

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
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Staff: K. Kemmler
Staff Report: 10/17/02
Hearing Date: 11/5-8/02
Commission Action:

**RECORD PACKET COPY****STAFF REPORT: REGULAR CALENDAR**

APPLICATION NO.: 4-02-094
APPLICANT: Michael & Lisa Weithorn
AGENTS: Jaime Harnish
PROJECT LOCATION: 28830 Cliffside Drive, Malibu (Los Angeles County)
APN NO.: 4466-009-004

PROJECT DESCRIPTION: Demolition of existing two story, 24 ft. high, 6,481 sq. ft. single family residence with attached garage and removal of 2 existing viewing platforms on bluff edge. Existing two story, 1,437 sq. ft. guest house/studio, stone driveway, pool and spa to remain with no changes proposed. Construction of a new two story, 4,875 single family residence with 502 sq. ft. attached garage and 1,669 sq. ft. basement (7,046 sq. ft. total), new terraces and walkways, installation of new septic system and performance of 709 cu. yds. of grading (678 cu. yds. cut and 31 cu. yds. fill) and 975 cu. yds. of removal and recompaction. Proposal also includes bluff habitat restoration.

Lot area	52,069 sq. ft.
Building coverage	4,312 sq. ft.
Pavement coverage	9,791 sq. ft.
Landscape coverage	33,433 sq. ft.
Height Above Finished Grade	24 ft.
Parking spaces	4

LOCAL APPROVALS RECEIVED: City of Malibu Planning Department, Approval in Concept, April 9, 2002; City of Malibu Biology Review, Approval in Concept, November 28, 2001; City of Malibu Geology Review, Approval in Concept, November 8, 2001; City of Malibu Environmental Health, Approval in Concept, November 7, 2001; County of Los Angeles Fire Department, Preliminary Fuel Modification Plan Approval, July 24, 2002; County of Los Angeles Fire Department, Fire Prevention Engineering Approval, July 2, 2002.

SUBSTANTIVE FILE DOCUMENTS: Certified Malibu Local Coastal Program; "Limited Geologic and Soils Engineering Investigation," GeoConcepts, Inc., June 12, 2001; "Supplemental Report No. 1," GeoConcepts, Inc., December 20, 2001; "Supplemental Report No. 2," GeoConcepts, Inc., February 12, 2002; "Supplemental Report No. 3," GeoConcepts,

Inc., June 24, 2002; "Supplemental Report No. 4," GeoConcepts, Inc., July 29, 2002; "A Phase 1 Archeological Study", Historical, Environmental, Archeological Research Team, November 2000; Coastal Development Permit No. 4-99-248 (Big Wednesday Trust); Coastal Development Permit Nos. 5-85-122, -A1 & -A2 (Schmidt).

STAFF NOTE: DUE TO PERMIT STREAMLINING ACT REQUIREMENTS THE COMMISSION MUST ACT ON THIS PERMIT APPLICATION AT THE NOVEMBER 2002 COMMISSION HEARING.

Summary of Staff Recommendation

Staff recommends **APPROVAL** of the proposed project with **NINE (9) SPECIAL CONDITIONS** regarding (1) geologic recommendations, (2) erosion control, drainage and polluted runoff control, (3) landscaping plans, (4) assumption of risk, (5) no future shoreline protective structure, (6) removal of viewing platforms and pool/spa, (7) onsite wastewater treatment system requirements, (8) removal of excess excavated material and (9) deed restriction.

I. STAFF RECOMMENDATION

MOTION: *I move that the Commission approve Coastal Development Permit No. 4-02-094 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 Malibu Local Coastal Program. 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

1. *Plans Conforming to Geologic Recommendations*

All recommendations contained in the Limited Geologic and Soils Engineering Investigation dated June 12, 2001 and the Supplemental Report No. 3 dated June 24, 2002 prepared by GeoConcepts, Inc. shall be incorporated into all final design and construction including *foundations, grading, sewage disposal and drainage*. Final plans must be reviewed and approved by the project's consulting geotechnical engineer and geologist. Prior to issuance of the coastal development permit, the applicant shall submit, for review and approval by the Executive Director, two sets of plans with evidence of the consultant's review and approval of all project plans.

The final plans approved by the consultants shall be in substantial conformance with the plans approved by the Commission relative to construction, grading, sewage disposal 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.

2. *Drainage and Polluted Runoff Control Plans*

Prior to the Issuance of the Coastal Development Permit, the applicant shall submit for the review and approval of the Executive Director; a) a **Local Storm Water Pollution Prevention (SWPPP) Plan** to control erosion and contain polluted runoff during the construction phase of the project; and b) a **Water Quality Mitigation Plan (WQMP)** for the management and treatment of post-construction storm water and polluted runoff. The plans shall be certified by a California Registered Civil Engineer or Licensed Architect and approved by the City's Department of Public Works, and include the information and measures outlined below.

- a) **Local Storm Water Pollution Prevention Plan**, for the construction phase of the project shall include at a minimum the following:

- Property limits, prior-to-grading contours, and details of terrain and area drainage
- Locations of any buildings or structures on the property where the work is to be performed and the location of any building or structures of adjacent owners that are within 15 ft of the property or that may be affected by the proposed grading operations
- Locations and cross sections of all proposed temporary and permanent cut-and-fill slopes, retaining structures, buttresses, etc., that will result in an alteration to existing site topography (identify benches, surface/subsurface drainage, etc.)
- Area (square feet) and volume (cubic yards) of all grading (identify cut, fill, import, export volumes separately), and the locations where sediment will be stockpiled or disposed
- Elevation of finished contours to be achieved by the grading, proposed drainage channels, and related construction
- Details pertaining to the protection of existing vegetation from damage from construction equipment, for example: (a) grading areas should be minimized to protect vegetation; (b) areas with sensitive or endangered species should be demarcated and fenced off; and (c) native trees that are located close to the construction site should be protected by wrapping trunks with protective materials, avoiding placing fill of any type against the base of trunks, and avoiding an increase in soil depth at the feeding zone or drip line of the retained trees
- Information on potential flow paths where erosion may occur during construction
- Proposed erosion and sediment prevention and control BMPs, both structural and non-structural, for implementation during construction, such as:
 - Stabilize disturbed areas with vegetation, mulch, geotextiles, or similar method.
 - Trap sediment on site using fiber rolls, silt fencing, sediment basin, or similar method.
 - Ensure vehicles on site are parked on areas free from mud; monitor site entrance for mud tracked off-site.
 - Prevent blowing dust from exposed soils.
- Proposed BMPs to provide adequate sanitary and waste disposal facilities and prevent contamination of runoff by construction chemicals and materials, such as:
 - Control the storage, application and disposal of pesticides, petroleum and other construction and chemical materials.
 - Site washout areas more than fifty feet from a storm drain, open ditch or surface water and ensure that runoff flows from such activities do not enter receiving water bodies.
 - Provide sanitary facilities for construction workers.
 - Provide adequate disposal facilities for solid waste produced during construction and recycle where possible.

b) **Water Quality Management Plan**, for the management and treatment of post construction storm water and polluted runoff shall at a minimum include the following:

- Site design, source control and treatment control BMPs that will be implemented to minimize or prevent post-construction polluted runoff (see 17.5.1 of the Malibu LIP)
- Pre-development peak runoff rate and average volume
- Drainage improvements (e.g., locations of diversions/conveyances for upstream runoff)
- Potential flow paths where erosion may occur after construction
- Expected post-development peak runoff rate and average volume from the site with all proposed non-structural and structural BMPs

- Methods to accommodate onsite percolation, revegetation of disturbed portions of the site, address onsite and/or offsite impacts and construction of any necessary improvements
- Measures to treat, infiltrate, or filter runoff from impervious surfaces (e.g., roads, driveways, parking structures, building pads, roofs, patios, etc.) on the subject parcel(s) and to discharge the runoff in a manner that avoids erosion, gullyng on or downslope of the subject parcel, ponding on building pads, discharge of pollutants (e.g., oil, heavy metals, toxics) to coastal waters, or other potentially adverse impacts. Such measures may include, but are not limited to, the use of structures (alone or in combination) such as on-site desilting basins, detention ponds, dry wells, biofilters, etc.
- A long-term plan and schedule for the monitoring and maintenance of all drainage-control devices. All structural BMPs shall be inspected, cleaned, and repaired when necessary prior to September 30th of each year. Owners of these devices will be responsible for insuring that they continue to function properly and additional inspections should occur after storms as needed throughout the rainy season. Repairs, modifications, or installation of additional BMPs, as needed, should be carried out prior to the next rainy season
- Post-construction Treatment Control BMPs (or suites of BMPs) shall be designed to treat, infiltrate, or filter the amount of stormwater runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs and/or the 85th percentile, 1-hour storm event (with an appropriate safety factor, i.e. 2 or greater) for flow-based BMPs

3. Landscaping and Erosion Control Plans

Prior to issuance of a coastal development permit, the applicants shall submit two sets of landscaping, prepared by a licensed landscape architect or a qualified resource specialist, for review and approval by the Executive Director. The landscaping shall be reviewed and approved by the geotechnical engineering and geologic consultant to ensure that the plans are in conformance with the consultant's recommendations. Cut and fill slopes and other areas disturbed by construction activities (including areas disturbed by fuel modification or brush clearance) shall be landscaped or revegetated. The plans shall incorporate the following criteria:

A. Plant Species

1. Plantings shall be native, drought-tolerant plant species, and shall blend with the existing natural vegetation and natural habitats on the site, except as noted in (A)(3) below. The native plant species shall be chosen from those 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.
2. Invasive plant species, as identified 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 and identified in the City of Malibu's Invasive Exotic Plant Species of the Santa Monica Mountains, dated March 17, 1998, that tend to supplant native species and natural habitats shall be prohibited.

3. Non-invasive ornamental plants and lawn may be permitted in combination with native, drought-tolerant species within the irrigated zone (Zone A) required for fuel modification nearest approved residential structures. 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. Timing of Landscaping

1. All cut and fill slopes shall be stabilized with landscaping at the completion of final grading.
2. The building pad and all other graded or disturbed areas on the subject site shall be planted within sixty (60) days of receipt of the certificate of occupancy for the residence.

C. Landscaping Coverage Standards.

Landscaping or revegetation shall provide 90 percent coverage within five years, or that percentage of ground cover demonstrated locally appropriate for a healthy stand of the particular native vegetation type chosen for restoration. Landscaping or revegetation that is located within any required fuel modification thinning zone (Zone C, if required by the Los Angeles County Fire Department) shall provide 60 percent coverage within five years.

4. Assumption of Risk, Waiver of Liability and Indemnity

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

5. No Future Shoreline/Bluff Protection Structure

By acceptance of the permit, the applicant agrees, on behalf of itself and all successors and assignees, that no bluff or shoreline protective structure(s) shall ever be constructed to protect the development approved pursuant to Coastal Development Permit 4-02-094 including, but not limited to, the residence, garage, driveway, decks/patios, septic system, pool/spa and any other future improvements in the event that the development is threatened with damage or destruction from waves, erosion, storm conditions, bluff retreat, landslides, or other natural hazards in the future, which expressly hereby waives, on behalf of the applicant and all successors and assigns, any future right to construct such devices that may exist under Public Resources Code Section 30235.

6. Removal of Viewing Platforms & Pool/Spa

By acceptance of this permit, the applicant agrees, on behalf of itself and all successors and assigns, that the landowner shall remove the viewing platforms prior to the construction of the single family residence authorized by this permit, as shown on Exhibit 4. In addition, the applicant further agrees, on behalf of itself and all successors and assigns, that the landowner shall remove any ancillary or accessory structures including, but not limited to, landscaping features, decks/patios, septic system, pool/spa if the bluff edge encroaches to within 10 ft. of such structures or if any government agency determines that the structures are threatened due to erosion, landslide, or other form of bluff collapse.

7. Onsite Wastewater Treatment System Requirements

Prior to the Issuance of the Coastal Development Permit, the applicant shall submit for the review and approval of the Executive Director a report and plans verifying that the proposed OSTs complies with the policies and provisions in the Malibu LCP pertaining to the siting, design, installation, operation and maintenance requirements for OSTs. The report and plans shall be prepared by a qualified professional and approved by the City's Environmental Health Department, and comply with sections 18.4, 18.7 and 18.9 of the Malibu LIP.

The applicant shall also submit for the review and approval of the Executive Director verification that they have obtained a valid Standard Operating Permit from the City for the proposed OSTs. This permit shall comply with all of the operation, maintenance and monitoring provisions applicable to OSTs contained in the Malibu LCP.

8. Removal of Excess Excavated Material

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

9. Deed Restriction

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

IV. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

A. PROJECT DESCRIPTION AND BACKGROUND

The applicant is proposing demolition of an existing two story, 24 ft. high, 6,481 sq. ft. single family residence with attached garage and removal of 2 existing viewing platforms on the bluff edge; existing two story, 1,437 sq. ft. guest house/studio, stone driveway, pool and spa to remain with no changes proposed; construction of a new two story, 4,875 single family residence with 502 sq. ft. attached garage and 1,669 sq. ft. basement (7,046 sq. ft. total), new terraces and walkways, installation of a new septic system and performance of 709 cu. yds. of grading (678 cu. yds. cut and 31 cu. yds. fill) and 975 cu. yds. of removal and recompaction (Exhibits 3-9). The proposal also includes blufftop habitat restoration.

The project site is located on Cliffside Drive in the Pt. Dume area in the City of Malibu (Exhibits 1 & 2). The property is currently developed with a single family residence with a garage and deck, a guest house/studio, driveway, pool and spa, and two viewing platforms on the bluff edge. The area surrounding the project site is characterized as a built-out portion of Malibu consisting of similar residential development. The bluffs in this area are very steep and support little or no vegetation, thus the bluff is not environmentally sensitive habitat area. Moreover, the proposed development is located on the top of the steep, nearly vertical bluff, high above the beach and is proposed to be setback approx. 70 ft. from the bluff edge and, thus will not be visible from the beach or any public viewing areas. Further, due to the lot configuration, existing development, topography and the orientation of Cliffside Drive at this location, it would not be possible to attain bluewater views across this site. Finally, a Phase 1 Archeological Study was performed on the subject property by Historical, Environmental, Archeological Research Team in November 2000. The submitted report concluded that there are no historic or prehistoric archeological resources within the project area and no prehistoric or historic sites have been recorded within a 1/8 mile radius of the project area. Thus, the proposed development will not have adverse impacts on cultural resources.

On September 13, 2002, the Commission adopted the Malibu Local Coastal Program (LCP). The subject permit application was filed prior to the date the LCP was adopted and therefore remains under the jurisdiction of the Commission. Prior to the adoption of the LCP the standard of review for permit applications in Malibu were the chapter three policies Coastal Act. After the adoption of the LCP the standard of review for permit applications is the LCP.

B. HAZARDS/BLUFFTOP DEVELOPMENT

The proposed development is located on a bluff top lot in Malibu, an area generally considered to be subject to an unusually high amount of natural hazards. Geologic hazards common to the Malibu 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.

The Malibu Local Coastal Program (LCP) contains the following development policies related to hazards and bluff top development that are applicable to the proposed development:

Section 30253 of the Coastal Act, which is incorporated as part of the Malibu LCP, states in pertinent part that new development shall:

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.**
- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.**

In addition, the following LCP policies are applicable in this case:

- 3.119 New development that requires a grading permit or Local SWPPP shall include landscaping and re-vegetation of graded or disturbed areas, consistent with Policy 3.50. Any landscaping that is required to control erosion shall use native or drought-tolerant non-invasive plants to minimize the need for fertilizer, pesticides, herbicides, and excessive irrigation. Where irrigation is necessary, efficient irrigation practices shall be required.**
- 4.2 All new development shall be sized, designed and sited to minimize risks to life and property from geologic, flood, and fire hazard.**
- 4.4 On ancient landslides, unstable slopes and other geologic hazard areas, new development shall only be permitted where an adequate factor of safety can be provided, consistent with the applicable provisions of Chapter 9 of the certified Local Implementation Plan.**
- 4.5 Applications for new development, where applicable, shall include a geologic/soils/geotechnical study that identifies any geologic hazards affecting the proposed project site, any necessary mitigation measures, and contains a statement that the project site is suitable for the proposed development and that the development will be safe from geologic hazard. Such reports shall be signed by a licensed Certified Engineering Geologist (CEG) or Geotechnical Engineer (GE) and subject to review and approval by the City Geologist.**
- 4.10 New development shall provide adequate drainage and erosion control facilities that convey site drainage in a non-erosive manner in order to minimize hazards resulting from increased runoff, erosion and other hydrologic impacts to streams.**
- 4.15 Existing, lawfully established structures, which do not conform to the provisions of the LCP, may be maintained and/or repaired provided that such repair and maintenance do not increase the extent of nonconformity of the structure. Except as provided below, additions and improvements to such structures may be permitted provided that such additions or improvements comply with the current standards and policies of the LCP and do not increase the extent of nonconformity of the structure. Substantial additions, demolition and reconstruction, that result in demolition and/or replacement of more than 50% of the exterior walls shall not be permitted unless such structures are brought into conformance with the policies and standards of the LCP.**
- 4.27 All new development located on a blufftop shall be setback from the bluff edge a sufficient distance to ensure that it will not be endangered by erosion for a projected 100 year economic life of the structure plus an added geologic stability factor of 1.5.**

In no case shall the setback be less than 100 feet which may be reduced to 50 feet if recommended by the City geologist and the 100 year economic life with the geologic safety factor can be met. This requirement shall apply to the principle structure and accessory or ancillary structures such as guesthouses, pools, tennis courts, cabanas, and septic systems etc. Ancillary structures such as decks, patios and walkways that do not require structural foundations may extend into the setback area to a minimum distance of 15 feet from the bluff edge. Ancillary structures shall be removed or relocated landward when threatened by erosion. Slope stability analyses and erosion rate estimates shall be performed by a licensed Certified Engineering Geologist or Geotechnical Engineer.

- 4.38** *No shoreline protective structure shall be permitted for the sole purpose of protecting an ancillary or accessory structure. Such accessory structures shall be removed if it is determined that the structure is in danger from erosion, flooding or wave uprush or if the bluff edge encroaches to within 10 feet of the structure as a result of erosion, landslide or other form of bluff collapse. Accessory structures including, but not limited to, cabanas, patios, pools, stairs, landscaping features and similar design elements shall be constructed and designed to be removed or relocated in the event of threat from erosion, bluff failure or wave hazards.*
- 4.42** *As a condition of approval of development on a beach or shoreline which is subject to wave action, erosion, flooding, landslides, or other hazards associated with development on a beach or bluff, the property owner shall be required to execute and record a deed restriction which acknowledges and assumes said risks and waives any future claims of damage or liability against the permitting agency and agrees to indemnify the permitting agency against any liability, claims, damages or expenses arising from any injury or damage due to such hazards.*
- 4.45** *New development shall minimize risks to life and property from fire hazard through:*
- Assessing site-specific characteristics such as topography, slope, vegetation type, wind patterns etc.;*
 - Siting and designing development to avoid hazardous locations;*
 - Incorporation of fuel modification and brush clearance techniques in accordance with applicable fire safety requirements and carried out in a manner which reduces impacts to environmentally sensitive habitat to the maximum feasible extent;*
 - Use of appropriate building materials and design features to insure the minimum amount of required fuel modification;*
 - Use of fire-retardant, native plant species in landscaping.*
- 4.49** *Applications for new development, which require fuel modification, shall include a fuel modification plan for the project, prepared by a landscape architect or resource specialist that incorporates measures to minimize removal of native vegetation and to minimize impacts to ESHA, while providing for fire safety, consistent with the requirements of the applicable fire safety regulations. Such plans shall be reviewed and approved by the Forestry Division.*
- 6.29** *Cut and fill slopes and other areas disturbed by construction activities shall be landscaped or revegetated at the completion of grading. Landscape plans shall provide that:*
- Plantings shall be of native, drought-tolerant plant species, and blend with the existing natural vegetation and natural habitats on the site, except as noted below.*
 - Invasive plant species that tend to supplant native species and natural habitats shall be prohibited.*

- *Non-invasive ornamental plants and lawn may be permitted in combination with native, drought-tolerant species within the irrigated zone(s) required for fuel modification nearest approved residential structures.*
- *Lawn shall not be located on any geologically sensitive area such as coastal blufftop.*
- *Landscaping or revegetation shall provide 90 percent coverage within five years. Landscaping or revegetation that is located within any required fuel modification thinning zone (Zone C, if required by the Los Angeles County Fire Department) shall provide 60 percent coverage within five years.*

The project site is a nearly rectangular bluff top parcel that contains an existing residence and garage, two story studio/guest house and a pool. By nature, coastal bluffs are subject to erosion from sheet flow across the top of the bluff and from wave action at the base of the bluff. The existing residence is located within 32 feet of the top of the bluff and is proposed to be demolished. The new proposed residence will be located approximately 70 ft. from the bluff edge (measured from the edge of the deck/patio) and the two viewing platforms on the bluff edge are proposed to be removed. The swimming pool is proposed to remain in place approx. 30 ft. from the bluff edge with no changes proposed.

The Malibu LCP requires that new development be sited and designed to minimize risks to life and property from geologic, flood, and fire hazard. In addition, the LCP requires a geologic/soils/geotechnical study that identifies any geologic hazards affecting the proposed project site, any necessary mitigation measures, and contains a statement that the project site is suitable for the proposed development and that the development will be safe from geologic hazard. The Limited Geologic and Soils Engineering Investigation by GeoConcepts, Inc. dated June 12, 2001 states:

It is the finding of this corporation, based upon the subsurface data that the proposed project will be safe from landslide, settlement or slippage and will not adversely affect adjacent property, provided this corporation's recommendations and those of the City of Malibu and Uniform Building Code are followed and maintained.

As such, the Commission notes that the proposed project will serve to ensure general geologic and structural integrity on site. However, the Commission also notes that the submitted Limited Geologic and Soils Engineering Investigation dated June 12, 2001 and Supplemental Report No. 3 dated June 24, 2002 prepared by GeoConcepts, Inc. include a number of recommendations to ensure the geologic stability and geotechnical safety of the site. To ensure that the recommendations of the geologic and geotechnical engineering consultants are incorporated into all new development, **Special Condition No. One (1)** requires the applicant to submit project plans certified by the consulting geologist and geotechnical engineer as conforming to all geologic and geotechnical recommendations, as well as any new or additional recommendations by the consulting geologist and geotechnical engineer to ensure structural and site stability. The final plans approved by the consultants shall be in substantial conformance with the plans approved by the Commission relative to construction, foundations, grading, sewage disposal and drainage. Any substantial changes to the proposed development approved by the Commission which may be recommended by the consultants shall require an amendment to the permit or a new coastal permit.

LCP policy 4.27 requires a 100 ft. setback from the bluff edge unless the geologist recommends a lesser setback with the assurance of a safety factor of 1.5 over an economic life of the structure for 100 years. In this case, the consulting geologist has provided such an

assurance on the proposed project, including the existing pool/spa. This policy also states that ancillary structures shall be removed or relocated when threatened by erosion. The applicants are proposing to remove the viewing platforms that currently extend over the edge of the bluff due to erosion. To ensure that the viewing platforms are removed in a timely manner, **Special Condition No. Six (6)** requires the applicant to remove those structures prior to constructing the new residence. In addition, LCP policy 4.38 requires that all ancillary or accessory structures be removed if the bluff edge encroaches to within 10 ft. of the structure. **Special Condition No. Six (6)** further requires that any such structures including, but not limited to, the pool and spa be removed if in the future, the bluff edge encroaches within 10 ft. or if a government agency deems the structure unsafe due to the hazards mentioned above. Finally, LCP policy 4.38 states that no future shoreline protective structure shall be permitted to protect an accessory structure and LIP policy 10.6C. states that where the geologist ensures that the proposed development can be sited and designed so as not to require a shoreline protective structure during the life of the development, the property owner shall record a deed restriction to ensure that no shoreline protective device shall be proposed or constructed in the future, as outlined in **Special Condition No. Five (5)**.

The Commission notes that the applicant's engineering consultants have indicated that the proposed development will serve to ensure relative geologic and structural stability on the subject site. However, the Commission also notes that the existing and proposed development are located on a bluff top parcel. The Commission further notes that because there remains some inherent risk in building on sites adjacent to a coastal bluff, such as the subject site, and 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 the associated risks as required by **Special Condition No. Four (4)**. This responsibility is carried out through the recordation of a deed restriction. The assumption of risk deed restriction, when recorded against the property, will show that the applicant is aware of and appreciates the nature of the hazards which exist on the site and which may adversely affect the stability or safety of the proposed development and agrees to assume any liability for the same. In addition, the Malibu LCP specifically requires that land owners of bluff properties subject to landsliding and erosion shall be required to execute and record a deed restriction which acknowledges and assumes said risks and waives any future claims of damage or liability against the permitting agency and agrees to indemnify the permitting agency against any liability, claims, damages or expenses arising from any injury or damage due to such hazards.

It should be noted that an assumption of risk restriction for hazardous geologic conditions and danger from wildfire is commonly required for new development throughout the greater Malibu/Santa Monica Mountains region in areas where there exist potentially hazardous geologic conditions, or where previous geologic activity has occurred either directly upon or adjacent to the site in question. The Commission has required such restrictions for other development throughout the Malibu/Santa Monica Mountains region.

The Commission also finds that the minimization of site erosion will add to the stability of the site. In addition, the Malibu LCP requires that graded and disturbed areas be revegetated to minimize erosion. Erosion can best be minimized by requiring the applicant to landscape all disturbed and graded areas of the site with native plants compatible with the surrounding environment. In past permit actions, the Commission has found that invasive and non-native plant species are typically characterized as having a shallow root structure in comparison with their high surface/foliage weight and/or require a greater amount of irrigation and maintenance

than native vegetation. The Commission notes that non-native and invasive plant species with high surface/foilage weight and shallow root structures do not serve to stabilize bluff slopes and bluff top areas and that such vegetation results in potential adverse effects to the geologic stability of the project site. In comparison, the Commission finds that native plant species are typically characterized not only by a well developed and extensive root structure in comparison to their surface/foilage weight but also by their low irrigation and maintenance requirements. Within the Zone A, as designated on the fuel modification plan, non-invasive ornamental plants are acceptable. Typically, Zone A is a 20–30 foot irrigated zone immediately surrounding the structure. Therefore, in order to ensure the stability and geotechnical safety of the site, **Special Condition No. Three (3)** requires that all proposed disturbed and graded areas on subject site are stabilized with native and limited non-invasive ornamental vegetation.

The 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. The applicant's geologic / geotechnical consultant has recommended that site drainage be collected and distributed in a non-erosive manner. In addition, the Malibu LCP policy 4.10 requires that "new development shall provide adequate drainage and erosion control facilities that convey site drainage in a non-erosive manner in order to minimize hazards resulting from increased runoff, erosion and other hydrologic impacts to streams". Therefore, to ensure that drainage is conveyed off site in a non-erosive manner, the Commission finds that it is necessary to require the applicant, as required by **Special Condition No. Two (2)**, to submit drainage and polluted runoff management plans for the construction and post-construction phases of development that are prepared by the consulting engineer. To ensure that the project's drainage structures will not contribute to further destabilization of the project site or surrounding area and that the project's drainage structures shall be repaired should the structures fail in the future, **Special Condition No. Two (2)** also requires that the applicant agree to be responsible for any repairs or restoration of eroded areas should the drainage structures fail or result in erosion.

Furthermore, to ensure excess excavated material is moved off site so as not to contribute to unnecessary landform alteration and to minimize erosion and sedimentation from stockpiled excavated soil, the Commission finds it necessary to require the applicant to dispose of the material at a appropriate disposal site or to a site that has been approved to accept fill material, as specified in **Special Condition No. Eight (8)**.

Finally, **Special Condition No. Nine (9)** requires the applicant to record a deed restriction that imposes the terms and conditions of this permit as restrictions on use and enjoyment of the property and provides any prospective purchaser of the site with recorded notice that the restrictions are imposed on the subject property.

Therefore, for the reasons discussed above, the Commission finds that the proposed project, as conditioned, is consistent with the applicable policies of the Malibu LCP.

C. WATER QUALITY

The Malibu LCP provides for the protection of water quality. The policies require that new development protects, and where feasible, enhances and restores wetlands, streams, and groundwater recharge areas. The policies promote the elimination of pollutant discharge, including non-point source pollution, into the City's waters through new construction and

development regulation, including site planning, environmental review and mitigation, and project and permit conditions of approval. Additionally, the policies require the implementation of Best Management Practices to limit water quality impacts from existing development, including septic system maintenance and City services.

Section 30251 of the Coastal Act, which is incorporated as a policy of the Malibu LCP, 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.

In addition, the following water quality LCP policies are applicable in this case:

3.95 *New development shall be sited and designed to protect water quality and minimize impacts to coastal waters by incorporating measures designed to ensure the following:*

- *Protecting areas that provide important water quality benefits, areas necessary to maintain riparian and aquatic biota and/or that are susceptible to erosion and sediment loss.*
- *Limiting increases of impervious surfaces.*
- *Limiting land disturbance activities such as clearing and grading, and cut-and-fill to reduce erosion and sediment loss.*
- *Limiting disturbance of natural drainage features and vegetation.*

3.96 *New development shall not result in the degradation of the water quality of groundwater basins or coastal surface waters including the ocean, coastal streams, or wetlands. Urban runoff pollutants shall not be discharged or deposited such that they adversely impact groundwater, the ocean, coastal streams, or wetlands, consistent with the requirements of the Los Angeles Regional Quality Control Board's municipal stormwater permit and the California Ocean Plan.*

3.97 *Development must be designed to minimize, to the maximum extent feasible, the introduction of pollutants of concern¹ that may result in significant impacts from site runoff from impervious areas. To meet the requirement to minimize "pollutants of concern," new development shall incorporate a Best Management Practice (BMP) or a combination of BMPs best suited to reduce pollutant loading to the maximum extent feasible.*

3.99 *Post-development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate. Dry weather runoff from new development must not exceed the pre-development baseline flow rate to receiving water bodies.*

¹ Pollutants of concern are defined in the Standard Urban Storm Water Mitigation Plan For Los Angeles County And Cities In Los Angeles County as consisting " of any pollutants that exhibit one or more of the following characteristics: current loadings or historic deposits of the pollutant are impacting the beneficial uses of a receiving water , elevated levels of the pollutant are found in sediments of a receiving water and/or have the potential to bioaccumulate in organisms therein, or the detectable inputs of the pollutant are at a concentrations or loads considered potentially toxic to humans and/or flora or fauna".

- 3.100** *New development shall be sited and designed to minimize impacts to water quality from increased runoff volumes and nonpoint source pollution. All new development shall meet the requirements of the Los Angeles Regional Water Quality Control Board (RWQCB) in its the Standard Urban Storm Water Mitigation Plan For Los Angeles County And Cities In Los Angeles County (March 2000) (LA SUSMP) or subsequent versions of this plan.*
- 3.102** *Post-construction structural BMPs (or suites of BMPs) should be designed to treat, infiltrate, or filter the amount of stormwater runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs and/or the 85th percentile, 1-hour storm event (with an appropriate safety factor, i.e. 2 or greater) for flow-based BMPs. This standard shall be consistent with the most recent Los Angeles Regional Water Quality Control Board municipal stormwater permit for the Malibu region or the most recent California Coastal Commission Plan for Controlling Polluted Runoff, whichever is more stringent.*
- 3.110** *New development shall include construction phase erosion control and polluted runoff control plans. These plans shall specify BMPs that will be implemented to minimize erosion and sedimentation, provide adequate sanitary and waste disposal facilities and prevent contamination of runoff by construction chemicals and materials.*
- 3.111** *New development shall include post-development phase drainage and polluted runoff control plans. These plans shall specify site design, source control and treatment control BMPs that will be implemented to minimize post-construction polluted runoff, and shall include the monitoring and maintenance plans for these BMPs.*
- 3.115** *Permits for new development shall be conditioned to require ongoing maintenance where maintenance is necessary for effective operation of required BMPs. Verification of maintenance shall include the permittee's signed statement accepting responsibility for all structural and treatment control BMP maintenance until such time as the property is transferred and another party takes responsibility.*
- 3.116** *The City, property owners, or homeowners associations, as applicable, shall be required to maintain any drainage device to insure it functions as designed and intended. All structural BMPs shall be inspected, cleaned, and repaired when necessary prior to September 30th of each year. Owners of these devices will be responsible for insuring that they continue to function properly and additional inspections should occur after storms as needed throughout the rainy season. Repairs, modifications, or installation of additional BMPs, as needed, should be carried out prior to the next rainy season.*
- 3.118** *Some BMPs for reducing the impacts of non-point source pollution may not be appropriate for development on steep slopes, on sites with low permeability soil conditions, or areas where saturated soils can lead to geologic instability. New development in these areas should incorporate BMPs that do not increase the degree of geologic instability.*
- 3.119** *New development that requires a grading permit or Local SWPPP shall include landscaping and re-vegetation of graded or disturbed areas, consistent with Policy 3.50. Any landscaping that is required to control erosion shall use native or drought-tolerant non-invasive plants to minimize the need for fertilizer, pesticides, herbicides,*

and excessive irrigation. Where irrigation is necessary, efficient irrigation practices shall be required.

- 3.120 New development shall protect the absorption, purifying, and retentive functions of natural systems that exist on the site. Where feasible, drainage plans shall be designed to complement and utilize existing drainage patterns and systems, conveying drainage from the developed area of the site in a non-erosive manner. Disturbed or degraded natural drainage systems shall be restored, where feasible, except where there are geologic or public safety concerns.**
- 3.125 Development involving onsite wastewater discharges shall be consistent with the rules and regulations of the L.A. Regional Water Quality Control Board, including Waste Discharge Requirements, revised waivers and other regulations that apply.**
- 3.126 Wastewater discharges shall minimize adverse impacts to the biological productivity and quality of coastal streams, wetlands, estuaries, and the ocean. On-site treatment systems (OSTSs) shall be sited, designed, installed, operated, and maintained to avoid contributing nutrients and pathogens to groundwater and/or surface waters.**
- 3.127 OSTs shall be sited away from areas that have poorly or excessively drained soils, shallow water tables or high seasonal water tables that are within floodplains or where effluent cannot be adequately treated before it reaches streams or the ocean.**
- 3.128 New development shall be sited and designed to provide an area for a backup soil absorption field in the event of failure of the first field.**
- 3.129 Soils should not be compacted in the soil absorption field areas during construction. No vehicles should be parked over the soil absorption field or driven over the inlet and outlet pipes to the septic tank.**
- 3.130 Subsurface sewage effluent dispersal fields shall be designed, sited, installed, operated, and maintained in soils having acceptable absorption characteristics determined either by percolation testing, or by soils analysis, or by both. No subsurface sewage effluent disposal fields shall be allowed beneath nonporous paving or surface covering.**
- 3.131 New development shall include the installation of low-flow plumbing fixtures, including but not limited to flow-restricted showers and ultra-low flush toilets, and should avoid the use of garbage disposals to minimize hydraulic and/or organic overloading of the OSTs.**
- 3.132 New development may include a separate greywater dispersal system where approved by the Building Safety Department.**
- 3.133 New development shall include protective setbacks from surface waters, wetlands and floodplains for conventional or alternative OSTs, as well as separation distances between OSTs system components, building components, property lines, and groundwater. Under no conditions shall the bottom of the effluent dispersal system be within five feet of groundwater.**
- 3.134 The construction of private sewage treatment systems shall be permitted only in full compliance with the building and plumbing codes and the requirements of the LA RWQCB. A coastal development permit shall not be approved unless the private sewage treatment system for the project is sized and designed to serve the proposed**

development and will not result in adverse individual or cumulative impacts to water quality for the life of the project.

3.138 Applications for new development relying on an OSTS shall include a soils analysis and or percolation test report. Soils analysis shall be conducted by a California Registered Geotechnical Engineer or a California Registered Civil Engineer in the environmental/geotechnical field and the results expressed in United States Department of Agriculture classification terminology. Percolation tests shall be conducted by a California Registered Geologist, a California registered Geotechnical Engineer, a California Registered Civil Engineer, or a California Registered Environmental Health Specialist. The OSTS shall be designed, sited, installed, operated, and maintained in full compliance with the building and plumbing codes and the requirements of the LA RWQCB.

3.139 New septic systems shall be sited and designed to ensure that impacts to ESHA, including those impacts from grading and site disturbance and the introduction of increased amounts of groundwater, are minimized. Adequate setbacks and/or buffers shall be required to protect ESHA and other surface waters from lateral seepage from the sewage effluent dispersal systems.

3.141 Applications for a coastal development permit for OSTS installation and expansion, where groundwater, nearby surface drainages and slope stability are likely to be adversely impacted as a result of the projected effluent input to the subsurface, shall include a study prepared by a California Certified Engineering Geologist or Registered Geotechnical Engineer that analyzes the cumulative impact of the proposed OSTS on groundwater level, quality of nearby surface drainages, and slope stability. Where it is shown that the OSTS will negatively impact groundwater, nearby surface waters, or slope stability, the OSTS shall not be allowed.

As described in detail above, the proposed project includes the demolition of an existing two story, 24 ft. high, 6,481 sq. ft. single family residence with attached garage and removal of 2 existing viewing platforms on bluff edge; an existing two story, 1,437 sq. ft. guest house/studio, stone driveway, pool and spa to remain with no changes proposed; construction of a new two story, 4,875 single family residence with 502 sq. ft. attached garage and 1,669 sq. ft. basement (7,046 sq. ft. total), new terraces and walkways, installation of a new septic system and performance of 709 cu. yds. of grading (678 cu. yds. cut and 31 cu. yds. fill) and 975 cu. yds. of removal and recompaction.

As such, the proposed project will result in creation of impervious surface on site, which in turn decreases the infiltrative function and capacity of existing permeable land on project sites. The Commission notes that this reduction in permeable surface leads to an increase in the volume and velocity of stormwater runoff that can be expected to leave the site. The cumulative effect of increased impervious surface is that the peak stream discharge is increased and the peak occurs much sooner after precipitation events. Changes in the stream flow result in modification to stream morphology. Additionally, grading, excavations and disturbance of the site from construction activities and runoff from impervious surfaces can result in increased erosion of disturbed soils and in sedimentation of nearby coastal stream and waters.

In addition, pollutants commonly found in runoff associated with new development 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 and organic matter; fertilizers, herbicides, and pesticides from household gardening or more intensive agricultural land use; nutrients from

wastewater discharge, animal waste and crop residue; and bacteria and pathogens from wastewater discharge and 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 provides food and cover for aquatic species; disruptions to the reproductive cycle of aquatic species; acute and sublethal toxicity in marine organisms leading to adverse changes in reproduction and feeding behavior; and human diseases such as hepatitis and dysentery. 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.

The LCP water quality policies cited above are designed to protect water quality and prevent pollution of surface, ground, and ocean waters. The Malibu LCP requires the preparation of a Storm Water Management Plan (SWMP) for all projects that require a coastal development permit or a Water Quality Mitigation Plan (WQMP) for beachfront/blufftop developments that involve 2,500 sq. ft. or more of impervious surface area. A SWMP illustrates how the project will use appropriate site design and source control best management practices (BMPs) to minimize or prevent adverse effects of the project on water quality. A WQMP requires treatment control (or structural) BMPs, in addition to site design and source control BMPs that are required for a SWMP, to minimize or prevent the discharge of polluted runoff from a project site. In this case, the project involves the creation or addition of more than 2,500 sq. ft. of impervious surface area on a blufftop site. Therefore, pursuant to the requirements of the Malibu LCP, and to ensure the proposed project will not adversely impact water quality or coastal resources, the Commission finds it necessary to require the preparation of a WQMP for the subject site, that utilizes site design, source control and treatment control BMPs, as specified in **Special Condition No. Two (2)**.

Furthermore, erosion control and storm water pollution prevention measures implemented during construction will serve to minimize the potential for adverse impacts to water quality resulting from runoff during construction. The Malibu LCP requires that a Local Storm Water Pollution Prevention Plan (SWPPP) be prepared for all development that requires a Coastal Development Permit and a grading or building permit, and it shall apply to the construction phase of the project. The SWPPP includes measures and BMPs to prevent erosion, sedimentation and pollution of surface and ocean waters from construction and grading activities. In this case, the proposed project does involve grading and construction that requires grading and building permits. Therefore, pursuant to the Malibu LCP and to ensure the proposed development does not adversely impact water quality or coastal resources during the construction phase of the project, the Commission finds it necessary to require the applicant to submit a Local SWPPP for the subject site, consistent with the requirements specified in **Special Condition No. Two (2)**.

Finally, the proposed development includes the upgrade of an on site wastewater treatment system (OSTS) to serve the residence. The applicant is proposing to replace an existing septic system with a new secondary treatment system. The Malibu LCP includes a number of policies and standards relative to the design, siting, installation, operation and maintenance of OSTs to ensure these systems do not adversely impact coastal waters. The proposed upgrades to the existing OSTs were previously reviewed and approved in concept by the City of Malibu Environmental Health Department, determining that the system meets the requirements of the

plumbing code. However, with the recent adoption of the Malibu LUP, new more stringent standards regarding the siting, design, installation, operation and maintenance of OSTs have been established. Therefore, the Commission finds that it is necessary to require the applicant to submit a report and plans prepared by a qualified professional, that have been reviewed and approved by the City of Malibu Environmental Health Department, verifying the proposed septic system complies with the siting, design, installation, operation and maintenance requirements specified in **Special Condition No. Seven (7)**.

In addition, in order to ensure the OSTs is maintained and monitored in the future to prevent system failures or inadequate system performance, the Malibu LCP includes policies and standards requiring the regular maintenance and monitoring of the OSTs. Therefore, the Commission finds that it is necessary to require the applicant to submit verification that they have obtained a monitoring, operation and maintenance permit from the City, as outlined in **Special Condition No. Seven (7)**.

The Commission finds that based on the above findings the proposed project, as conditioned, will not result in adverse impacts to water quality and is consistent with the Malibu LCP.

D. CALIFORNIA ENVIRONMENTAL QUALITY ACT

Section 13096(a) of the Commission's administrative regulations requires Commission approval of a Coastal Development Permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect that the activity may have on the environment.

The Commission finds that, 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 determined to be consistent with CEQA and the policies of the Coastal Act.

MAP 667
SEE 627
MAP 667

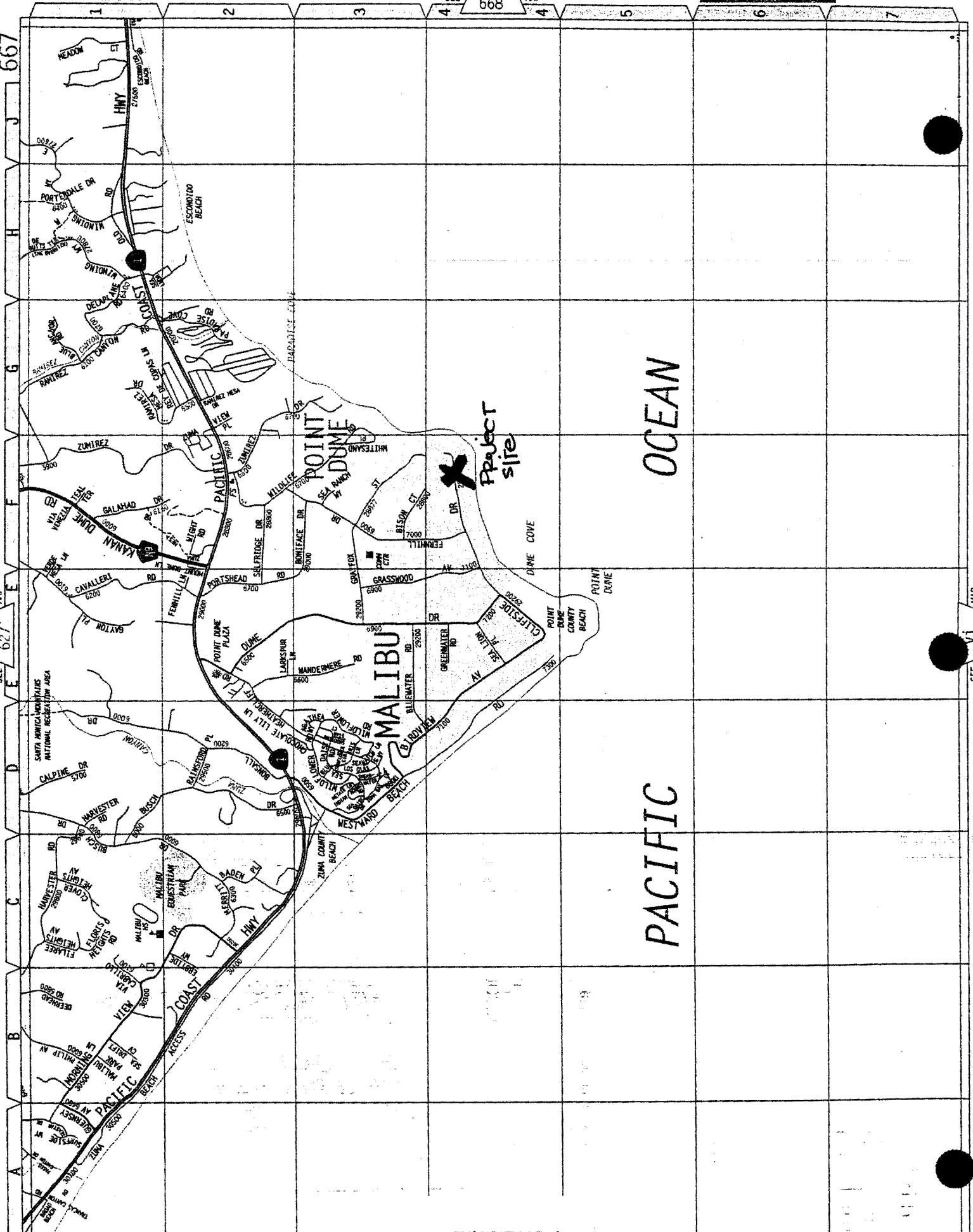


EXHIBIT NO. 1
 APP. NO. 4-02-04
 VICINITY MAP

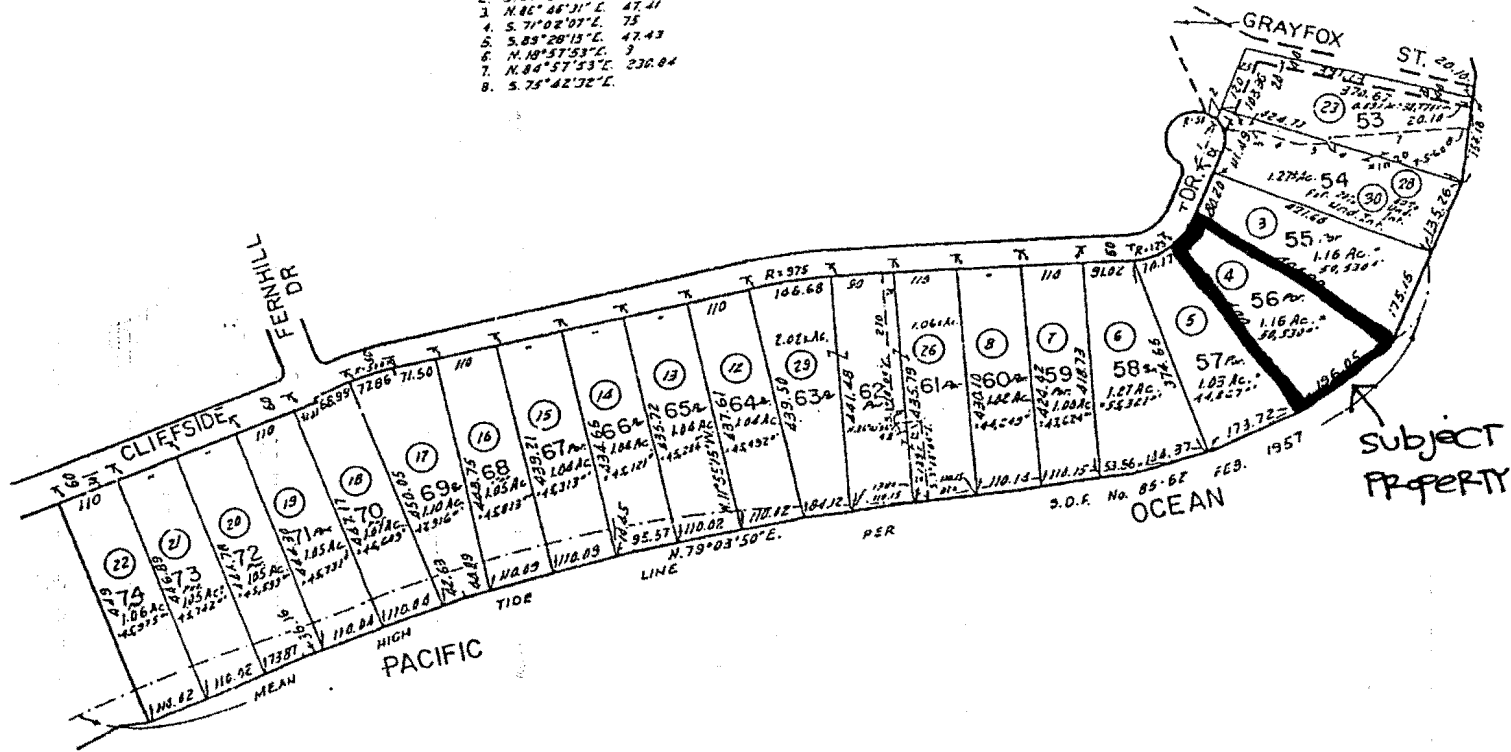
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EXHIBIT NO. 2
 APP. NO. 4-02-094
 PARCEL MAP



RECORD OF SURVEY
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CODE
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FOR PREV. ASSMT. SEE: 482- 329

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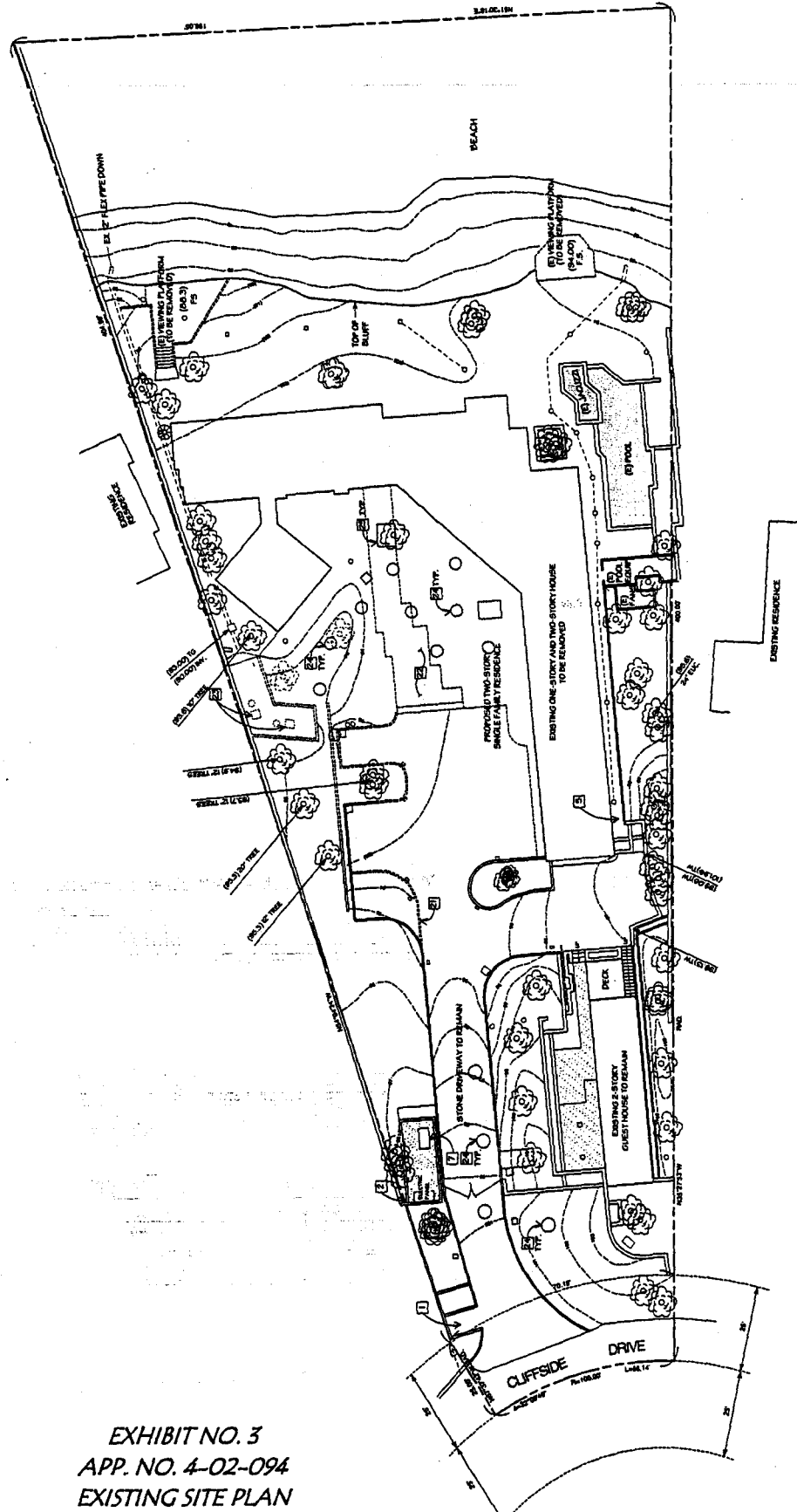
APR 19 2002

CALIFORNIA
 COASTAL COMMISSION
 SOUTH CENTRAL COAST DISTRICT

ASSESSOR'S MAP
 COUNTY OF LOS ANGELES, CALIF.

LEGEND

- 1 (R) TRASH ENCLOSURE
- 2 (R) WALL CAL. PANE
- 3 (M) CONCRETE W/
- 4 (M) STONE LAMIN
- 5 (R) STONE LAMIN
- 6 (R) PLANTER
- 7 (R) TREE WELL
- 8 (R) GATE DOOR
- 9 (R) GATE BOX
- 10 (R) FLAGSTONE DR.
- 11 (R) CONCRETE WAL
- 12 (M) CONCRETE PAT
- 13 (M) GRAVEL
- 14 (M) CURB
- 15 (R) ROLLING GATE
- 16 (R) CONCRETE ENCL. WITH FUEL TANK
- 17 (M) PLANTING
- 18 (R) CONCRETE SWALI
- 19 (R) GAS METER
- 20 (R) GATE MOTOR ON L
- 21 (R) WALL OR CURB TO
- 22 (R) WALKWAY TO BE
- 23 (R) AC EQUIPMENT A TO BE REMOVED
- 24 (R) SEEPAGE PIT TO
- 25 (R) DISTRIBUTION PO
- 26 (M) STAINED CONCRETE
- 27 (M) SEPTIC SYSTEM



**EXHIBIT NO. 3
APP. NO. 4-02-094
EXISTING SITE PLAN**

LEGEND:

- 1 (E) TRASH ENCLOSURE
- 2 (E) WALL
- 3 (M) CONCRETE WALL
- 4 (M) STONE LANDING
- 5 (E) STONE LANDING
- 6 (E) PLANTER
- 7 (E) TREE WELL
- 8 (E) GATE BOX
- 9 (E) GATE BOX
- 10 (E) FLAGSTONE DRIVE
- 11 (E) CONCRETE WALL
- 12 (M) CONCRETE/STONED
- 13 (M) GRAVEL
- 14 (M) CURB
- 15 (E) ROLLING GATE
- 16 (E) CONCRETE/STONED WITH FUEL TANK
- 17 (M) PLANTING
- 18 (E) CONCRETE SWALE
- 19 (E) GAS METER
- 20 (E) GATE MOTOR DR.
- 21 (E) WALL OR CURB
- 22 (E) WALKWAY TO CURB
- 23 (E) A/C EQUIPMENT TO BE REMOVED
- 24 (E) SEWAGE PIT TO BE REMOVED
- 25 (M) DISTRIBUTION P.
- 26 (M) STAINED CONK.
- 27 (M) SEPTIC SYSTEM

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GENERAL LEGEND

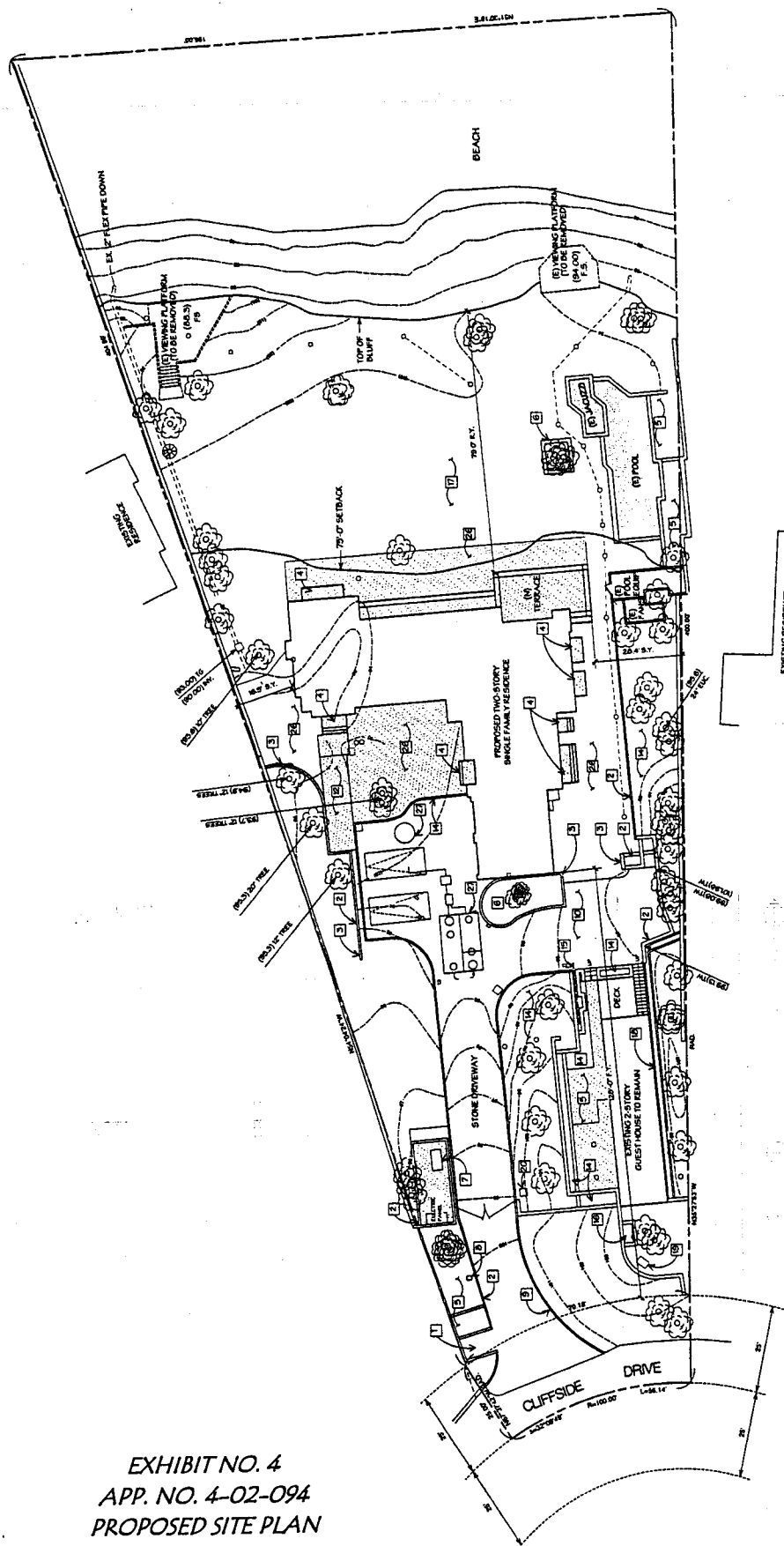
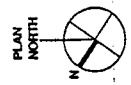


EXHIBIT NO. 4
APP. NO. 4-02-094
PROPOSED SITE PLAN

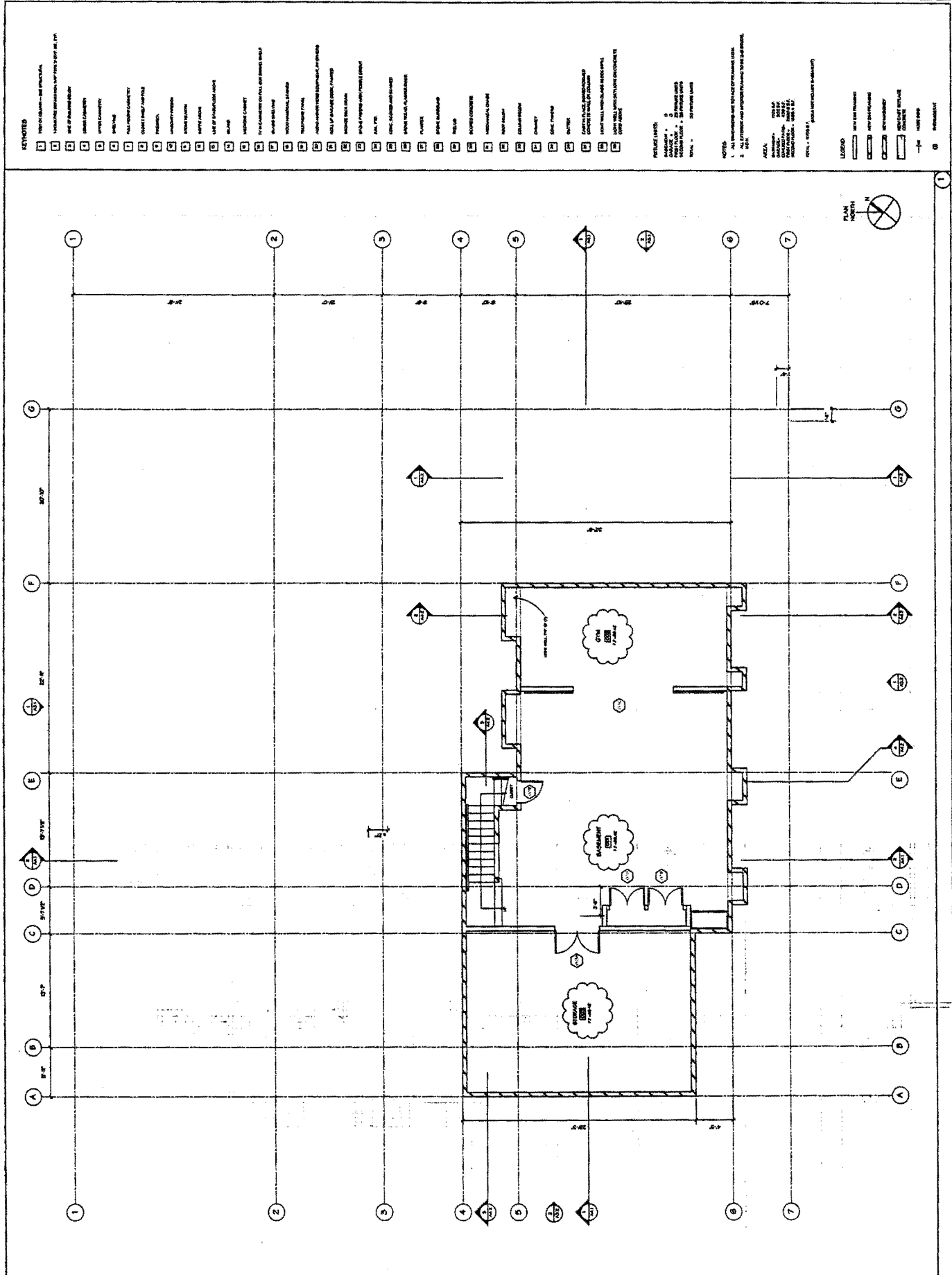


EXHIBIT NO. 5
APP. NO. 4-02-094
BASEMENT FLOOR PLAN

Date:	10/20/04
Drawn by:	JK
Checked by:	JK
Scale:	1/8" = 1'-0"
Sheet No.:	01
Total Sheets:	02

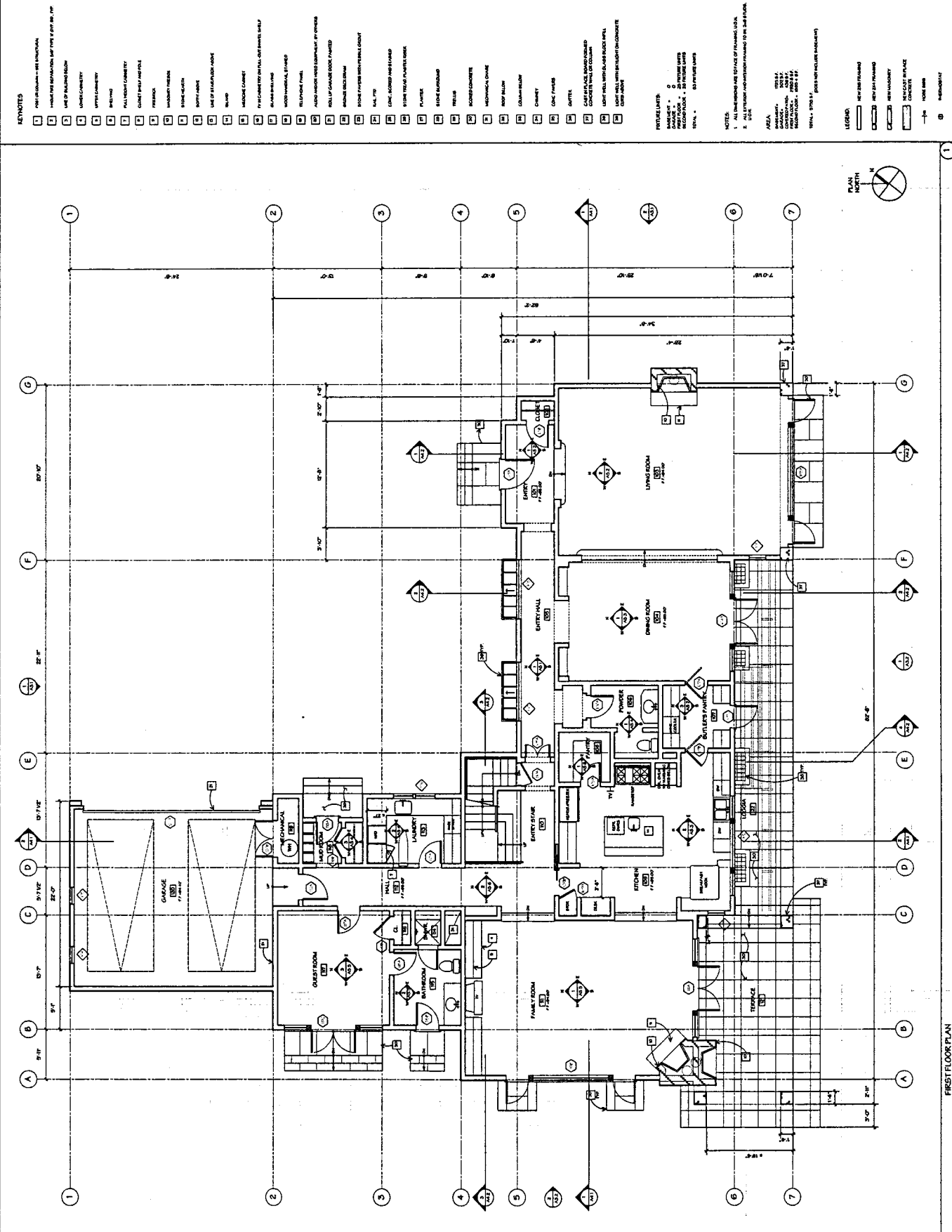
FIRST FLOOR PLAN

THE WENTWORTH RESIDENCE
12000 12th Street, San Diego, CA 92121

TOHENOR & THORP ARCHITECTS
2720 Miramar Boulevard, San Diego, CA 92121
Tel: 619-594-1234 Fax: 619-594-1235

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REVISED	
DATE	
BY	
REASON	



KEYNOTES

- 1. SEE SECTION 101 FOR FINISHES
- 2. SEE SECTION 102 FOR FINISHES
- 3. SEE SECTION 103 FOR FINISHES
- 4. SEE SECTION 104 FOR FINISHES
- 5. SEE SECTION 105 FOR FINISHES
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- 7. SEE SECTION 107 FOR FINISHES
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- 9. SEE SECTION 109 FOR FINISHES
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- 30. SEE SECTION 130 FOR FINISHES
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- 40. SEE SECTION 140 FOR FINISHES

- 41. SEE SECTION 141 FOR FINISHES
- 42. SEE SECTION 142 FOR FINISHES
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- 46. SEE SECTION 146 FOR FINISHES
- 47. SEE SECTION 147 FOR FINISHES
- 48. SEE SECTION 148 FOR FINISHES
- 49. SEE SECTION 149 FOR FINISHES
- 50. SEE SECTION 150 FOR FINISHES

LEGEND

- 1. NEW 2x12 FLOORING
- 2. NEW 2x12 FLOORING
- 3. NEW 2x12 FLOORING
- 4. NEW 2x12 FLOORING
- 5. NEW 2x12 FLOORING
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- 7. NEW 2x12 FLOORING
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EXHIBIT NO. 6
APP. NO. 4-02-094
1ST FLOOR PLAN

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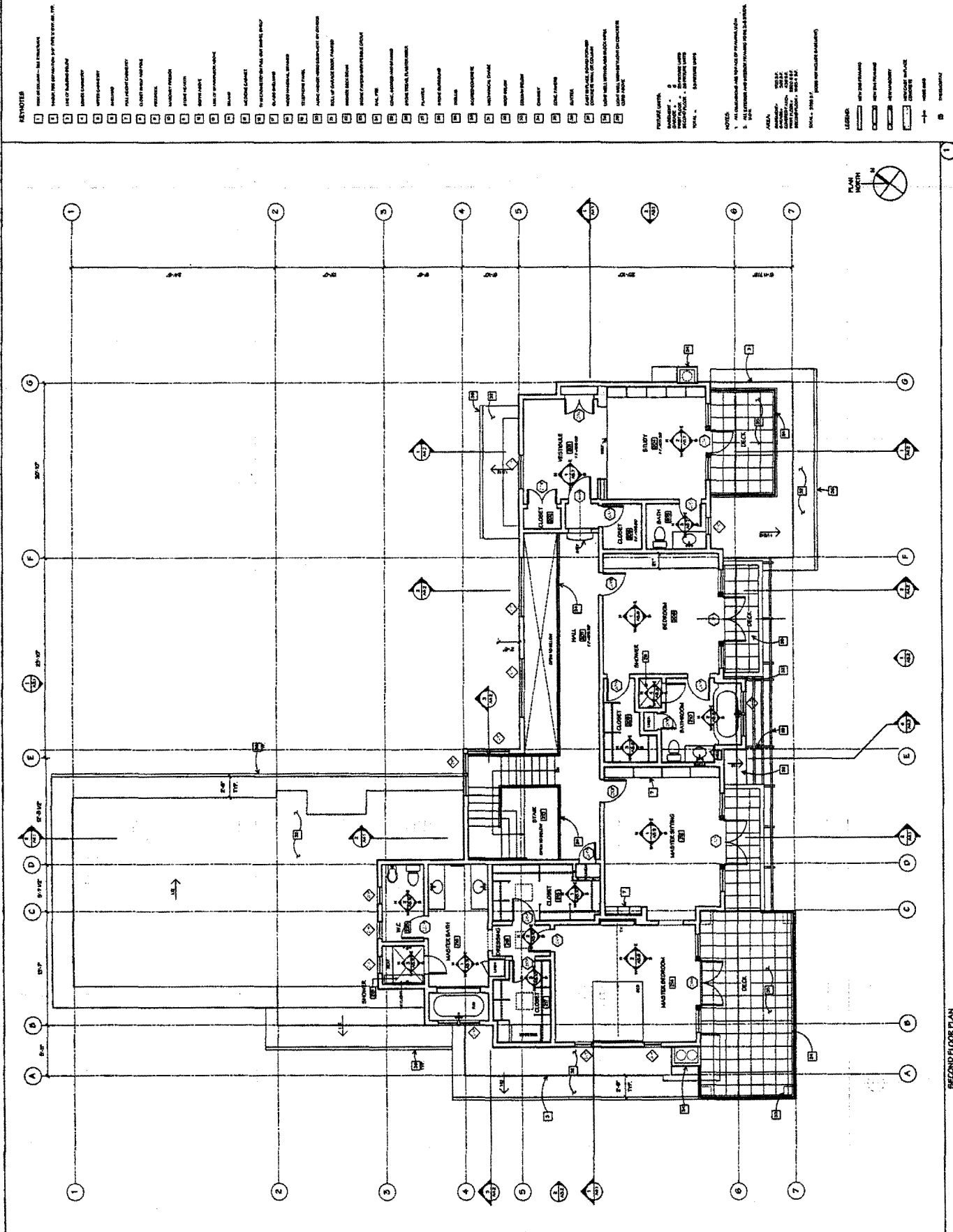
SECOND FLOOR PLAN

THE WETHON RESIDENCE
12000 12th Avenue SW
Edmonton, Alberta T6E 0E8

NOCHON & THORP ARCHITECTS
17700 10th Avenue SW
Edmonton, Alberta T6E 0E8
303-444-1111
www.nochon.com

The drawings are prepared by Nochon & Thorp Architects in accordance with the provisions of the Alberta Building Code and the National Building Code of Canada. The drawings are prepared by Nochon & Thorp Architects in accordance with the provisions of the Alberta Building Code and the National Building Code of Canada.

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EXHIBIT NO. 7
APP. NO. 4-02-094
2ND FLOOR PLAN

SECOND FLOOR PLAN

REVISIONS

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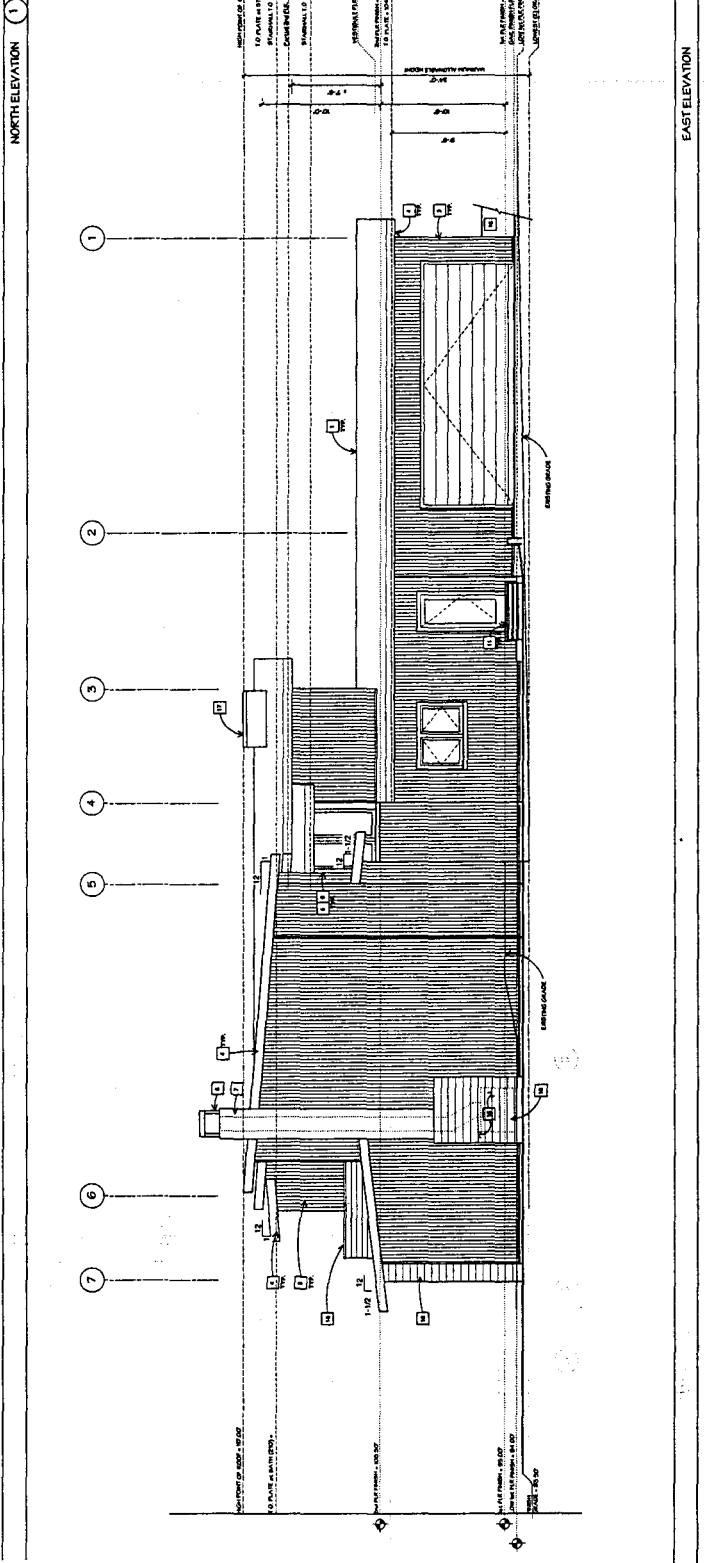
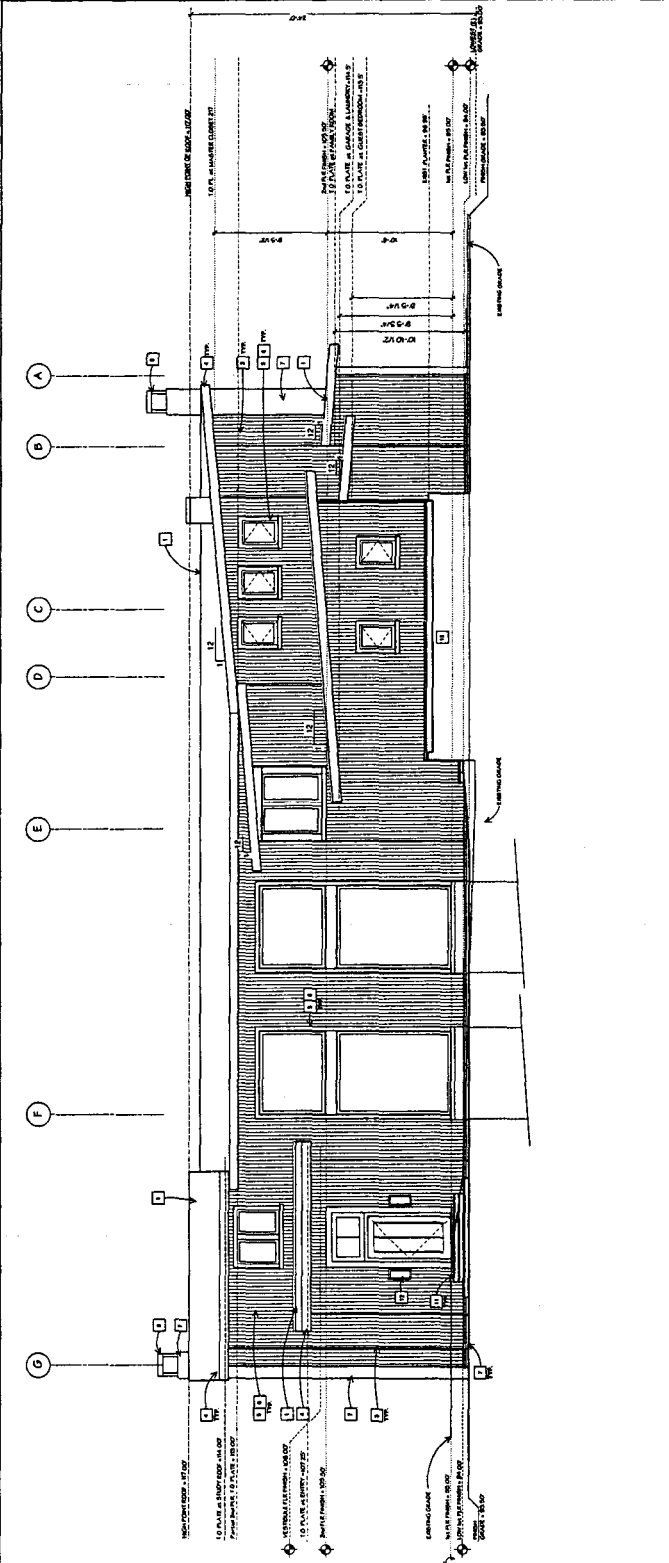


EXHIBIT NO. 8
 APP. NO. 4-02-094
 NORTH & EAST ELEVATIONS

SOUTH & WEST ELEVATIONS

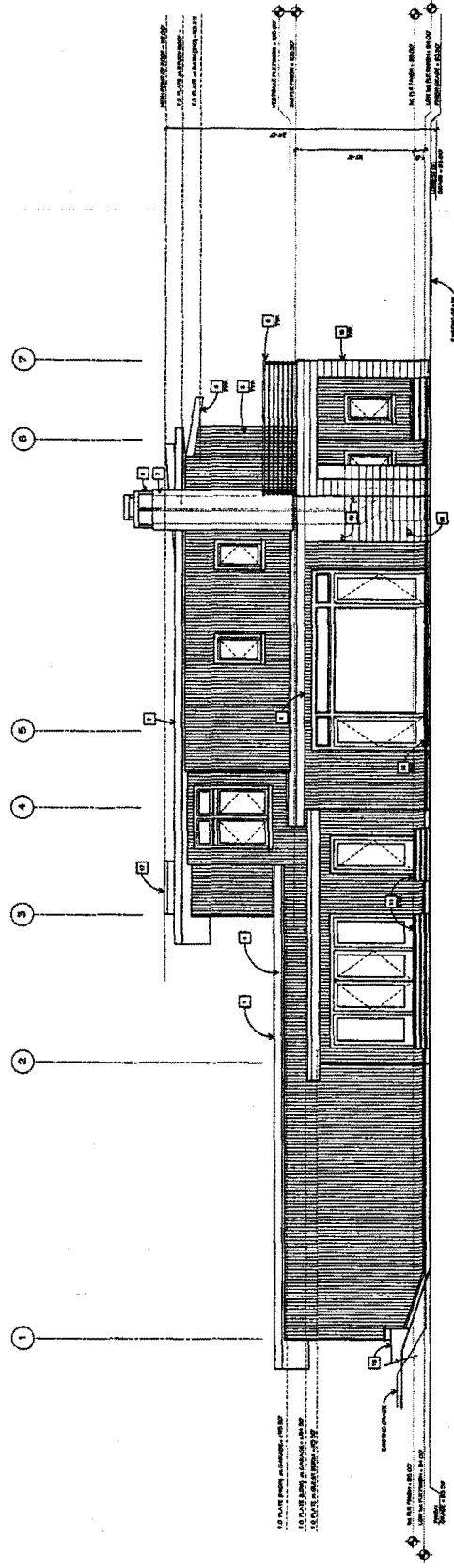
THE WETHERBY RESIDENCE
 28400 CRYSTAL DRIVE
 LABEL, CALIFORNIA 90355

TICHENOR & THORP ARCHITECTS
 8700 WILSON BOULEVARD, FORT MYERS
 34202-8444 TEL: 239.330.0300

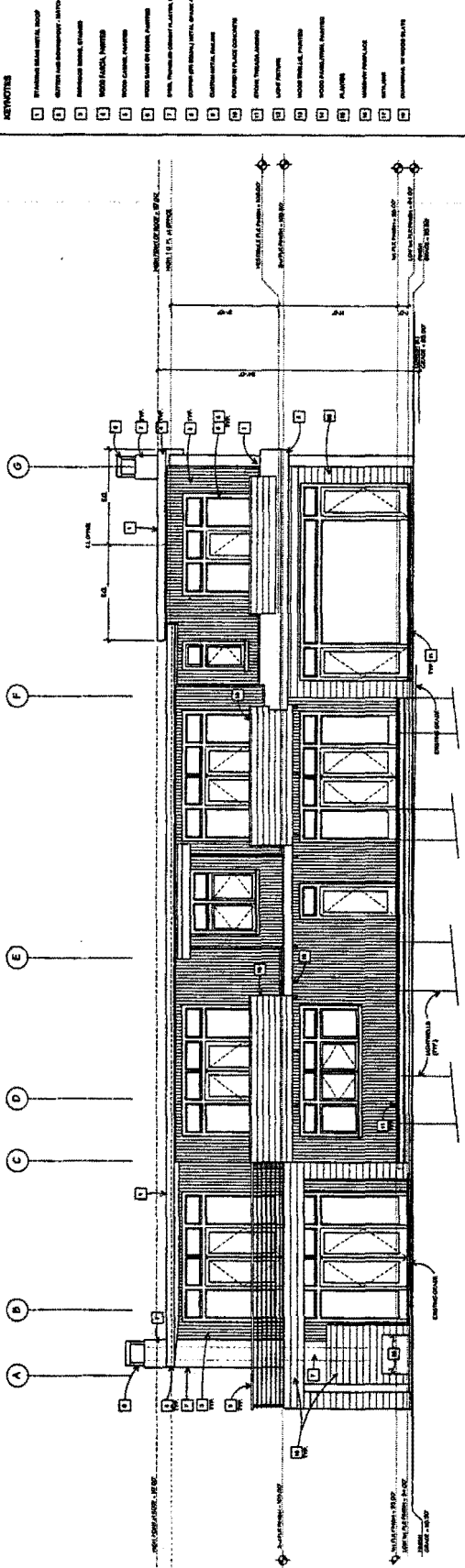
THESE DRAWINGS ARE THE PROPERTY OF TICHENOR & THORP ARCHITECTS AND ARE NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF TICHENOR & THORP ARCHITECTS.

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WEST ELEVATION



1 SOUTH ELEVATION



KEYNOTES

- 1 FINISH: WOOD SHIP LAP SIDING
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EXHIBIT NO. 9
 APP. NO. 4-02-094
 SOUTH & WEST ELEVATIONS