CALIFORNIA COASTAL COMMISSION
SOUTH CENTRAL COAST AREA
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Commission Action:	

STAFF REPORT: REGULAR CALENDAR

APPLICATION NO: 4-01-130

APPLICANTS: Isac & Farah Yafai **AGENT**: Mo Borghei

PROJECT LOCATION: 27589 Pacific Coast Highway, Malibu, Los Angeles County.

PROJECT DESCRIPTION: Construction of a 5,920 sq. ft., two story, 28 ft. high single family residence with attached 3-car garage, driveway, two retaining walls, swimming pool, septic system, with 850 cu. yds. of grading (460 cu. yds. cut, 390 cu. yds. fill) on an approximately .95-acre lot immediately ~~north and~~ inland of Pacific Coast Highway.

Lot Area:	40,240 sq. ft.
Building Coverage:	3,235 sq. ft.
Pavement Coverage:	6,370 sq. ft.
Landscaped Area:	30,635 sq. ft.
Land Use Designation:	Residential
Parking Spaces:	3 (garage)
Ht. abv ext grade:	26 ft.

LOCAL APPROVALS: Approval in Concept, City of Malibu Planning Department, dated 7/10/01; Approval in Concept, City of Malibu Geology and Geotechnical Engineering Review Sheet, dated 4/26/01; Approval in Concept, City of Malibu Biological Review, dated 3/21/01; In Concept Approval (Septic System), City of Malibu Environmental Health Department, dated 5/21/01; In Concept Approval (Fuel Modification), County of Los Angeles Fire Department, dated 9/18/01; In Concept Approval (Access), County of Los Angeles Fire Department, dated 8/21/01.

SUBSTANTIVE FILE DOCUMENTS: Malibu/Santa Monica Mountains certified Land Use Plan; "Report of Geotechnical Investigation, Proposed Single Family Residence, 27589 Pacific Coast Highway, Malibu, California," prepared by Applied Earth Sciences, dated 1/9/01; "Supplement No. 1, Geotechnical Investigation, Proposed Single Family Residence, 27589 Pacific Coast Highway, Malibu, California," prepared by Applied Earth Sciences, dated 4/2/01; "Engineering Geologic and Septic System Feasibility Investigation for Proposed Single Family Residence, 27589 Pacific Coast Highway, Malibu, California," prepared by Miller Geosciences, Inc., dated 1/03/01; Coastal Development Permit (CDP) 4-99-006.

STAFF RECOMMENDATION

Staff recommends **approval** of the proposed project with ten (10) special conditions regarding (1) Conformance with Geologic Recommendations, (2) Wildfire Waiver of Liability, (3) Landscaping and Erosion Control, (4) Drainage and Polluted Runoff, (5) Removal of Excess Graded Material, (6) Color Restriction, (7) Lighting Restriction, (8) Future Improvements, (9) Revised Plans, and (10) Pool Drainage and Maintenance.

The applicants have submitted a letter, dated November 26, 2001 and included in this staff report as Exhibit 14, addressing a version of this staff report prepared on November 20, 2001. In the letter, the applicants request that Special Condition Nine (9) be amended to increase the allowable elevation of the proposed building pad by .75 feet. Special Condition Nine (9) requires the applicant to submit revised plans that lower the proposed building pad by two feet (from 133 feet to 131 feet above sea level), and the height of the house three feet (from 28 feet to 25 feet). These revisions are recommended to reduce the visual impacts of the project.

The applicants assert that increasing the allowable elevation of the proposed building pad from 131 feet to 131.75 feet would reduce the amount of grading required on the site to less than 1,000 cu. yds. Staff notes that the recommended two-foot reduction in the elevation of the proposed building pad may result in additional grading and landform alteration. However, Section D. of the staff report finds that the two-foot reduction is necessary to minimize the visual impact of the project, and could be accomplished with acceptable increases in retaining wall height and in the 850 cu. yds. of grading proposed. Staff maintains that the height of the proposed residence more significantly impacts inland views from Pacific Coast Highway, including ridgeline views of the Santa Monica Mountains, than does the additional grading required to lower the building pad.

I. STAFF RECOMMENDATION

MOTION: I move that the Commission approve Coastal Development Permit No. 4-01-130 pursuant to the staff recommendation.

STAFF RECOMMENDATION OF APPROVAL:

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

RESOLUTION TO APPROVE THE PERMIT:

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

II. STANDARD CONDITIONS

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

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

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

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

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

III. SPECIAL CONDITIONS

1. Plans Conforming to Geologic Recommendations

(a) All recommendations contained in "Report of Geotechnical Investigation, Proposed Single Family Residence, 27589 Pacific Coast Highway, Malibu, California," prepared by Applied Earth Sciences, dated 1/9/01; "Supplement No. 1, Geotechnical Investigation, Proposed Single Family Residence, 27589 Pacific Coast Highway, Malibu, California," prepared by Applied Earth Sciences, dated 4/2/01; and "Engineering Geologic and Septic System Feasibility Investigation for Proposed Single Family Residence, 27589 Pacific Coast Highway, Malibu, California," prepared by Miller Geosciences, Inc., dated 1/03/01; shall be incorporated into all final design and construction including recommendations concerning site preparation, grading, foundations, foundation and building setbacks, lateral design, grade slabs, temporary excavation, retaining walls, site drainage, swimming pool, private sewage disposal, and observation during construction. All plans must be reviewed and approved by the consulting geologists.

PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit, for review and approval of the Executive Director, evidence of the geotechnical 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. The applicants shall further submit evidence that the geotechnical consultant has reviewed the landscape and erosion control plan required pursuant to **Special Condition Three (3)**, and the drainage and runoff control plan required pursuant to **Special Condition Four (4)**, and has verified that all recommendations set forth in the reports cited in subparagraph (a) relevant to the landscape, erosion control, and drainage and polluted runoff control measures have been adequately incorporated.

(b) The final plans approved by the consulting geologists shall be in substantial conformance with the plans approved by the Commission relative to construction, grading, drainage, and sewage disposal. 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. Wildfire Waiver of Liability

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants 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, and 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 wildfire exists as an inherent risk to life and property.

3. Landscape and Erosion Control Plan

PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit two (2) sets of landscaping and erosion control plans, prepared by a licensed landscape architect or a qualified resource specialist, for review and approval by the Executive Director. The landscaping and erosion control plans shall be reviewed and approved by the consulting geologists to ensure that the plans are in conformance with the consulting geologists' recommendations. The plans shall incorporate the following criteria:

A) Landscaping Plan

(1) All graded & disturbed areas on the subject site shall be planted and maintained for erosion control purposes within (60) days of receipt of the certificate of occupancy for the residence. To minimize the need for irrigation all landscaping shall consist primarily of native/drought resistant plants as listed by the California Native Plant Society, Santa Monica Mountains Chapter, in their document entitled Recommended List of Plants for Landscaping in the Santa Monica Mountains, dated February 5, 1996. Invasive, non-indigenous plant species which tend to supplant native species shall not be used.

(2) The property shall be planted with native species of sufficient height and density to screen the project from public viewing areas along Pacific Coast Highway.

(3) 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.

(4) 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.

(5) All development approved herein shall be undertaken in accordance with the final approved plans. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the said

plans shall occur without a Coastal Commission - approved amendment to the coastal development permit, unless the Executive Director determines that no amendment is required.

(6) The landscape plan shall include a permanent irrigation plan that employs a drip irrigation system. Sprinkler systems may be used to establish turf as authorized by the Executive Director.

(7) 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. Irrigated lawn, turf and ground cover 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 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

(1) 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 that 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.

(2) 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.

4. Drainage and Polluted Runoff Control Plan

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit, for the review and approval of the Executive Director, two (2) sets of final drainage and runoff control plans, including supporting calculations. The plan shall be prepared by a licensed engineer and shall incorporate structural and non-structural Best Management Practices (BMPs) designed to control the volume, velocity and pollutant load of stormwater leaving the developed site. The plan shall be reviewed and approved by the consulting geologists to ensure the plan is in conformance with the consulting geologists' 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) Vegetated and/or rock filter systems must be appropriately sized, properly designed, and engineered to: 1) trap sediment, particulates and other solids and

2) remove or mitigate contaminants through infiltration and/or biological uptake. Vegetated filter systems shall consist of native 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. Filter elements shall be designed to intercept and infiltrate or treat the runoff volume from a 25-year, 24-hour runoff event.

(e) 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 applicants/landowners 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. Removal of Excess Graded Material

The applicants shall remove all excess graded material to an appropriate disposal site locate outside of the Coastal Zone. PRIOR TO 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.

6. Color Restriction

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit for the review and approval of the Executive Director, a color palette and material specifications for the outer surface of all structures authorized by the approval of Coastal Development Permit 4-01-130. The palette samples shall be presented in a format not to exceed 8½" X 11"X ½" in size. The palette shall include the colors proposed for the roof, trim, exterior surfaces, driveways, retaining walls, or other structures authorized by this permit. Acceptable colors shall be limited to colors compatible with the surrounding environment (earth tones) including shades of green, brown and gray with no white or light shades and no bright tones. All windows shall be comprised of non-glare glass.

The approved structures shall be colored with only the colors and window materials authorized pursuant to this special condition. Alternative colors or materials for future repainting or resurfacing or new windows may only be applied to the structures authorized by Coastal Development Permit 4-01-130 if such changes are specifically authorized by the Executive Director as complying with this special condition.

PRIOR TO ISSUANCE THE COASTAL DEVELOPMENT PERMIT, the applicants shall execute and record a deed restriction, in a form and content acceptable to the Executive Director, that 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.

7. Lighting Restriction

A. The only outdoor, night lighting that is allowed on the site is the following:

1) The minimum necessary to light walkways used for entry and exit to the structures, including parking areas, on the site. This lighting shall be limited to fixtures that do not exceed two feet in height, that are directed downward, and use bulbs that do not exceed 60 watts, or the equivalent, unless a higher wattage is authorized by the Executive Director.

2) Security lighting attached to the residence that is controlled by motion detectors and is limited to 60 watts, or the equivalent.

3) The minimum lighting necessary for safe vehicular use of the driveway. The lighting shall be limited to 60 watts, or the equivalent.

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

B. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall execute and record a deed restriction reflecting the above restrictions.

8. Future Development Restriction

This permit is only for the development described in Coastal Development Permit 4-01-130. Pursuant to Title 14 California Code of Regulations §13250 (b)(6), the exemptions otherwise provided in Public Resources Code §30610 (a) shall not apply to the entire parcel. Accordingly, any future improvements to the entire property, including but not limited to the permitted residence, garage, any change of use to the permitted

structures, and any grading, clearing or other disturbance of vegetation other than as provided for in the approved landscape plan prepared pursuant to **Special Condition Three (3)**, and in the approved drainage and polluted runoff control plan prepared pursuant to **Special Condition Four (4)**, shall require an amendment to Coastal Development Permit 4-01-130 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.

PRIOR TO 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 legal descriptions 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.

9. Revised Plans

PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit revised project plans and designs, including grading plans, reducing the finished project elevations, such that the finished project height does not exceed 156 ft. above sea level. The finished elevation of the portions of the pad supporting the residence shall be reduced from the maximum of 133 ft. elevation presently shown on **Exhibit 5**, to a maximum of 131 ft. elevation. The finished elevation of the residence shall be reduced from a maximum height of 28 feet, as shown in **Exhibits 11-12**, to a maximum height of 25 feet. The applicants shall submit evidence that the revised plans and designs have been reviewed and approved by the applicants' geotechnical consultant in accordance with the requirements of **Special Condition One (1)** set forth above.

10. Pool Drainage and Maintenance

Prior to issuance of the Coastal Development Permit, the applicant shall submit, for review and approval of the Executive Director, a written plan to mitigate the potential of leakage from the proposed swimming pool. The plan shall at a minimum: 1) provide a separate water meter for the pool to allow monitoring of water levels for the pool; 2) include design specifications for the pool that include double wall construction, with a drain system between the walls that can serve as a leak-detection system, to ensure that leakage will not contribute to the instability of the site; and 3) identify methods to control pool drainage and to control infiltration and run-off resulting from pool drainage and maintenance activities. The applicant shall comply with the mitigation plan approved by the Executive Director.

IV. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

A. Project Description and Background

The applicants propose to construct a 5,920 sq. ft., two story, 28 ft. high single family residence with attached 3-car garage, driveway, two retaining walls, swimming pool, septic system **(Exhibits 4-12)**. The project also includes 850 cu. yds. of grading (460 cu. yds. cut, 390 cu. yds. fill) to construct a driveway and building pad **(Exhibit 5)**.

The subject site is located at 27589 Pacific Coast Highway, immediately north and inland of Pacific Coast Highway, opposite the Escondido Beach area of Malibu **(Exhibit 1)**. The surrounding area is developed with single family residences of similar bulk and height, including a 7,073 sq. ft. single family residence (approved under CDP 4-99-006) on the adjacent lot. The lot takes legal access off Jasmine Way, on the eastern side of the lot **(Exhibit 3)**. The proposed residence is located on the northern half of the property, farthest from the highway.

The approximately .95 acre lot occupies gently sloping terrain that descends from northwest to southeast **(Exhibit 3)**. The lot steepens adjacent to Pacific Coast Highway where a 1:1 cut slope is present to a height of about 15 feet. The site is lightly vegetated with short grasses and weeds and appears to have been disced. The slope adjacent to the highway contains mostly non-native vegetation and some remnant native coastal sage scrub **(Exhibit 13)**. No sensitive habitat areas are located on or adjacent to the subject parcel.

The site currently drains by sheet flow runoff. Runoff from the area of proposed development travels southeasterly toward Jasmine Way and Pacific Coast Highway. Catch basins on Pacific Coast Highway direct runoff into culverts that outlet at Escondido Beach. The nearshore marine environment off Escondido Beach contains kelp beds designated as Environmentally Sensitive Habitat Areas (ESHAs) in the certified Malibu/Santa Monica Mountains Land Use Plan (LUP) **(Exhibit 2)**.

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 instability, or destruction to the site or surrounding area. The site of the proposed project is an approximately .95 acre parcel that slopes gently to the southeast, towards a cut slope on the southern edge of the property, and Pacific Coast Highway. The cut slope ascends westerly to a height of approximately 15 feet at the western property line.

The applicants propose to construct a 5,920 sq. ft., two story, 28 ft. high single family residence with attached 3-car garage, driveway, two retaining walls, swimming pool, septic system. The project also includes 850 cu. yds. of grading (460 cu. yds. cut, 390 cu. yds. fill) to construct a driveway and building pad.

The applicants also propose to construct two retaining walls, including a maximum 5 ft. high and 180 ft. long concrete wall to the north of the proposed driveway, and a maximum 4.5 ft. high and 132 ft. long concrete wall to the south of the proposed swimming pool area. The northern wall would contain the cut slope resulting from grading of the driveway, and the southern wall would buttress fill supporting the swimming pool area.

The applicants have submitted a three reports: "Report of Geotechnical Investigation, Proposed Single Family Residence, 27589 Pacific Coast Highway, Malibu, California," prepared by Applied Earth Sciences, and dated 1/9/01; "Supplement No. 1, Geotechnical Investigation, Proposed Single Family Residence, 27589 Pacific Coast Highway, Malibu, California," prepared by Applied Earth Sciences and dated 4/2/01; and "Engineering Geologic and Septic System Feasibility Investigation for Proposed Single Family Residence, 27589 Pacific Coast Highway, Malibu, California," prepared by Miller Geosciences, Inc., and dated 1/03/01. The reports make numerous recommendations regarding site preparation, grading, foundations, foundation and building setbacks, lateral design, grade slabs, temporary excavation, retaining walls, site drainage, swimming pool, private sewage disposal, and observation during construction.

The April 2, 2001 report concludes that

> ***It is the finding of this firm that the proposed building and/or grading will be safe and that the property will not be affected by any hazard form landslide, settlement***

or slippage and the completed work will not adversely affect adjacent property in compliance with the county code, provided our recommendations are followed.

The Commission finds that, based on the conclusions of the above referenced reports, 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 One (1)** requires the applicants to demonstrate to the Executive Director's satisfaction that all recommendations in the above referenced reports are incorporated into the final plans and designs.

For these reasons, therefore, the Commission finds that as conditioned by **Special Condition One (1)**, the proposed project is consistent with the geologic stability requirements of Coastal Act Section 30253.

2. Erosion

Section 30253 of the Coastal Act requires that new development neither create nor contribute significantly to erosion. As noted above, the proposed development is located on a site that slopes gently towards a 1:1 cut slope adjacent to Pacific Coast Highway. The proposed project includes 850 cu. yds. of grading (460 cu. yds. cut and 390 cu. yds. fill) to construct a driveway and a building pad on the northern part of the lot.

The applicants also propose to construct two retaining walls, including a maximum 5 ft. high and 180 ft. long concrete wall to the north of the proposed driveway, and a maximum 4.5 ft. high and 132 ft. long concrete wall to the south of the proposed swimming pool area. The northern wall would contain the cut slope resulting from grading of the driveway, and the southern wall would buttress fill supporting the swimming pool area. The applicants also propose to grade a 3:1 cut slope along the eastern side of the pad.

The site currently drains by sheet flow runoff. Runoff from the area of proposed development travels southeasterly toward Jasmine Way and Pacific Coast Highway. Catch basins on Pacific Coast Highway direct runoff into culverts that outlet at Escondido Beach. The nearshore marine environment off Escondido Beach contains kelp beds designated as Environmentally Sensitive Habitat Areas (ESHAs) in the certified Malibu/Santa Monica Mountains LUP.

In total, the project will result in 9,605 sq. ft. of impervious surface area on the site, increasing both the volume and velocity of storm water runoff. Unless surface water is controlled and conveyed off of the site in a non-erosive manner, this runoff will result in increased erosion on and off the site.

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 erosion and sedimentation from site runoff are minimized, the Commission requires the applicants to submit a drainage plan, as defined by **Special Condition Four (4)**. **Special Condition Four (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. Fully implemented, the drainage plan will reduce or eliminate the resultant adverse impacts to the water quality and biota of coastal streams. This drainage plan is fundamental to reducing on-site erosion and the potential impacts to coastal streams. 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.

In addition, the Commission finds that temporary erosion control measures implemented during construction will also minimize erosion and enhance site stability. **Special Condition Three (3)** therefore requires the applicants to implement interim erosion control measures should grading take place during the rainy season. Such measures include stabilizing any stockpiled fill with geofabric covers or other erosion-controlling materials, installing geotextiles or mats on all cut and fill slopes, and closing and stabilizing open trenches to minimize potential erosion from wind and runoff water.

The Commission also finds that landscaping of graded and disturbed areas on the subject site will reduce erosion and serve to enhance and maintain the geologic stability of the site, provided that minimal surface irrigation is required. Therefore, **Special Condition Three (3)** requires the applicants to submit landscaping plans, including irrigation plans, certified by the consulting geologists as in conformance with their recommendations for landscaping of the project site. **Special Condition Three (3)** also requires the applicants to utilize and maintain native and noninvasive plant species compatible with the surrounding area for landscaping the project site.

Invasive and non-native plant species are generally characterized as having a shallow root structure in comparison with their high surface/foliage weight. The Commission finds that non-native and invasive plant species with high surface/foliage weight and shallow root structures do not serve to stabilize slopes and that the use of such vegetation may actually destabilize slopes, increase erosion, and reduce the stability of the project site. Native species, alternatively, tend to have a deeper root structure than non-native, invasive species and therefore aid in preventing erosion.

In addition, the use of invasive, non-indigenous plant species tends to supplant species that are native to the Malibu/Santa Monica Mountains area. Increasing urbanization in this area has caused the loss or degradation of major portions of the native habitat and

loss of native plant seed banks through grading and removal of topsoil. Moreover, invasive groundcovers and fast growing trees that originate from other continents that have been used as landscaping in this area have invaded and seriously degraded native plant communities adjacent to development. Such changes have resulted in the loss of native plant species and the soil retention benefits they offer. Implementation of **Special Condition Three (3)** will ensure that primarily native plant species are used in the landscape plans and that potentially invasive non-native species are avoided. Therefore, the Commission finds that in order to ensure site stability and erosion control, the disturbed and graded areas of the site shall be landscaped with appropriate native plant species, as specified in **Special Condition Three (3)**.

The applicants propose to cut 460 cu. yds. of earth on the site and use 390 cu. yds. of this material for fill, thus producing excess graded material. Furthermore, compliance with **Special Condition Nine (9),** which requires revised plans lowering the elevation of the proposed building pad, may produce additional excess graded material. The Commission finds that stockpiling excavated material may contribute to increased erosion at the site. The Commission also notes that additional landform alteration would result if the excavated material were to be collected and retained on site. In order to ensure that excavated material will not be stockpiled on site and that landform alteration is minimized, **Special Condition Five (5)** requires the applicants to remove all excess graded material 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.

The Commission notes that the proposed project is conditioned to incorporate the recommendations of the project's consulting geologists, a lanscape and erosion control plan, and a drainage and polluted runoff control plan to ensure the stability of the project site and adjacent properties consistent with Section 30253 of the Coastal Act. However, the Commission also notes that both leakage and drainage of the proposed swimming pool, if not monitored and/or conducted in a controlled manner, may result in excess run-off and erosion from the project site potentially causing instability of the site and adjacent properties. Therefore, the Commission imposes **Special Condition Ten (10)** on the subject permit, which requires the applicant to submit a written plan which includes specific measures to minimize the potential of leakage from the pool and measures to be implemented during maintenance and drainage of the pool. The plan shall include a separate water meter for the pool, which will serve to monitor water levels of the pool and identify leakage. The plan shall also include design specifications for the pool that include double wall construction, with a drain system between the walls that can serve as a leak-detection system, to ensure that leakage will not contribute to the instability of the site. The plan shall also identify methods to control infiltration and run-off from pool drainage and maintenance activities.

Finally, in order to ensure that any future site development is reviewed for its potential to create or contribute to erosion, the Commission finds it necessary to impose **Special Condition Eight (8)**, which requires the applicants to obtain a coastal development permit for any future development on the site, including improvements that might otherwise be exempt from permit requirements.

For the reasons cited above, the Commission finds that the proposed project as conditioned by **Special Conditions Three (3), Four (4), Five (5), Eight (8),** and **Ten (10)** 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 an individual's property rights.

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. The applicants have submitted fuel modification plans, approved by the Los Angeles County Fire Department, that include fuel modification zones extending to the property line. The 200-foot brush clearance radius for the site encompasses parts of four adjacent developed properties. Approval of the project will not result in significant additional brush clearance in the vicinity of the site.

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 acknowledge the liability from these associated risks. Through **Special Condition Two (2)**, 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 Two (2)**, 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 Two (2)** is the proposed project consistent with Section 30253 of the Coastal Act applicable to hazards from wildfire.

In summary, the Commission finds that, as conditioned by **Special Conditions One (1), Two (2), Three (3), Four (4), Five (5), Eight (8)**, and **Ten (10)**, the proposed project will be consistent with the requirements of Coastal Act Section 30253 applicable to geology, site stability, and hazards.

C. Water Quality

The Commission recognizes that new development in the Santa Monica Mountains has the potential to adversely impact coastal water quality through the removal of native vegetation, increase of impervious surfaces, increase of runoff, erosion, and sedimentation, and introduction of pollutants such as petroleum, cleaning products, pesticides, and other pollutant sources, as well as effluent from septic systems.

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

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

As described above, the proposed project includes construction of a 5,920 sq. ft., two story, 28 ft. high single family residence with attached 3-car garage, driveway, two retaining walls, swimming pool, septic system. The project also includes 850 cu. yds. of grading (460 cu. yds. cut, 390 cu. yds. fill) to construct a driveway and building pad.

The proposed development is located on a site that slopes gently towards a 1:1 cut slope adjacent to Pacific Coast Highway. The proposed project includes 850 cu. yds. of grading (460 cu. yds. cut and 390 cu. yds. fill) to construct a driveway and a building pad on the northern part of the lot. The site currently drains by sheet flow runoff. Runoff from the area of proposed development travels southeasterly toward Jasmine Way and Pacific Coast Highway. Catch basins on Pacific Coast Highway direct runoff into culverts that outlet at Escondido Beach. The nearshore marine environment off Escondido Beach contains kelp beds designated as Environmentally Sensitive Habitat Areas (ESHAs) in the certified Malibu/Santa Monica Mountains LUP.

In total, the project will result in 9,605 sq. ft. of additional impervious surface area on the site. An increase in impervious surface decreases the infiltrative function and capacity of existing permeable land on site. The reduction in permeable space therefore leads to an increase in the volume and velocity of stormwater runoff that can be expected to leave the site. Further, pollutants commonly found in runoff associated with residential use include petroleum hydrocarbons including oil and grease from vehicles; heavy metals; synthetic organic chemicals including paint and household cleaners; soap and dirt from washing vehicles; dirt and vegetation from yard maintenance; litter; fertilizers, herbicides, and pesticides; and bacteria and pathogens from animal waste. The discharge of these pollutants to coastal waters can cause cumulative impacts such as: eutrophication and anoxic conditions resulting in fish kills and diseases and the alteration of aquatic habitat, including adverse changes to species composition and size; excess nutrients causing algae blooms and sedimentation increasing turbidity which both reduce the penetration of sunlight needed by aquatic vegetation which provide food and cover for aquatic species; disruptions to the reproductive cycle of aquatic species; and acute and sublethal toxicity in marine organisms leading to adverse changes in reproduction and feeding behavior. These impacts reduce the biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes and reduce optimum populations of marine organisms and have adverse impacts on human health.

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

The Commission finds that sizing post-construction structural BMPs to accommodate (infiltrate, filter or treat) the runoff from the 85th percentile storm runoff event, in this case, is equivalent to sizing BMPs based on the point of diminishing returns (i.e. the BMP capacity beyond which, insignificant increases in pollutants removal (and hence water quality protection) will occur, relative to the additional costs. Therefore, the Commission requires the selected post-construction structural BMPs be sized based on design criteria specified in revised **Special Condition Four (4)**, 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.

In addition, interim erosion control measures implemented during construction and post construction landscaping will serve to control erosion on the site, thus minimizing the transport of sediments and other pollutants into coastal waters. Therefore, the Commission finds that **Special Condition Three (3)** is necessary to ensure that the proposed development will not adversely impact water quality or coastal resources. Similarly, the removal of all excess graded material, as detailed in **Special Condition Five (5)**, will serve to minimize the potential for sedimentation of coastal waters.

The proposed project includes a swimming pool and spa. Swimming pools can have deleterious effects on aquatic habitat if not properly maintained and drained outside of the watershed. Chlorine and other chemicals are commonly added to pools and spas to maintain water clarity, quality, and pH levels. The Commission notes that both leakage and drainage of the proposed pool, if not monitored and/or conducted in a controlled manner, may result in excess runoff and erosion potentially causing instability of the site and adjacent properties and may result in the transport of chemicals, such as chlorine, into coastal waters. In order to minimize adverse impacts from the proposed pool on coastal water quality, the Commission imposes **Special Condition Ten (10)** on the subject permit, which requires the applicant to submit a written plan that includes measures to minimize the potential of leakage from the pool and specific measures to be implemented during maintenance and drainage of the pool. The plan shall include a separate water meter for the pool which will serve to monitor water levels of the pool and identify leakage. The plan shall also include design specifications for the pool that include double wall construction, with a drain system between the walls that can serve as a leak-detection system, to ensure that leakage will not contribute to the instability of the site. The plan shall furthermore identify methods to control infiltration and run-off from pool drainage and maintenance activities.

Finally, the applicants propose to construct a new 1500-gallon septic tank and disposal system with effluent filter and effluent pump as shown on the plans approved "In-Concept" by the City of Malibu Department of Environmental Health on December 14, 1998. The conceptual approval by the City indicates that the sewage disposal system for the project in this application complies with all minimum requirements of the Uniform Plumbing Code. The Commission has found in past permit actions that compliance with the health and safety codes will minimize any potential for wastewater discharge that could adversely impact coastal waters. Therefore, the Commission finds that the proposed project, as conditioned, is consistent with Section 30231 of the Coastal Act.

In summary, the Commission finds that, as conditioned by **Special Conditions Three (3)**, **Four (4)**, **Five (5)**, and **Ten (10)**, the project is consistent with Section 30231 of the Coastal Act.

D. Visual Impacts

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.

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 highways. The Commission also examines the building site and the size of the proposed structure(s).

The applicants propose to construct a 5,920 sq. ft., two story, 28 ft. high single family residence with attached 3-car garage, driveway, two retaining walls, swimming pool, septic system. The project also includes 850 cu. yds. of grading (460 cu. yds. cut, 390 cu. yds. fill) to construct a driveway and building pad.

The proposed project site is located immediately adjacent to Pacific Coast Highway, in an area generally developed with single family residences on parcels averaging two acres in size. Pacific Coast Highway is designated as a scenic highway in the certified Malibu/Santa Monica Mountains Land Use Plan (LUP). The Commission, relying on the LUP as guidance in past permit decisions, has found that minimizing the impacts of new development on scenic public views along Pacific Coast Highway is consistent with the requirements of Coastal Act Section 30251. The proposed project will be visible from Pacific Coast Highway, and will add a substantial new development impact to inland views in the area. Although the primary coastal views from Pacific Coast Highway are toward the sea, the project will nevertheless add to the developed character of the area and incrementally affect the existing viewshed, including ridgeline views of the Santa Monica Mountains.

Because the proposed project is visible from public viewing areas, the Commission finds it necessary to require the applicants to submit revised plans reducing the profile of the proposed residence. Specifically, **Special Condition Nine (9)** requires the applicants to reduce the proposed finished grade (most of which is obtained by placing fill) by two feet of elevation, and reduce the proposed height of the residence by three feet. The implementation of **Special Condition Nine (9)** will minimize the visual impacts of the finished structure by lowering the total elevation of the structures visible from Pacific Coast Highway by five feet consistent with the requirements of Coastal Act Section 30251. In addition, lowering the project height and elevation will facilitate the screening of the residence with vegetation, as discussed below, and reduce impacts to ridgeline views of the Santa Monica Mountains.

The Commission has, in past permit decisions, acted to reduce the visual impacts of residential development in the area of the proposed project. In 1999, the Commission

approved construction of a 7,073 sq. ft., 25 ft. high single family residence on the lot immediately west of the subject site. As a condition of approval, the applicants were required to reduce the elevation of the proposed building pad by two feet (from 131.5 ft. to 129.5 ft.). This condition was found necessary to reduce the visual impacts of the project. **Special Condition Nine (9)** requires the applicants to reduce the elevation of the currently proposed building pad by two feet (from 133 ft. to 131ft.). **Special Condition Nine (9)** also requires the applicants to reduce the height of the residence by three feet (from 28 ft. to 25 ft.) These revisions bring the proposed residence into greater conformity with adjacent structures, and can be accomplished with minimal increases in grading and retaining wall height, and modest changes to the architectural design of the proposed residence **(Exhibits 11-12)**.

To further minimize the intrusion of the proposed project into coastal views, the Commission also finds it necessary to impose design restrictions. The use of non-glare glass and colors compatible with the natural background, as well as the minimal use of outdoor night lighting, will help to ensure that the proposed project blends with its surroundings to the maximum extent feasible. Therefore, **Special Condition Six (6)** (Color Restriction) restricts the use of colors to a natural background palette and requires the use of non-glare glass on site. Furthermore, **Special Condition Seven (7)** restricts the use of outdoor night lighting to the minimum necessary for safety purposes.

The Commission notes that visual impacts can be further minimized by the implementation of a landscape plan that employs a native plant palette and vertical elements. **Special Condition Three (3)** specifies that the proposed residence be planted with native species of sufficient height and density to screen the project from public viewing areas along Pacific Coast Highway. The Commission also notes that visual impacts will be further mitigated by the implementation of erosion control measures, as in **Special Conditions Three (3)**, **Four (4)**, **Five (5)**, and **Ten (10)**. Implementation of the requirements of these conditions will ensure that the adverse visual effects of obtrusive non-native landscaping, denuded slopes, and uncontrolled erosion are avoided.

In addition, to ensure that future development of the site is reviewed for potentially adverse effects on coastal visual resources, the Commission finds it necessary to impose **Special Condition Eight (8)**, which requires the applicants to obtain a coastal development permit for any future development of the site, including improvements that might otherwise be exempt from coastal permit requirements.

For all of the reasons set forth above, the Commission finds that the proposed project, as conditioned by **Special Conditions Three (3)**, **Four (4)**, **Five (5)**, **Six (6)**, **Seven (7)**, **Eight (8)**, **Nine (9)**, and **Ten (10)** is consistent with Section 30251 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 proposed project, as conditioned, will not have any significant adverse effects on the environment, within the meaning of the California Environmental Quality Act of 1970. Therefore, the proposed project, as conditioned, has been adequately mitigated and is consistent with CEQA and the policies of the Coastal Act.

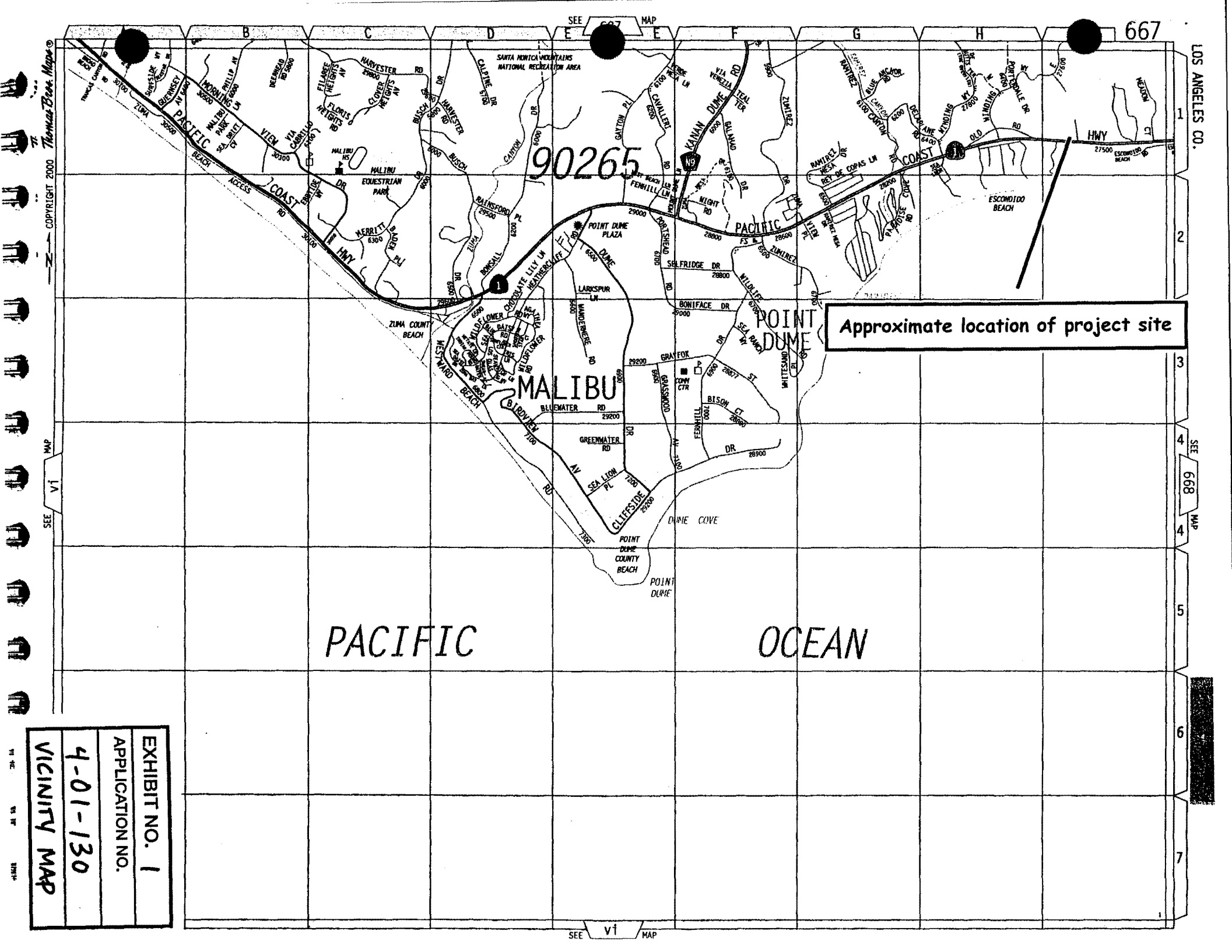
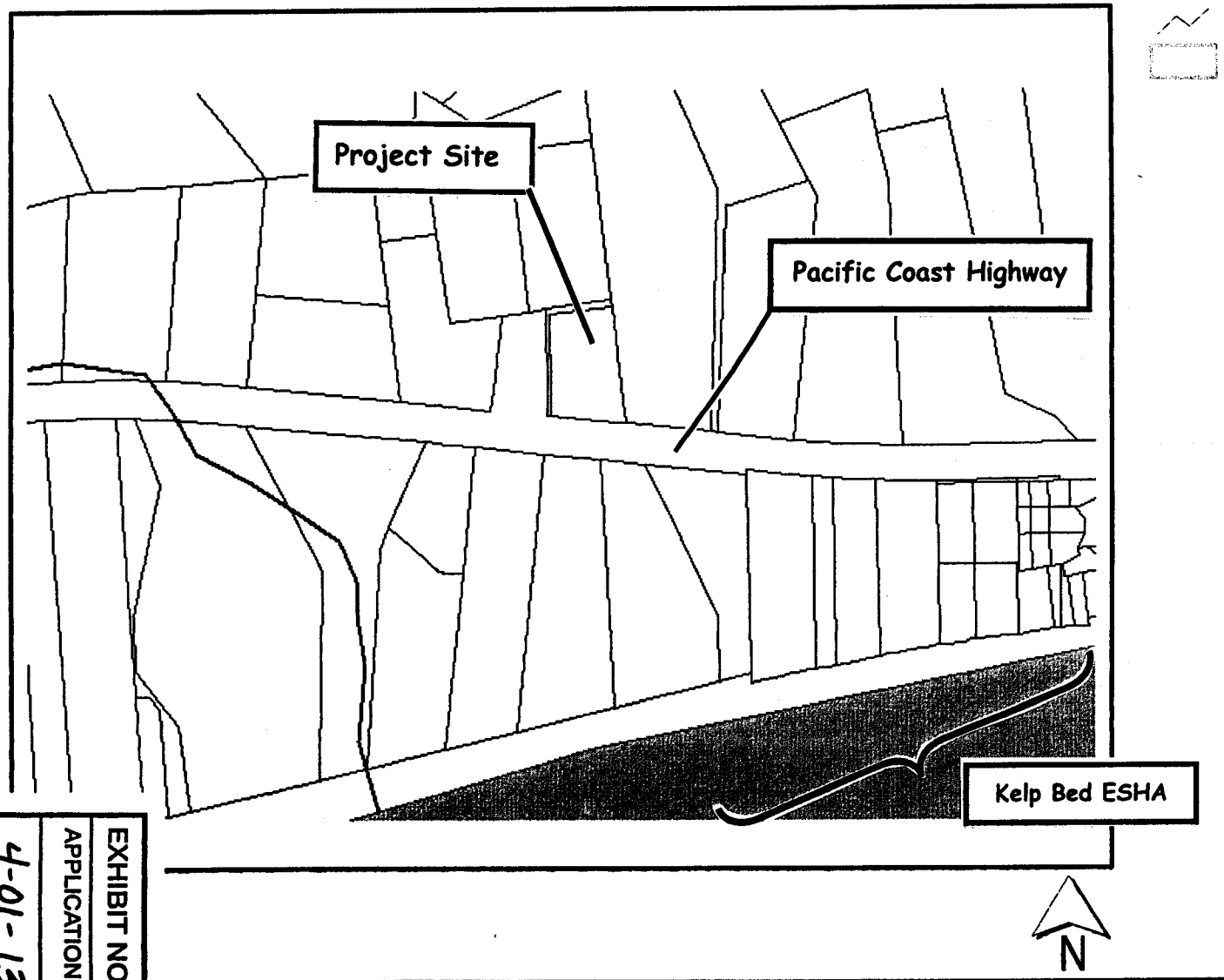


EXHIBIT NO. 1
APPLICATION NO.
4-01-130
VICINITY MAP

ESRI ArcExplorer 1.1

4-01-130 (Yafai) 27589 Pacific Coast Highway

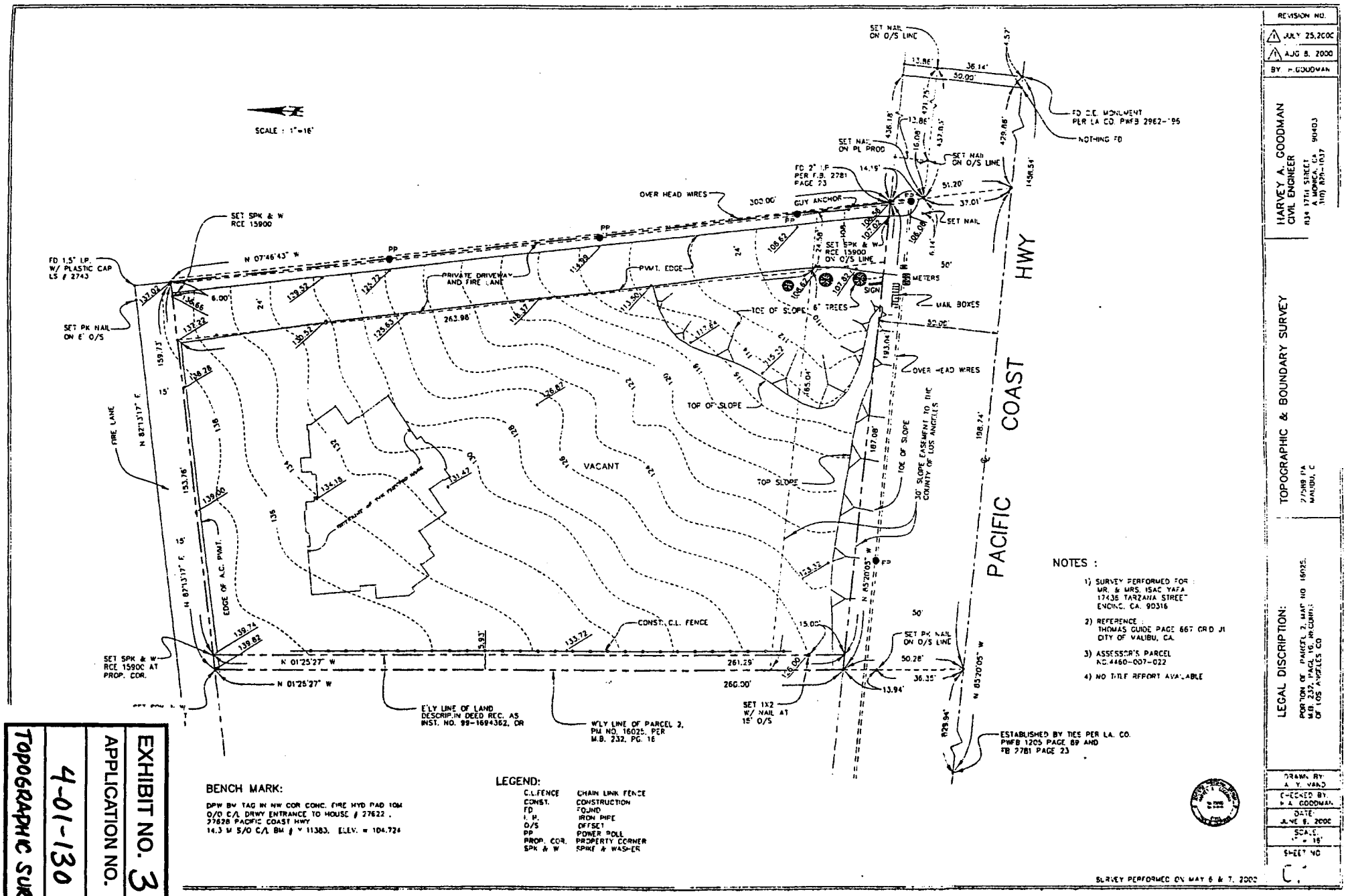


Blue Line Streams

laprcls

Tuesday, Nov 13 2001

EXHIBIT NO. 2
APPLICATION NO. 4-01-130
COASTAL RESOURCES



NOTES :

1) SURVEY PERFORMED FOR : MR. & MRS. ISAC YAFA 17436 TARZANA STREET ENCINO, CA. 90316

2) REFERENCE : THOMAS GUIDE PAGE 667 GRID J1 CITY OF MALIBU, CA.

3) ASSESSOR'S PARCEL NO.4460-007-022

4) NO TITLE REPORT AVAILABLE

BENCH MARK:

DPW BM TAG IN NW COR CONC. FIRE HYD PAD 10M O/O C/L DRWY ENTRANCE TO HOUSE # 27622 . 27628 PACIFIC COAST HWY 14.3 M S/O C/L BM # Y 11383. ELEV. = 104.926

LEGEND:

C.L.FENCE	CHAIN LINK FENCE
CONST.	CONSTRUCTION
FD	FOUND
I. P.	IRON PIPE
O/S	OFFSET
PP	POWER POLL
PROP. COR.	PROPERTY CORNER
SPK & W	SPIKE & WASHER

SURVEY PERFORMED ON MAY 6 & 7, 2000

REVISION NO.
1 JULY 25,2000
2 AUG 8, 2000
BY: H.GOODMAN

HARVEY A. GOODMAN
CIVIL ENGINEER
836 17TH STREET
SANTA MONICA, CA 90403
(310) 829-1037

TOPOGRAPHIC & BOUNDARY SURVEY

27588 PA
MALIBU, C

LEGAL DISCRIPTION:

PORTION OF PARCEL 2, MAP NO 16025, M.B. 232, PAGE 16, IN COUNTY OF LOS ANGELES CO

DRAWN BY: A. Y. YANO
CHECKED BY: H. A. GOODMAN
DATE: JUNE 8, 2000
SCALE: 1" = 16'
SHEET NO C-1

EXHIBIT NO. 3
APPLICATION NO. 4-01-130
TOPOGRAPHIC SURVEY

ARCHITECTURE

Architecture, Planning & Engineering

DESIGN ... DATE ... BY

27500 PACIFIC COAST HIGHWAY
MALIBU, CALIFORNIA

SITE PLAN

SCALE 1/8"=1'-0"
DRAWN M.B.
DATE SEPT. 2001
JOB NUMBER 2016
SHEET A.1
OF SHEETS

PACIFIC COAST HWY

PRIVATE DRIVE

PRIVATE DRIVEWAY & FIRE LANE

NORTH

EXHIBIT NO. 4
APPLICATION NO.
4-01-130
SITE PLAN

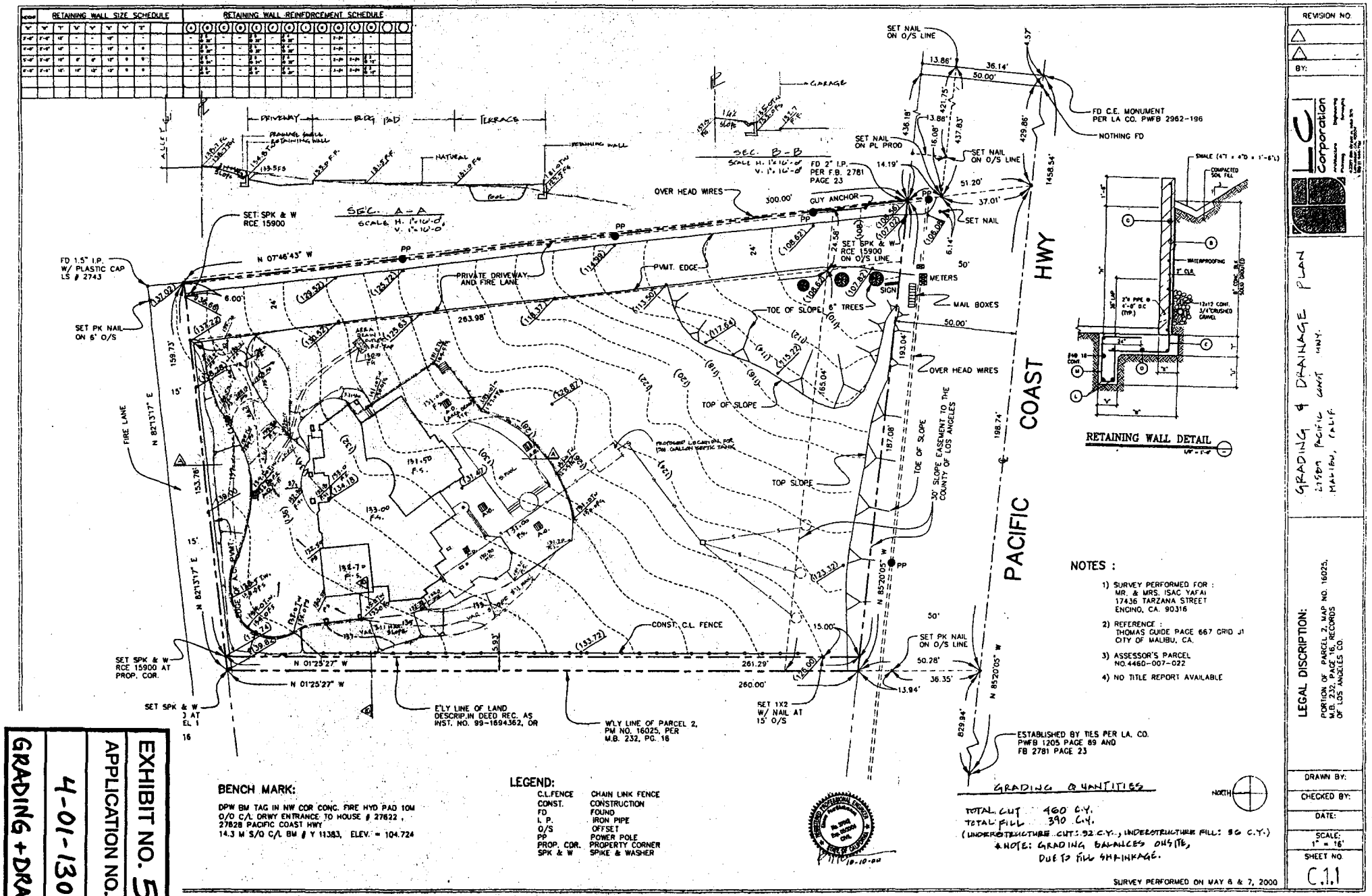


EXHIBIT NO. 5
APPLICATION NO.
4-01-130
GRADING + DRAINAGE

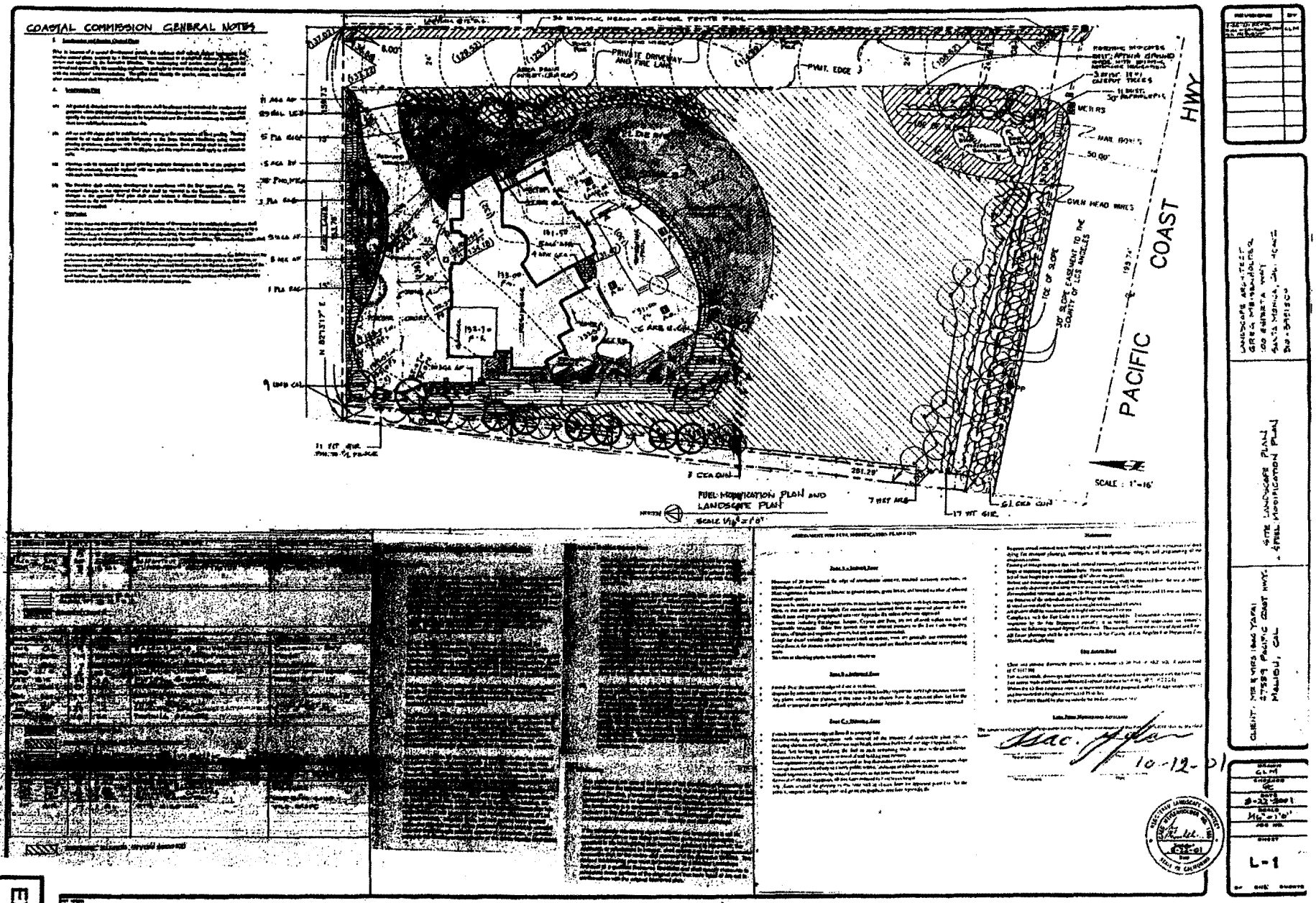


EXHIBIT NO. 6

APPLICATION NO.

4-01-130

LANDSCAPE PLAN

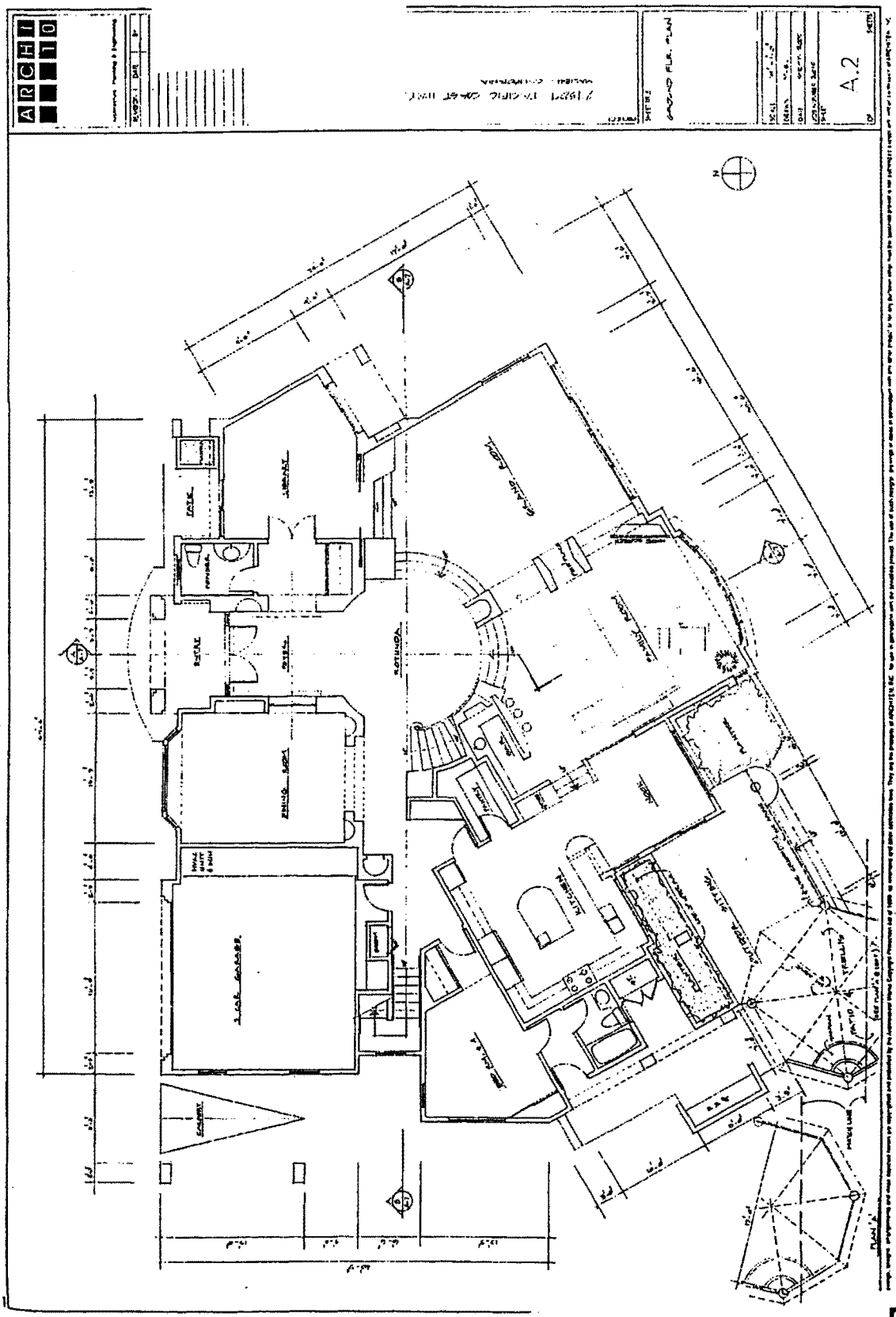


EXHIBIT NO. 7
APPLICATION NO.
4-01-130
GROUND FLOOR PLAN

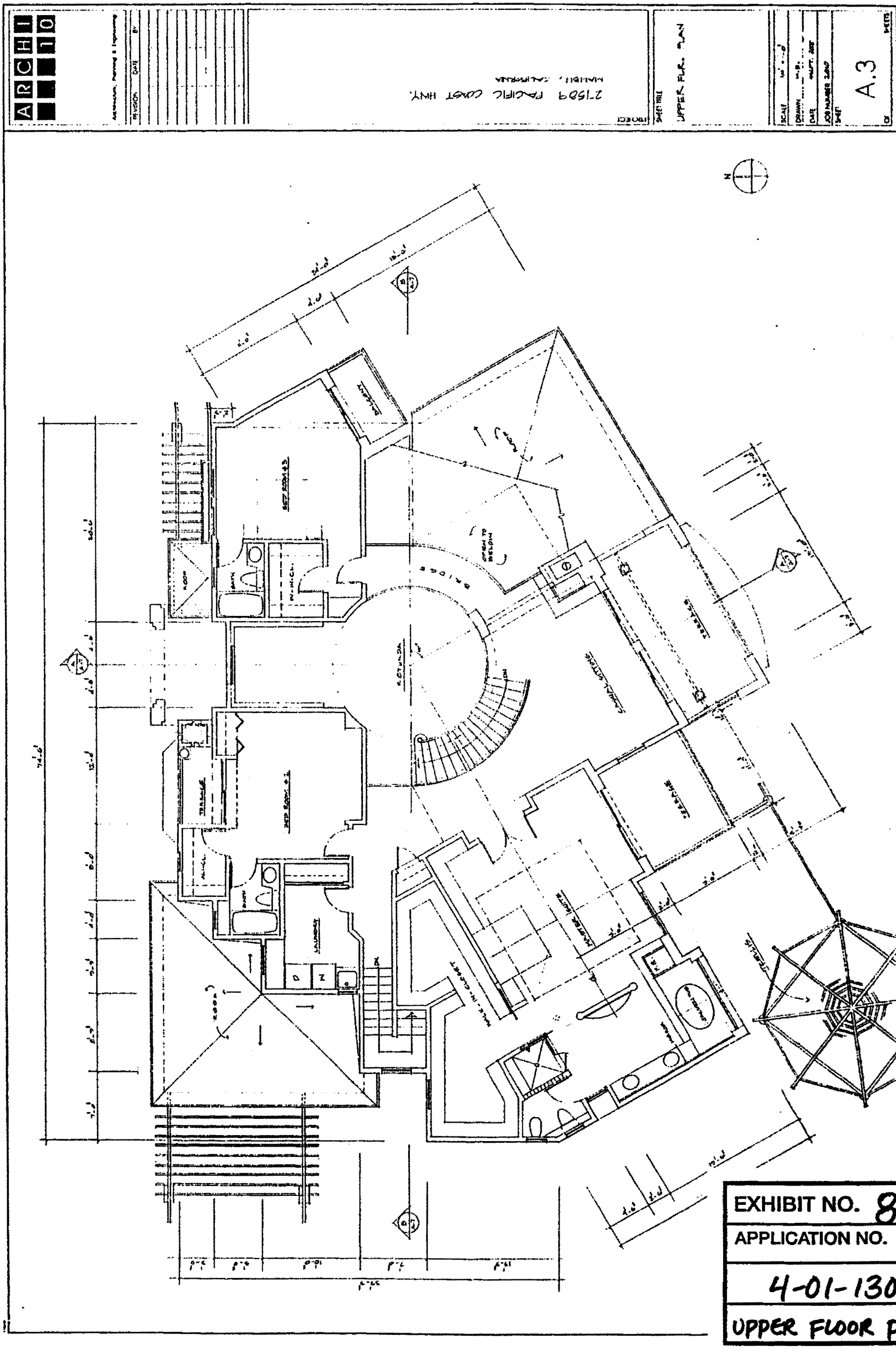
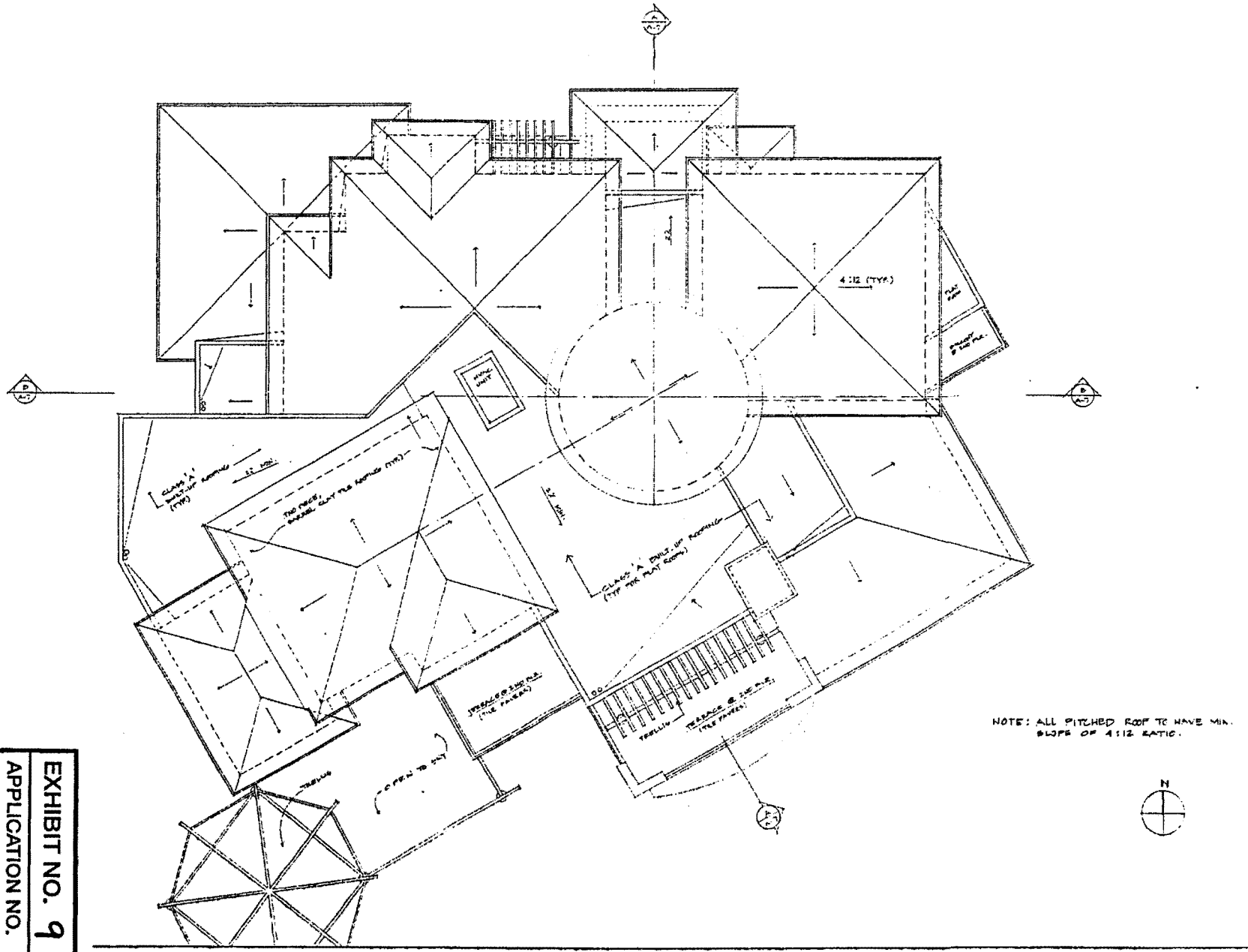


EXHIBIT NO. 8

APPLICATION NO.

4-01-130

UPPER FLOOR PLAN



ARCHI 10

Architecture, Planning & Engineering

REVISION	DATE	BY

PROJECT

21537 PACIFIC COAST HWY.
MALIBU, CALIFORNIA

SHEET TITLE

ROOF PLAN

SCALE	1/4" = 1'-0"
DRAWN	M.B.
DATE	6 SEPT 2001
JOB NUMBER	0316
SHEET	A.4
OF	SHEETS

EXHIBIT NO. 9
APPLICATION NO.
4-01-130
ROOF PLAN

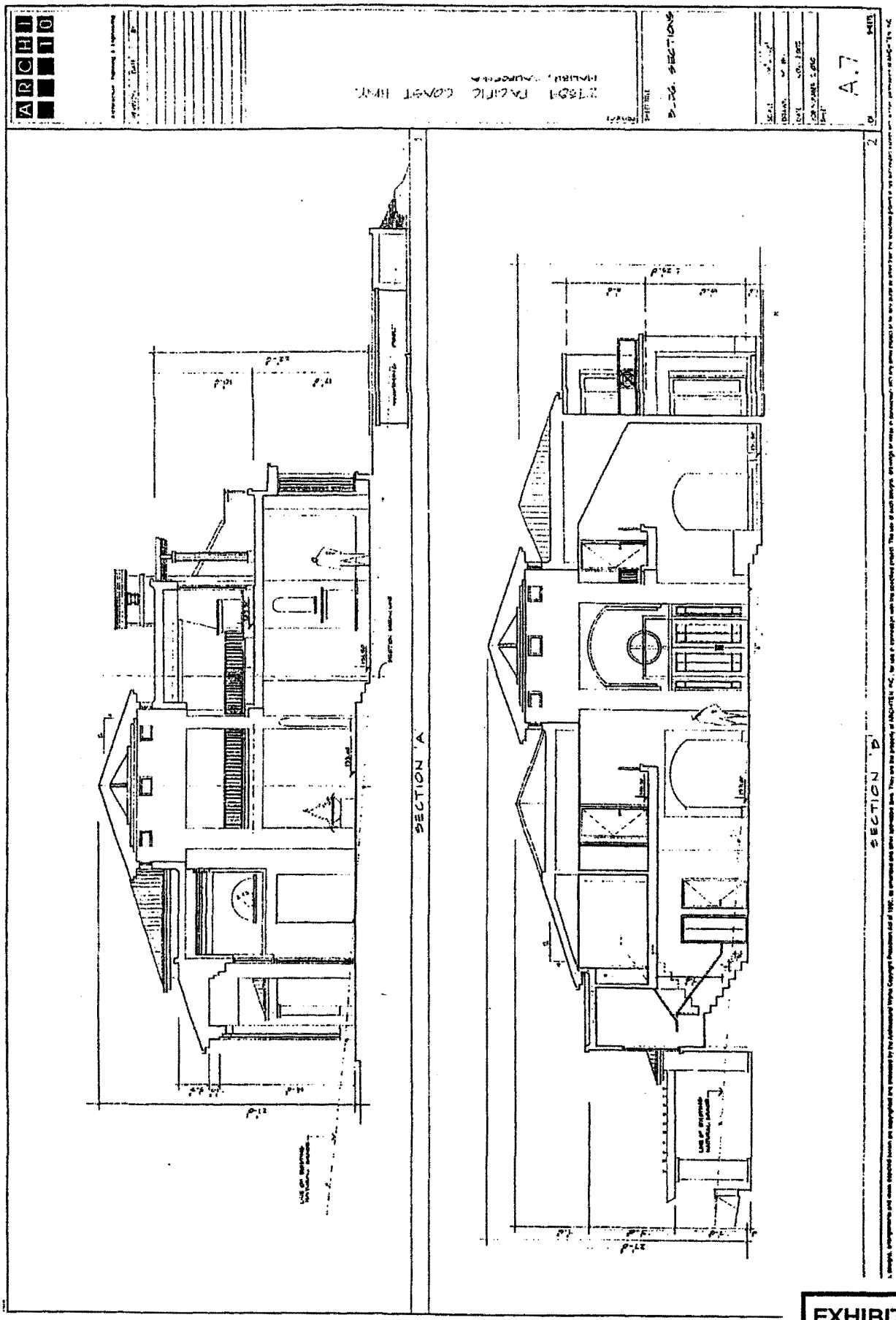
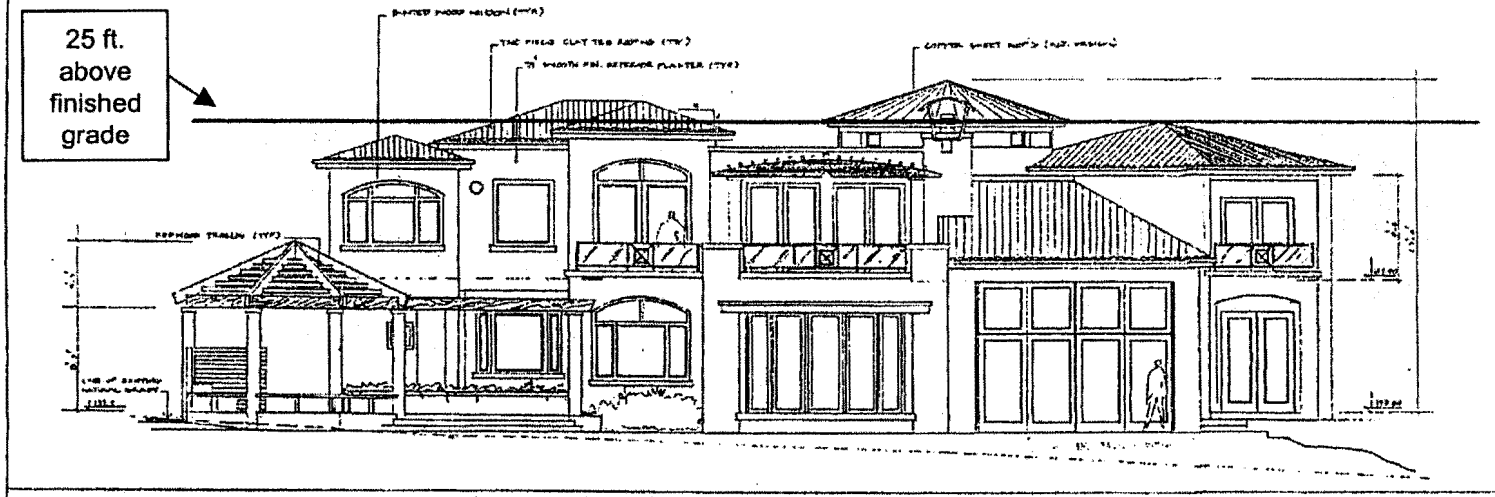


EXHIBIT NO. 10
APPLICATION NO.
4-01-130
SECTIONS



SOUTH ELEVATION

NORTH (ENTRY) ELEVATION

ARCHI 10

A.5

EXHIBIT NO. 11

APPLICATION NO. 4-01-130

NORTH + SOUTH ELEVATIONS

EXHIBIT NO. 12
APPLICATION NO.
4-01-130
WEST + EAST ELEVATIONS

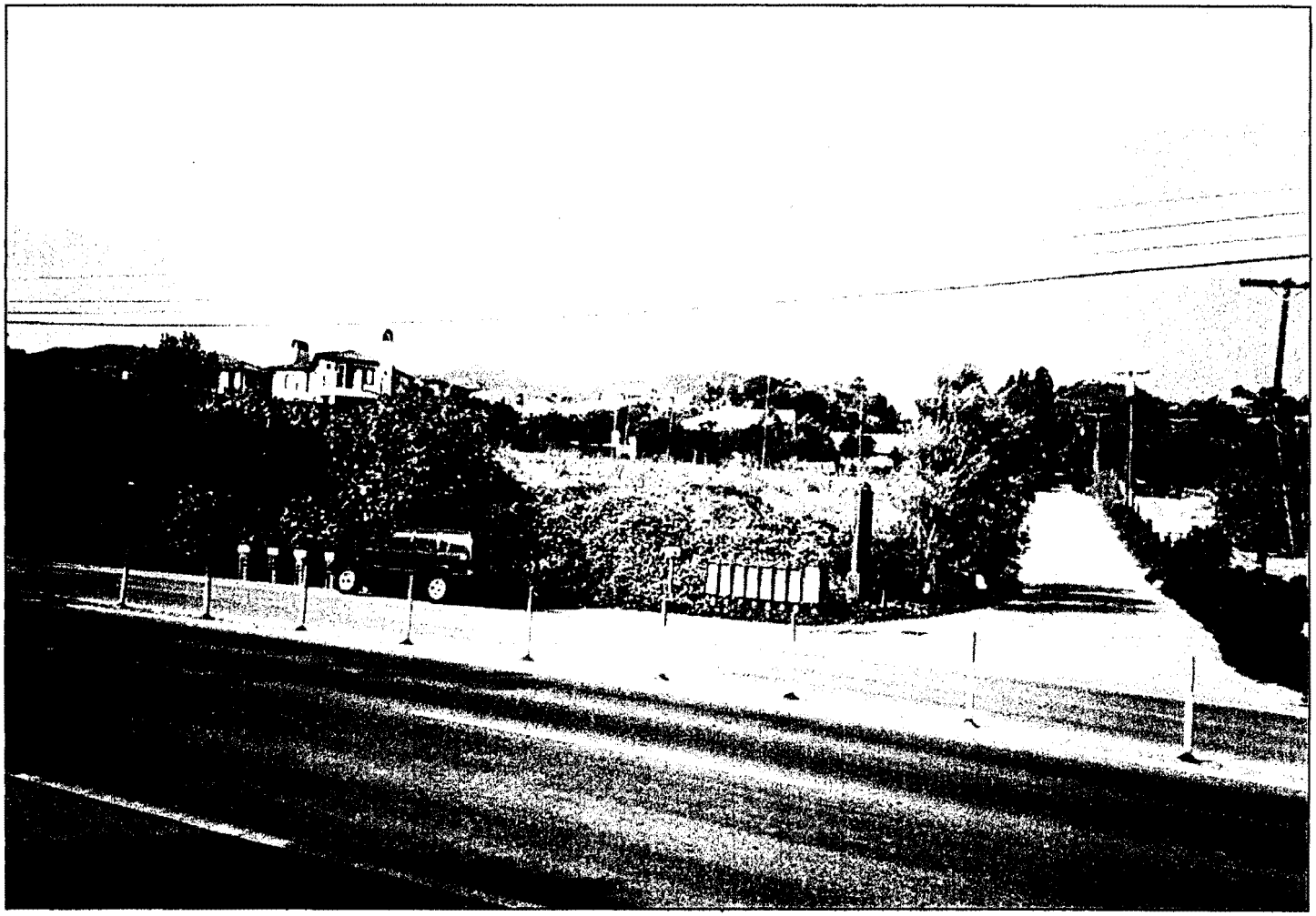


Photo 1: View of subject site from Pacific Coast Highway.

EXHIBIT NO. 13
APPLICATION NO.
4-01-130
PHOTOS (3 PP.)

Photo 3: View of subject site from southeast corner of property at Jasmine Way & Pacific Coast Highway.

Photo 2: View of subject site from northeast corner of property at Jasmine Way.