/spa, fence, septic system, and the grading 262 cubic yards of cut and 240 cubic yards of fill. (Exhibits 5 – 11).

The site is considered a "hillside" development, as it involves moderately sloping terrain (topographic range of 40 feet) with soils that are susceptible to erosion. Further, use of the site for residential purposes introduces potential sources of pollutants such as petroleum, household cleaners, and pesticides, as well as other accumulated pollutants from rooftops and other impervious surfaces.

The proposed development will result in removal of vegetation and 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. Infiltration of precipitation into the soil allows for the natural filtration of pollutants. 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.

When infiltration is impeded by impervious surfaces, pollutants in runoff are quickly conveyed to coastal streams and to the ocean. Thus, new development can cause cumulative impacts to the hydrologic cycle of an area by increasing and concentrating runoff leading to stream channel destabilization, increased flood potential, increased concentration of pollutants, and reduced groundwater levels.

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, such 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 would be allowed to return to the soil, overall runoff volume is reduced and more water is available to replenish groundwater and maintain stream flow. The slow 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 will be greatly diminished.

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

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

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

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

In order to ensure that adverse impacts to coastal water quality do not result from the proposed project, the Commission finds it necessary to require the applicant, through Special Condition Number Three, to incorporate filter elements that intercept and infiltrate or treat the runoff from the site. 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 applicant 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.

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 and 30240 of the Coastal Act.

b. Conclusion

The Commission's standard of review for this project are the policies of the Coastal Act. Regarding Section 30250 of the Coastal Act, the proposed project is located in an area that is considered a "developed area" and does meet the first test of Section 30250. The Commission also finds that the project is located within a developed area with adequate public services and meets the second test of Section 30250. The Commission finds that the biological productivity and quality of coastal waters, riparian habitat, and nearby ESHA will be protected as a result of the proposed project, as conditioned, and as required by Sections 30231 and 30240 of the Coastal Act. Lastly, the Commission finds that the project will not have significant adverse effects, either

individually or cumulatively, on coastal resources to meet the third test of Section 30250. Thus, the proposed project, as conditioned, will result in development that is consistent with and conforms with Sections 30231, 30240, and 30250(a) of the Coastal Act.

C. Visual Resources.

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 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.

In the review of this project, the Commission reviews the publicly accessible locations where the proposed development is visible to assess potential visual impacts to the public. The Commission reviews the visibility of the proposed project from public roads, lands, and trails. The project site, where the new residence and garage is proposed, will be highly visible from the nearest public highway, Pacific Coast Highway, located immediately adjacent to the south. Regarding public lands, the project site will also be highly visible from Zuma Beach Park, the public beach and the ocean located to the south and southeast of the project site. The proposed development will not be visible from public trails. The building site is located at an elevation of about 76 feet above sea level or about 56 feet above the road elevation of Pacific Coast Highway, near the southern edge of a terrace area. Although the proposed residence and garage will be visible from the Highway and Zuma Beach, its visibility will be reduced because the building site is located near the most landward portion of the parcel and the design of the structure proposed will be a low profile, one story design. This building site is located about 350 feet landward from Pacific Coast Highway. Because the proposed residence, garage, and retaining walls will be visible from Pacific Coast Highway and Zuma Beach Park, the beach and ocean, Special Condition Number Five, Structural Appearance Deed Restriction is necessary to address and mitigate the visual impact to public views by requiring the color of the structures and roof be a color compatible with the surrounding environment and that white tones will not be accepted. This Condition requires the applicant to record a deed restriction to carry out Special Condition Number Five.

The Commission has found that the use of native plant materials in landscaping plans can soften the visual impact of construction in the Santa Monica Mountains. The use of native plant materials to revegetate graded and restored areas reduces the adverse effects of erosion, which can degrade visual resources in addition to causing siltation pollution in ESHA's, and soften the appearance of development within areas of high scenic quality. As required by Special Condition Number One, the disturbed and graded areas will be replanted with native plants. As required by Special Condition

Number One, the landscape plan will be designed with vertical elements to partially screen and soften the visual impact of the driveway and retaining walls with trees and shrubs as viewed from publicly visible locations located to the south and southeast. In addition, to ensure that any future additions or improvements to the permitted structures, which might otherwise be exempt from coastal permit requirements, or any modifications to the landscape plan/fuel modification plan are reviewed by the Commission for consistency with Section 30251 of the Coastal Act, the Commission finds that it is necessary to require that all future additions or improvements to the permitted structure or modifications to the landscape plan/fuel modification plan will require a permit or permit amendment, as required by Special Condition Number Four.

Regarding landform alteration, the applicant has provided a grading plan prepared by a registered engineer indicating that indicates that 262 cubic yards of material will be cut and 240 cubic yards of will be filled on site, the difference to be exported from the site consistent with Special Condition Number Two. Because the proposed residence will be located on a level portion of the parcel, the proposed grading will minimize the alteration of physical features and natural landforms as viewed by the public from the south and southeast. Therefore, the Commission finds that the location and design of the proposed project will minimize the alteration of landform and physical features on the site and minimize impacts to public views to and along the coast. Thus, the Commission finds that the proposed project, as conditioned, is consistent with Coastal Act Section 30251.

D. Hazards

Section 30253 of the Coastal Act provides that new development minimize risks to life and property in areas of high geologic and fire hazard:

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 Commission has reviewed and approved the previous lot line adjustment on this site in Coastal Permit Number 4-99-022 to ensure that reconfigured parcels are of sufficient size, have access to roads and other utilities, are geologically stable and include an appropriate potential building pad area where future structures can be developed consistent with the resource protection policies of the Coastal Act. In this case, the Commission has reviewed a conceptual building site and common driveway leading from an existing driveway leading north from Pacific Coast Highway to two building sites, the one on the west is the subject residential building site, the one on the east is the adjoining parcel not the subject of this application (Exhibit 6).

The applicant submitted a soils and geology report that addresses the proposed residence and pool. The "Updated Soils and Engineering-Geologic Investigation by California GeoSystems, dated October 27, 2000, found that there are no observed geologic hazards on the site. This geology report concluded that the surface and geologic conditions at this site are suitable for construction of the proposed development from a soils and engineering-geologic standpoint provided the recommendations included herein are incorporated into the development plans. This report concludes:

It is the finding of this firm that the proposed development will be safe and that the site will not be affected by any hazard from landslide, settlement or slippage and the completed work will not adversely affect adjacent property in compliance with the City of Malibu code provided our recommendations are followed.

The applicant submitted a Geology and Geotechnical Engineering Review Sheet, dated February 8, 2001 from the City of Malibu for the proposed residence and pool. The City's Geologist and Engineer determined that this proposed project is "approved in concept" in the planning stage. The recommendations in this geology report addresses the following issues: site preparation, foundation and building setback, lateral design, retaining walls, foundation settlement, floor slabs, temporary excavation slopes, swimming pool, pavement/proposed parking area/fill placement drainage protection, and sewage disposal system. Based on the findings and recommendations of the consulting geologist and engineer, the Commission finds that the development is consistent with Section 30253 of the Coastal Act so long as all recommendations regarding the proposed development are incorporated into the project plans. Therefore, the Commission finds it necessary to require the applicant to submit project plans that have been certified in writing by these consultants as conforming to their recommendations, as noted in Special Condition Number Six for the final plans for the proposed project.

The Coastal Act also requires that new development minimize the risk to life and property in areas of high fire hazard. The Coastal Act also 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 and Malibu area consists mostly of coastal sage scrub and chaparral. Many plant species common to these communities produce and store terpenes, which are highly flammable substances (Mooney in Barbour, Terrestrial Vegetation of California, 1988). Chaparral and sage scrub communities have evolved in concert with, and continue to produce the potential for frequent wild fires. The typical warm, dry summer conditions of the Mediterranean climate combine with the natural characteristics of the native

vegetation to pose a risk of wild fire damage to development that cannot be completely avoided or mitigated.

Due to the fact that the proposed project is located in an area subject to an extraordinary potential for damage or destruction from wild fire, the Commission can only approve the project if the applicant assumes the liability from these associated risks. Through the Wildfire Waiver of Liability Special Condition, the applicant acknowledges and appreciates the nature of the fire hazard which exists on the site and which may affect the safety of the proposed development, as incorporated by Special Condition Number Seven.

The Commission finds that, only as conditioned, is the proposed project consistent with Section 30253 of the Coastal Act.

E. Septic System

The Commission recognizes that the potential build-out of lots in the Santa Monica Mountains, and the resultant installation of septic systems, may contribute to adverse health effects and geologic hazards in the local area. 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 applicant is proposing to construct a septic system with a 3,000 gallon tank and two seepage pits to accommodate the sewage of the proposed development. The applicant has submitted conceptual approval from the City of Malibu, Department of Environmental Health dated December 22, 2000 stating that the proposed septic system is in conformance with the minimum requirements of the City of Malibu Uniform Plumbing Code. The City of Malibu's minimum health code standards for septic systems have been found protective of coastal resources and take into consideration the percolation capacity of soils along the coastline, among other criteria. Therefore, the Commission finds that the proposed project is consistent with Section 30231 of the Coastal Act.

F. Local Coastal Program

Section 30604 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 program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200).

Section 30604(a) of the Coastal Act provides that the Commission shall issue a coastal permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act. The preceding sections provide findings that the proposed project will be in conformity with the provisions of Chapter 3 if certain conditions are incorporated into the project and accepted by the applicant. As conditioned, the proposed 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 of Malibu's ability to prepare a Local Coastal Program for this area of Malibu that is also consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

G. California Environmental Quality Act (CEQA)

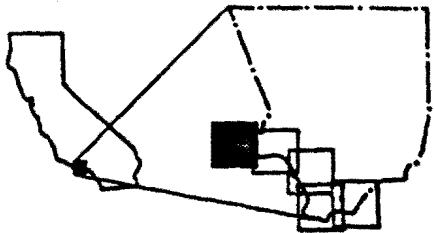
Section 13096(a) of the Commission's administrative regulations requires Commission approval of Coastal Development Permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California 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 which the activity may 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 proposed project, as conditioned, has been adequately mitigated and is determined to be consistent with CEQA and the policies of the Coastal Act.

401045helpers&choenberger.report

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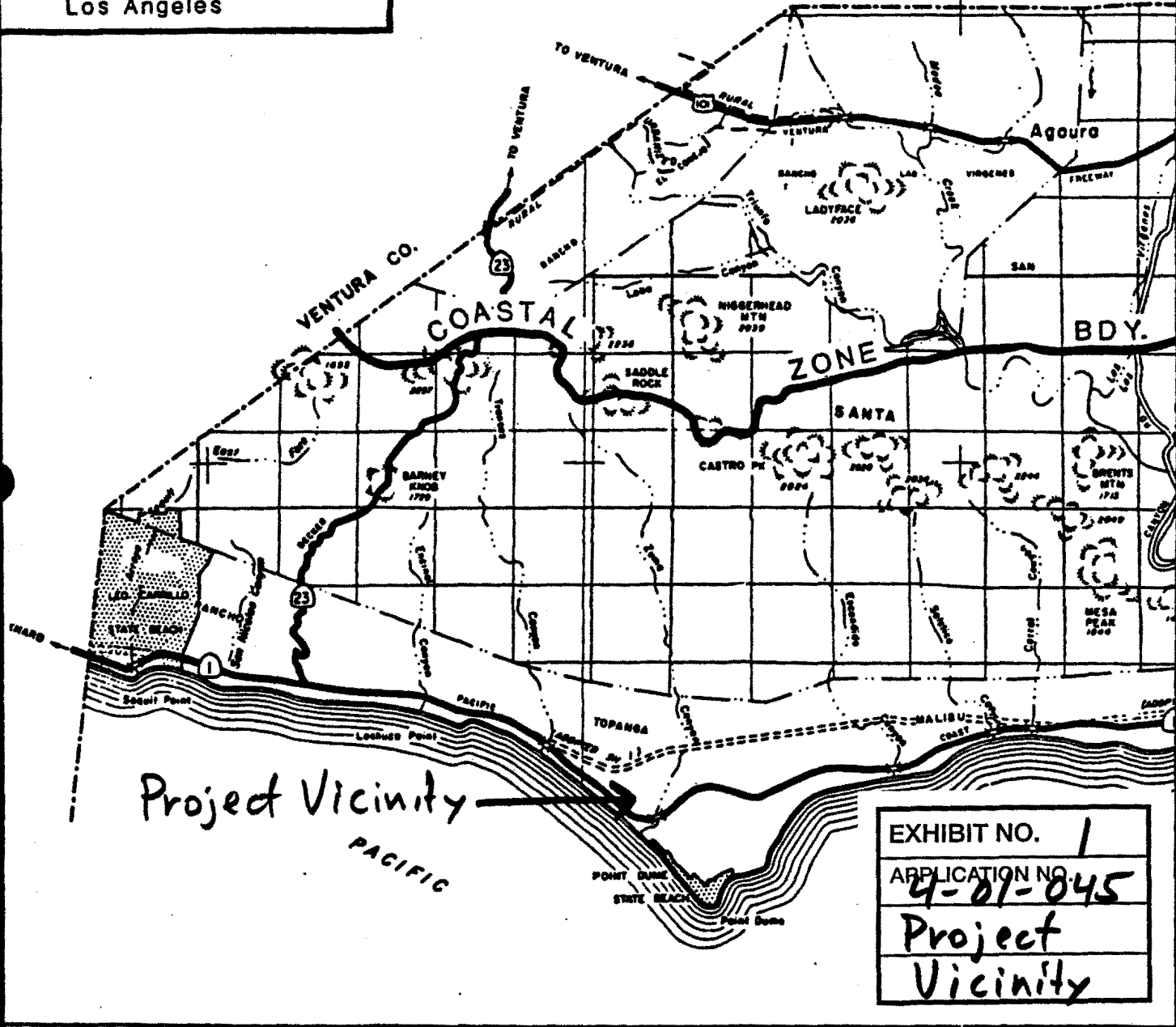


EXHIBIT NO.	1
APPLICATION NO.	4-01-045
Project	
Vicinity	



California Coastal Commission

LOCATION MAP



~~EXHIBIT "B"~~ BEFORE

AREA PARCEL 1

EXISTING PARCEL 1: 166312 SQ FT GROSS (3.818 ACRES)
 EXISTING PARCEL 1: 93,473 SQ FT NET (2.15 ACRES)
 PROPOSED PARCEL 1: 124969 SQ FT. GROSS (2.87 ACRES)
 PROPOSED PARCEL 1: 89,008 SQ FT. NET (2.05 ACRES)

AREA PARCEL 2

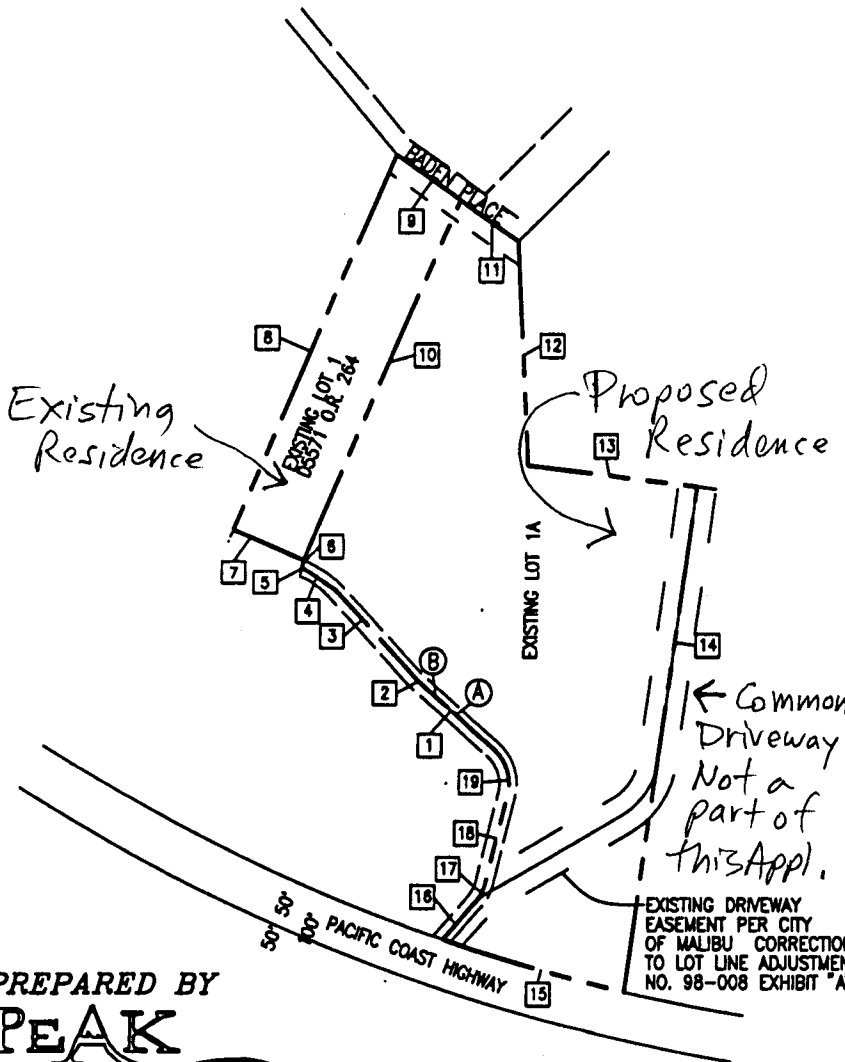
EXISTING PARCEL 2: 33405 SQ FT GROSS (0.77 ACRES)
 EXISTING PARCEL 2: 31770 SQ FT GROSS (0.73 ACRES)
 PROPOSED PARCEL 2: 74762 SQ FT. GROSS (1.72 ACRES)
 PROPOSED PARCEL 2: 71258 SQ FT. NET (1.64 ACRES)

RECEIVED

FEB 27 2001



CALIFORNIA
 COASTAL COMMISSION
 SOUTH CENTRAL COAST DISTRICT



PROPOSED PROPERTY LINES

- (A) N 48°11'46" W 65.59'
- (B) N 48°11'46" W 41.13'
- (C) N 01°08'06" E 531.46'

EXISTING PROPERTY LINES

- 1 N 48°11'46" E 106.72'
- 2 Δ= 6°00'53" R=100.00' L=10.50'
- 3 N 42°10'53" W 118.05'
- 4 Δ= 24°30'00" R=100.00' L=42.76'
- 5 N 66°40'53" W 1.83'
- 6 N 11°35'22" E 8.17'
- 7 N 66°40'53" W 80.00'
- 8 N 23°19'07" W 425.97'
- 9 N 54°48'57" W 81.75'
- 10 N 23°19'07" W 409.16'
- 11 N 54°48'57" W 75.24'
- 12 N 02°47'56" W 233.67'
- 13 N 83°04'32" W 179.78'
- 14 N 07°54'17" E 534.23'
- 15 Δ= 5°50'29" R=1950.00' L=198.80'
- 16 N 41°48'14" E 50.72'
- 17 Δ= 28°00'00" R=50.00' L=24.43'
- 18 N 13°48'14" E 92.49'
- 19 Δ= 62°00'00" R=50.00' L=54.11'

PREPARED BY

PEAK
 SURVEYS INC.

CIVIL ENGINEERING & LAND SURVEYING
 2488 TOWNSGATE RD suite D
 WESTLAKE VILLAGE CA 91361
 (805) 497-0102 (818) 889-3579

LOT LINE ADJUSTMENT

EXHIBIT NO. 3
APPLICATION NO. 4-01-045
LotLine Adj
Before

~~EXHIBIT "B"~~

AFTER



1"=200'

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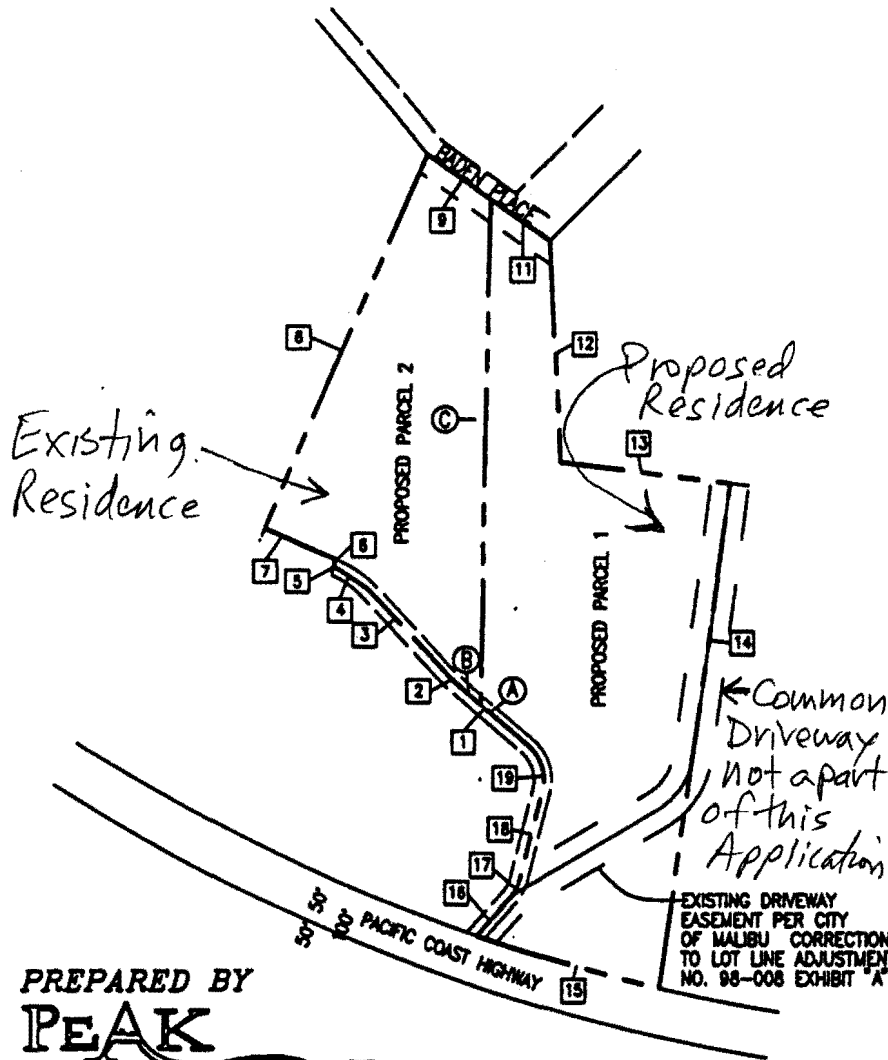
CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

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AREA PARCEL 2

EXISTING PARCEL 2: 33405 SQ FT GROSS (0.77 ACRES)
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 PROPOSED PARCEL 2: 74762 SQ FT. GROSS (1.72 ACRES)
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- 18 N 13°48'14" E 92.49'
- 19 Δ= 82°00'00" R=50.00' L=54.11'

EXISTING DRIVEWAY
 EASEMENT PER CITY
 OF MALIBU CORRECTION
 TO LOT LINE ADJUSTMENT
 NO. 98-008 EXHIBIT "A"

PREPARED BY

PEAK SURVEYS INC.

CIVIL ENGINEERING & LAND SURVEYING
 2488 TOWNSGATE RD suite D
 WESTLAKE VILLAGE CA 91361
 (805) 497-0102 (818) 889-3579

LOT LINE ADJUSTME

EXHIBIT NO. 4
APPLICATION NO. 4-81-845
Lot Line Adj
After

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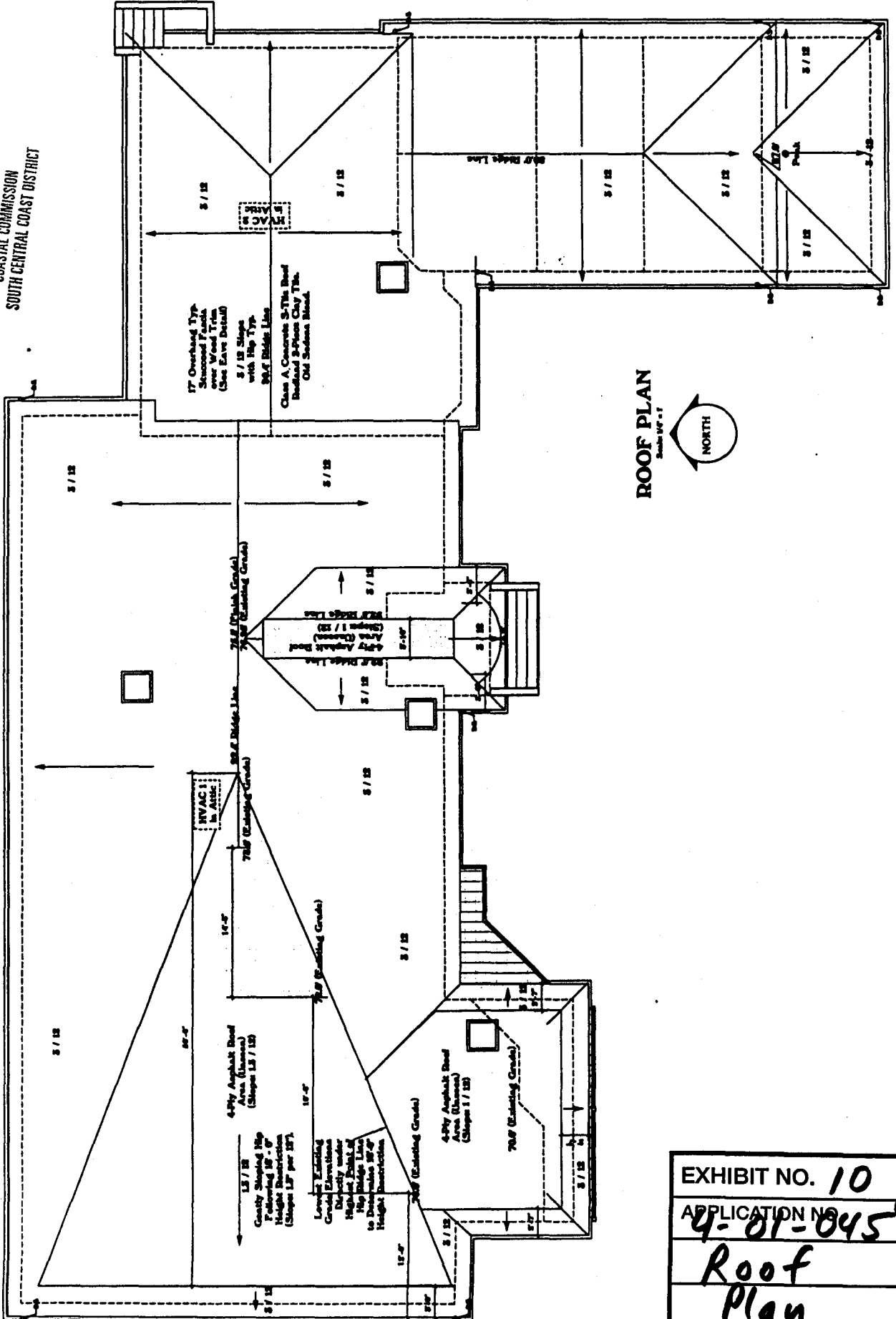
CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

Drawn by:
Cliff Cowles
P.O. Box 8748
Marina, CA 90264
510-888-9192
Fax: 510-888-9195
Plans & Permits

A New Single Family Residence for
Mr. & Mrs. Robert Helper
29725 Pacific Coast Highway, Malibu, CA 90265
Los Angeles City APN: 017-4469-022, 310457, 8294

**ROOF
PLAN**

5



ROOF PLAN
Scale: 1/8" = 1'-0"
NORTH

EXHIBIT NO. 10
APPLICATION NO. 9-01-045
Roof Plan

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 CALIFORNIA
 COASTAL COMMISSION
 SOUTH CENTRAL DISTRICT

- 1. All plants shown on this plan are to be installed in accordance with the specifications and quantities indicated.
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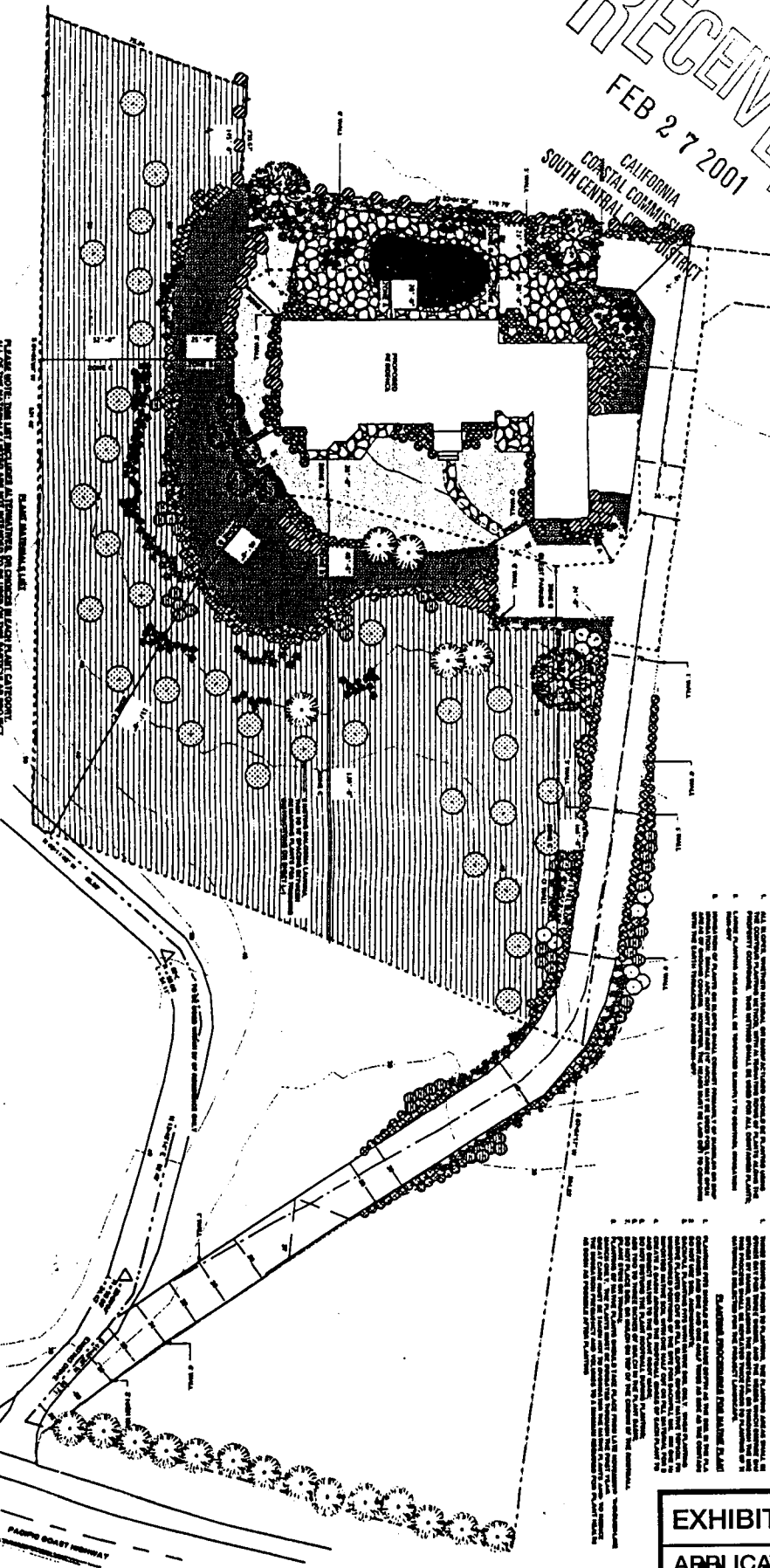


EXHIBIT NO. 11
 APPLICATION NO. 4-01-045
 Prelim Landscape Plan

MR. & MRS. ROBERT HELPER
 29725 PACIFIC COAST HIGHWAY
 MALIBU, CALIFORNIA
 APN 4469-022-017

LANDSCAPE,
 FUEL MODIFICATION &
 VEGETATION MANAGEMENT
 PLANTING PLAN

RANDALL LANDSCAPE DESI
 909 EUCLID STREET, #6
 SANTA MONICA, CALIF. 9040
 310-395-2615/FAX:310-395-23
 E-MAIL: mkrandall@earthlink

