

**CALIFORNIA COASTAL COMMISSION**

WITH CENTRAL COAST AREA  
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Commission Action:



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**STAFF REPORT: REGULAR CALENDAR**

**APPLICATION NO.:** 4-01-124

**APPLICANT:** Loretta Hung **AGENTS:** Jennifer Hung, Brian Lerman

**PROJECT LOCATION:** 29441 Blue Water Road, Malibu, Los Angeles County

**PROJECT DESCRIPTION:** Demolish existing residence and guest house and construct a new two story 8,191 sq. ft. residence with attached three car garage, new pool, spa, driveway, septic system, entry gate, fences, landscaping and grade 730 cubic yards of material with export of 110 cubic yards to a disposal site located outside the coastal zone.

<b>Lot Area:</b>	1.76 acres
<b>Building Coverage:</b>	8,191 sq. ft.
<b>Pavement Coverage:</b>	18,941 sq. ft.
<b>Landscaped Area:</b>	8,335 sq. ft.
<b>Parking Spaces:</b>	8
<b>Height above existing grade:</b>	18 feet

**SUMMARY OF STAFF RECOMMENDATION:** Staff recommends **approval** of the proposed project with seven (7) special conditions regarding: future development deed restriction, plans conformance with geotechnical recommendations, assumption of risk, waiver of liability and indemnity, drainage and polluted run-off control, landscaping and erosion control plans, removal of excavated material, and removal of existing vegetation.

**LOCAL APPROVALS RECEIVED:** City of Malibu Planning Department, Approval in Concept, dated 6/27/01; City of Malibu Environmental Health Department, Approval in Concept (Septic), dated 6/15/01; City of Malibu, Geology and Geotechnical Engineering Review Sheet, Approval in Concept, dated 7/6/00; City of Malibu, Geology Review Referral Sheet, dated 5/31/01; County of Los Angeles, Fire Department, Approval in Concept, 4/24/01; City of Malibu, Fire Department Review Referral Sheet, 5/30/01; Los Angeles County Fire Department, Coastal Commission Approval Only, County of Los Angeles Fire Department, dated 8/9/01; Preliminary Fuel Modification Plan Approval, dated 8/18/01;

**SUBSTANTIVE FILE DOCUMENTS:** Certified Malibu/Santa Monica Mountains Land Use Plan (1986); Geotechnical Update by AGS (April 11, 2001); Revised Geotechnical Update by AGS, Inc. (7/31/01); Geotechnical Engineering Study and Response to Plan Review by AGS dated March 28, 2000 and June 15, 2000; Coastal Permit No. 4-01-051, Bluewater.

## I. STAFF RECOMMENDATION

**MOTION:** *I move that the Commission approve Coastal Development Permit No. 4-01-124 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. 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. Future Development Deed Restriction

This permit is only for the development described in Coastal Development Permit No. 4-01-124. Pursuant to Title 14 California Code of Regulations Sections 13250(b)(6) the exemptions otherwise provided in Public Resources Code Section 30610(a) shall not apply to the portion of the parcel north of the northern wall of the permitted structure. Accordingly, any future additions, structures, or improvements on the subject site located to the area north of the permitted structure, as identified as a line drawn across subject parcel along the northern wall of the residence approved under Coastal Development Permit No. 4-01-124 to the northern property boundary as identified on Exhibit 14, including any fencing, grading, clearing, or other disturbance of vegetation, other than as provided for in the approved fuel modification/landscape plan prepared pursuant to **Special Condition No. Five**, shall require an amendment to Permit No. 4-01-124 from the Commission or shall require an additional coastal development permit from the Commission or from the applicable certified local government.

Prior to the issuance of the coastal development permit the applicant 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 description of the applicant's entire parcels. 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.

#### 2. Plans Conforming to Geotechnical Recommendation

All recommendations contained in the *Revised Geotechnical Update by AGS, Inc. (7/31/01), Response to Plan Review ((June 15, 2000), and Geotechnical Engineering Study (March 28, 2000)*, shall be incorporated into all final design and construction including slope setback, foundation type, swimming pool, site preparation, slab-on-

grade, retaining wall design, drainage, and sewage disposal. Final plans must be reviewed and approved by the project's consulting geotechnical engineer. Prior to the issuance of the coastal development permit, the applicant shall submit, for review and approval by the Executive Director, evidence of the consultants' review and approval of two (2) sets 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, 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.

### **3. Assumption of Risk, Waiver of Liability and Indemnity**

- A. By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from wildfire, landslide, or earth movement; (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.
- B. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant and landowner shall execute and record a deed restriction, in a form and content acceptable to the Executive Director incorporating all of the above terms of this condition. The deed restriction shall include a legal description of the applicant's entire parcel. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

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

Prior to issuance of the coastal development permit, the applicant shall submit to the Executive Director for review and written approval, 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 geotechnical engineer and engineering geologist to ensure the plan is in

conformance with consultants' recommendations. In addition to the specifications above, the plan shall be in substantial conformance with the following requirements:

- (a) The plan shall be configured and designed to generally conform with the preliminary drainage plan shown on Exhibits 11 - 14.
- (b) Selected BMPs (or suites of BMPs) shall be designed to treat or filter stormwater from each runoff event, up to and including the 85<sup>th</sup> percentile, 24-hour runoff event for volume-based BMPs, and/or the 85<sup>th</sup> percentile, 1-hour runoff event, with an appropriate safety factor, for flow-based BMPs.
- (c) Runoff shall be conveyed off site in a non-erosive manner.
- (d) Energy dissipating measures shall be installed at the terminus of outflow drains.

The plan shall include provisions for maintaining the drainage system, including structural BMPs, in a functional condition throughout the life of the approved development. Such maintenance shall include the following: (1) BMPs shall be inspected, cleaned and repaired when necessary prior to the onset of the storm season, no later than September 30<sup>th</sup> each year and (2) should any of the project's surface or subsurface drainage/filtration structures or other BMPs fail or result in increased erosion, the applicant/landowner or successor-in-interest shall be responsible for any necessary repairs to the drainage/filtration system or BMPs and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Executive Director to determine if an amendment or new coastal development permit is required to authorize such work.

## **5. Landscaping, Erosion Control and Fuel Modification Plans**

Prior to issuance of a coastal development permit, the applicant shall submit two (2) sets of final landscaping and erosion control plans, prepared and stamped 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 geotechnical consultants to ensure that the plans are in conformance with the consultants' recommendations. The plans shall identify the species, extent, and location of all plant materials and shall incorporate the following criteria:

### **A. Landscaping Plan**

- (1) All graded and 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. 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.

- (2) All graded areas beyond development area shall be stabilized with planting at the completion of final grading. Plantings should be of native plant species indigenous to the Santa Monica Mountains using accepted planting procedures, consistent with fire safety requirements. Such planting shall be adequate to provide 90 percent coverage within two (2) years, and this requirement shall apply to all disturbed soils.
- (3) Plantings will be maintained in good growing condition throughout the life of the project and, whenever necessary, shall be replaced with new plant materials to ensure continued compliance with applicable landscape requirements.
- (4) The Permittee shall undertake development in accordance with the final approved plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Coastal Commission - approved amendment to the coastal development permit, unless the Executive Director determines that no amendment is required.
- (5) Vegetation within 20 feet of the proposed house may be removed to mineral earth, vegetation within a 200 foot radius of the main structure may be selectively thinned in order to reduce fire hazard. However, such thinning shall only occur in accordance with an approved long-term fuel modification plan submitted pursuant to this special condition. The fuel modification plan shall include details regarding the types, sizes and location of plant materials to be removed, and how often thinning is to occur. In addition, the applicant shall submit evidence that the final fuel modification plan has been reviewed and approved by the Forestry Department of Los Angeles County. Irrigated lawn, turf and ground cover planted within the twenty foot radius of the proposed house shall be selected from the most drought tolerant species or subspecies, or varieties suited to the Mediterranean climate of the Santa Monica Mountains.

#### **B. Interim Erosion Control Plan**

- (1) The plan shall delineate the areas to be disturbed by grading or construction activities and shall include any temporary access roads, staging areas and stockpile areas. The natural areas on the site shall be clearly delineated on the project site with fencing or survey flags.
- (2) The plan shall specify that should grading take place during the rainy season (November 1 – March 31) the applicant shall install or construct temporary sediment basins (including debris basins, desilting basins or silt traps), temporary

drains and swales, sand bag barriers, silt fencing, stabilize any stockpiled fill with 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 road, disturbed soils and cut and fill slopes with geotextiles and/or mats, sand bag barriers, silt fencing; temporary drains and swales and sediment basins. The plans shall also specify that all disturbed areas shall be seeded with native grass species and include the technical specifications for seeding the disturbed areas. These temporary erosion control measures shall be monitored and maintained until grading or construction operations resume.

### **C. Monitoring**

Five years from the date of the receipt of the Certificate of Occupancy for the residence the applicant shall submit for the review and approval of the Executive Director, a landscape monitoring report, prepared by a licensed Landscape Architect or qualified Resource Specialist, that certifies the on-site landscaping is in conformance with the landscape plan approved pursuant to this Special Condition. The monitoring report shall include photographic documentation of plant species and plant coverage.

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

### **6. Removal of Excavated Material**

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

## **7. Removal of Existing Vegetation**

Removal of existing vegetation for the purpose of fuel modification within the 20 foot zone surrounding the proposed structure(s) shall not commence until the local government has issued a building or grading permit for the development approved pursuant to this permit. Vegetation thinning within the 20-200 foot fuel modification zone shall not occur until commencement of construction of the structure(s) approved pursuant to this permit.

## **IV. FINDINGS AND DECLARATIONS**

The Commission hereby finds and declares:

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

The subject site is located at 29441 Blue Water Road, approximately one-thousand feet east of the intersection with Birdview Avenue, in the City of Malibu. Access to the property is via Blue Water Road, a paved road, which extends along the southern boundary of the subject parcel (Exhibit 1 and 2). The 1.76 acre site is located within the Point Dume residential neighborhood seaward of Pacific Coast Highway. The subject site is located surrounded with single family residences, except to the north across a drainage channel, where a modular home park is located. The proposed project will not be visible from any public viewing areas, or from Pacific Coast Highway.

The applicant proposes to demolish an existing residence and guest house and construct a new two story 8,191 sq. ft. residence with attached three car garage, new pool, spa, driveway, septic system, entry gate, fences, landscaping and grade 730 cubic yards of material with export of 110 cubic yards to a disposal site located outside the coastal zone (Exhibits 3-16).

Topography of the subject parcel consists of a relatively level pad area from Blue Water Road to about 380 horizontal feet north to top of slope, transitioning to a relatively steep, north-facing hillside, for the remaining 350 horizontal feet sloping down to an area near an unnamed drainage, a U.S. Geological Survey (USGS) mapped blueline stream (Exhibit 17). The subject property does not include this blueline stream as the northern boundary stops just short of it. Slope gradients at the subject site range from nearly level to about 3:1 (Horizontal:Vertical). Maximum topographic relief at the subject site, from Blue Water Road down the slope to the northern boundary, is approximately 160 ft.

Site drainage is comprised of topographically controlled sheetflow runoff of precipitation which flows to this drainage beyond the northern portion of the site. The USGS blueline stream flows westerly beyond the northern parcel boundary. At its closest point, the residence is setback approximately 380 feet from the centerline of the blueline stream. This drainage reaches the Pacific Ocean at Westward Beach approximately one-quarter mile downstream of the northern property boundary.



Vegetation on the southern pad area consists of landscaping such as eucalyptus, citrus and myoporum. The vegetation within the 80 foot setback of the proposed residence to the top of the slope are exotic grasses. The majority of the upper portion of the slope also includes exotic grasses; some native plant and chaparral vegetation are located near the bottom of the slope. The upper portion of the slope beyond the project site is highly degraded apparently due to past fuel modification clearance. The drainage area near the base of the slope on the northern portion of the project site, appear to be vegetated with mature coastal sage scrub and both annual exotic and native grasses. The slope is designated environmentally sensitive habitat area; as mentioned above, a USGS mapped blue line stream is located beyond the northern property line and drains to the west of the project site.

The subject site currently includes a residence, garage and guest house, and is bordered by two residentially developed parcels to the west and east of the subject site. The northern boundary of the proposed building is located within a stringline drawn between the adjoining residences. The residence is set back about 80 feet from top edge of the slope, at street level, which is located at about the 186 feet above sea level elevation.

The applicant has submitted Fuel Modification Plans with Preliminary Approval by the County of Los Angeles Fire Department, Fuel Modification Unit, dated 8/8/01, for the proposed residence which indicate the extent of vegetation removal and/or thinning requirements required to reduce fire hazard for the proposed residence. This area will overlap significantly with areas previously disturbed by fuel modification completed for the existing and adjacent residential development, and with that proposed for the residential development in this application. As such, the proposed development will not have an adverse impact on significant native vegetation.

## **B. Geology and Fire Hazard**

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

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

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

The proposed development is located in the Malibu/Santa Monica Mountains area, an area which is generally considered to be subject to an unusually high amount of natural hazards. Geologic hazards common to the Malibu/Santa Monica Mountains area 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 mandates that new development be sited and designed to provide geologic stability and structural integrity, and minimize risks to life and property in areas of high geologic, flood, and fire hazard. The project site consists of a relatively steep, east-facing hillside parcel. The bulk of the development is proposed to be sited on the western portion of the property, near the top of the descending slope, however, the residence itself will be built over the descending slope.

The applicant has submitted several documents regarding the on-site geologic conditions prepared by the applicant's geology, engineering and geotechnical engineering consultants, including: *Revised Geotechnical Update by Advanced Geotechnical Services, Inc. (AGS) dated 7/31/01, Response to Plan Review date June 15, 2000, and Geotechnical Engineering Study dated March 28, 2000.* These submitted reports evaluate the geologic conditions of the site and the suitability of the site for the proposed project. These consultants specifically address potential geologic hazards associated with an on-site landslide located to the area below the existing slope north of the building pad. In evaluating the geologic conditions of the project site and adjacent properties in relation to the proposed development, the geotechnical consultants have determined that the proposed project will be safe from geologic hazards provided their recommendations are incorporated into the proposed development. As a result of the presence of the landslide, the consulting geotechnical engineer identified a "restricted use area" located on the northern portion of the lot including most northern portion of the top of the slope. The applicant relocated the proposed residence to be beyond this "restricted use area" by moving the original location for the residence further south and closer to Blue Water Road and proposed to construct the residence on deepened caissons.

Based on their investigation and recommendations the geotechnical consultants have determined that the project site is appropriate for the proposed project. The *Revised Geotechnical Update* dated 7/31/01 prepared by AGS, Inc. states:

***The California Coastal Commission has required that a statement satisfying Section 111 of the Los Angeles County Building Code (1996 edition) be incorporated into the geotechnical report for this project. For the purpose of complying with this mandate, it is our opinion, within the scope of this study and the state-of-the-practice as of this date, that (1) the building site for the proposed structure will be geologically safe from landslides, settlement, or slippage and (2) the proposed building and grading will not negatively impact the geologic stability of adjacent property surrounding the project site, provided all recommendations in the geotechnical reports for this site are followed and the site is properly maintained.***

In order to ensure that any future development proposed on the site is reviewed with regard to the above recommendations concerning the restricted use area and compliance with applicable Coastal Act policies, the Commission requires the applicant, through **Special Condition No. One**, to record a future development deed restriction on the property.

The Coastal Act recognizes that new development, such as the proposed replacement residence, 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 determine who should assume the risk. When development in areas of identified hazards is proposed, the Commission considers the hazard associated with the project site and the potential cost to the public, as well as the individual's right to use the property. Therefore, even though the applicant has relocated the residence to a location beyond this restricted use area, the residence may still be subject to potential damage by landslide and earth movement. The Commission finds that due to the potential for landslide and earth movement on the subject site, the applicant shall assume these risks as a condition of approval. **Special Condition No. Three** requires the applicant to waive any claim of liability on the part of the Commission for damage to life or property which may occur as a result of the permitted development. The applicant's assumption of risk, when executed and recorded on the property deed, will show that the applicant is aware of and appreciated the nature of the hazards which exist on the site, and which may adversely affect the stability or safety of the proposed development.

In addition, the applicant's geology, engineering and geotechnical engineering consultants, in the documents titled: *Revised Geotechnical Update by Advanced Geotechnical Services, Inc. (AGS) dated 7/31/01, Response to Plan Review date June 15, 2000, and Geotechnical Engineering Study dated March 28, 2000*, include numerous recommendations to be incorporated into the project's construction, design, and drainage to ensure stability and geologic safety of the project site. To ensure that the recommendations of the geotechnical consultants are incorporated into all proposed development the Commission, as specified in **Special Condition No. Two** requires the applicant to submit project plans certified by the consulting geotechnical engineer as conforming to all structural and site stability recommendations for the proposed project. Final plans approved by the consultants shall be in substantial conformance with the plans approved by the Commission. Any substantial changes to the proposed development, as approved by the Commission, which may be recommended by the consultants shall require an amendment to the permit or a new coastal development permit.

The Commission finds that minimizing site erosion will aid in maintaining the geologic stability of the project site, and that erosion will be minimized by incorporating adequate drainage, erosion control, and appropriate landscaping into the proposed development. To ensure that adequate drainage and erosion control is included in the proposed development the Commission requires the applicant to submit drainage and interim erosion control plans certified by the consulting geotechnical engineer, as specified in

**Special Condition Nos. Four and Five.** **Special Condition No. Four** also requires the applicant to maintain a functional drainage system at the subject site to insure that run-off from the project site is diverted in a non-erosive manner to minimize erosion at the site for the life of the proposed development. Should the drainage system of the project site fail at any time, the applicant will be responsible for any repairs or restoration of eroded areas as consistent with the terms of **Special Condition No. Three.**

The Commission has found that minimization of grading and exposed earth on-site can reduce the potential impacts of sedimentation in nearby creeks, stormwater conveyances, and the ocean. Therefore, **Special Condition No. Six** has been required to ensure that all excavated or cut material in excess of material proposed to be used for fill on the project site be removed and properly disposed as proposed by the applicant to a disposal site located outside the coastal zone.

The Commission also finds that appropriate landscaping of slopes and graded or disturbed areas on the project site will minimize erosion and serve to enhance and maintain the geologic stability of the proposed development. Therefore, **Special Condition No. Five** requires the applicant to submit landscaping plans certified by the consulting geotechnical engineer as in conformance with their recommendations for landscaping of the project site. **Special Condition No. Two** also requires the applicant 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/foilage weight. The Commission finds that non-native and invasive plant species with high surface/foilage weight and shallow root structures do not serve to stabilize slopes and that such vegetation results in potential adverse effects to the stability of the project site. Alternatively, native plant species tend to have a deeper root structure than non-native, invasive species and aid in preventing erosion. Therefore, the Commission finds that in order to ensure site stability, all slopes on site and the disturbed and graded areas of the site shall be landscaped with appropriate native plant species, as specified in **Special Condition No. Five.**

In addition, in order to ensure that vegetation clearance for fire protection purposes does not occur prior to commencement of grading or construction of the proposed structures, the Commission finds that it is necessary to impose a restriction on the removal of existing or natural vegetation as specified in **Special Condition No. Seven.** This restriction specifies that existing or natural vegetation shall not be removed until grading or building permits have been secured and construction of the permitted structures has commenced. The limitation imposed by **Special Condition No. Seven** avoids loss of existing or natural vegetative coverage resulting in unnecessary erosion in the absence of adequately constructed drainage and run-off control devices and implementation of the landscape and interim erosion control plans.

## 2. Wild Fire

The proposed project is located in the Point Dume area of the Santa Monica Mountains, an area subject to an extraordinary potential for damage or destruction from wild fire. Typical vegetation in 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. A 200-foot fuel modification zone around the proposed house site would overlap onto the neighboring properties to the north, south, and west. Within this fuel modification zone, there are three zones, A, B, and C. Zone A all existing vegetation is removed to mineral earth and replanted with generally native plant ground cover native that is highly fire resistant. Zone B includes an irrigated plant zone of fire resistant native plants that are thinned annually to reduce the fire hazards. Zone C includes native plants that generally are not irrigated but are fire resistant and the removal of non-native plants. The applicant submitted an initial preliminary fuel modification plan with zone A, B, and C areas identified. Zone B extended about one hundred feet from the proposed residence to the area beyond and below the slope. Staff suggested that the applicant consider relocating Zone B to the area about 80 feet from the residence or to the top or slope line to avoid and minimize the removal of any native plants that will be planted in Zone C on the slope which is located within the designated Environmentally Sensitive Habitat Area. As a result, the applicant revised the landscape plan and obtained a preliminary approval from the Los Angeles County Fire Department. (see Exhibit 18). This plan needs to include a Zone C planting and removal area as required in **Special Condition No. Five**

Due to the fact that the proposed project is located in an area subject to an extraordinary potential for damage or destruction from wildfire, the Commission can only approve the project if the applicant assumes the liability from these associated risks. Through the wildfire waiver of liability, as incorporated in **Special Condition No. Three**, the applicant acknowledges and appreciates the nature of the fire hazard which exists on the site and which may affect the safety of the proposed development. For fire suppression, and to protect residences, the Fire Department requires the reduction of fuel through the removal and thinning of vegetation for up to 200 feet from any structure.

Therefore, Commission finds that the proposed project, as conditioned, is consistent with Sections 30250 and 30253 of the Coastal Act.

### **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, 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, the applicant proposes to demolish an existing residence and guest house and construct a new two story 8,191 sq. ft. residence with attached three car garage, new pool, spa, driveway, septic system, entry gate, fences, landscaping and grade 730 cubic yards of material with export of 110 cubic yards to a disposal site located outside the coastal zone.

As noted previously, the applicants' parcel drains easterly into a USGS blueline stream which flows just beyond the northern property boundary, roughly parallel to this boundary in a westerly direction to Westward Beach. At its closest point, the residence is setback approximately 380 feet from this blueline stream.

The proposed re-development of the site will result in an increase in impervious surface with additional pavement and building coverage, which in turn decreases the infiltrative function and capacity of existing permeable land on site. The reduction in permeable space therefore leads to an increase in the volume and velocity of stormwater runoff that can be expected to leave the site. Further, pollutants commonly found in runoff associated with residential use include petroleum hydrocarbons including oil and grease from vehicles; heavy metals; synthetic organic chemicals including paint and household cleaners; soap and dirt from washing vehicles; dirt and vegetation from yard maintenance; litter; fertilizers, herbicides, and pesticides; and bacteria and pathogens from animal waste. The discharge of these pollutants to coastal waters can cause cumulative impacts such as: eutrophication and anoxic conditions resulting in fish kills and diseases and the alteration of aquatic habitat, including adverse changes to species composition and size; excess nutrients causing algae blooms and

sedimentation increasing turbidity which both reduce the penetration of sunlight needed by aquatic vegetation which provide food and cover for aquatic species; disruptions to the reproductive cycle of aquatic species; and acute and sublethal toxicity in marine organisms leading to adverse changes in reproduction and feeding behavior. These impacts reduce the biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes and reduce optimum populations of marine organisms and have adverse impacts on human health.

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

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

The project is conditioned, under **Special Condition No. Four**, to implement and maintain a drainage plan designed to ensure that runoff rates and volumes after development do not exceed pre-development levels and that drainage is conveyed in a non-erosive manner. This drainage plan is required in order to ensure that risks from geologic hazard are minimized and that erosion, sedimentation, and polluted runoff are minimized to reduce potential impacts to coastal streams, natural drainages, and habitat areas. Such a plan will allow for the infiltration and filtering of runoff from the developed areas of the site, most importantly capturing the initial "first flush" flows that occur as a result of the first storms of the season. This flow carries with it the highest concentration of pollutants that have been deposited on impervious surfaces during the dry season. Additionally, the applicants must monitor and maintain the drainage and polluted runoff control system to ensure that it continues to function as intended throughout the life of the development.

In order to ensure that these issues are adequately addressed in the final project drainage plans, the Commission requires the applicant, through **Special Condition No.**

**Four** to submit final drainage plans that reflect the conceptual drainage design (Exhibit 4) and which are sized to accommodate the runoff from an 85<sup>th</sup> percentile storm event.

The Commission finds that sizing post-construction structural BMPs to accommodate (infiltrate, filter or treat) the runoff from the 85<sup>th</sup> percentile storm runoff event, in this case, is equivalent to sizing BMPs based on the point of diminishing returns (i.e. the BMP capacity beyond which, insignificant increases in pollutants removal (and hence water quality protection) will occur, relative to the additional costs. Therefore, the Commission requires the selected post-construction structural BMPs be sized based on design criteria specified in **Special Condition No. Four**, and finds that this will ensure the proposed development will be designed to minimize adverse impacts to coastal resources, in a manner consistent with the water and marine resource protection policies of the Coastal Act.

In addition, the Commission notes that the increase in the amount of impervious surfaces on the site will increase both the volume and velocity of storm water runoff. If not controlled and conveyed off of the site in a non-erosive manner, this runoff will result in increased erosion on and off the site which may lead to sedimentation of the adjacent USGS blueline stream. 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.

Because of the slope of the site and proximity of the blueline stream in relation to the proposed residence, and the resultant potential for pollutants to enter the coastal drainage which eventually outflows to the Pacific Ocean, it is important to adequately control site drainage to allow velocity reduction, filtration, and/or other best management practices (BMPs). The Commission finds that there are potential adverse effects to the value and quality of the adjacent natural drainage on the subject site as a result of erosion and sedimentation. To minimize erosion, sedimentation, and resultant impacts to water quality in the adjacent drainage, **Special Condition No. Five** requires that all disturbed areas be stabilized and vegetated with appropriate native plant species. 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 or riparian areas, and therefore do not prevent erosion in such areas. Native species, alternatively, tend to have a deeper root structure than non-native, invasive species and aid in preventing erosion.



Furthermore, interim erosion control measures implemented during construction and post construction landscaping will serve to minimize the potential for adverse impacts to water quality resulting from drainage runoff during construction and in the post-development stage. Therefore, the Commission finds that **Special Condition No. Five** is necessary to ensure the proposed development will not adversely impact water quality of the blueline stream and downstream coastal resources.

Finally, the proposed development includes the installation of an on-site evapotranspiration septic system with two 2,500-gallon tanks to serve the residence. The applicant's geologic consultants performed percolation tests and evaluated the proposed septic system. The report concludes that the site is suitable for the septic system and there would be no adverse impact to the site or surrounding areas from the use of a septic system. The City of Malibu Environmental Health Department has given in-concept approval of the proposed septic system, determining that the system meets the requirements of the plumbing code. The Commission has found that conformance with the provisions of the plumbing code is protective of resources.

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

#### **D. Environmentally Sensitive Resources**

Section 30230 of the Coastal Act states:

*Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.*

Section 30231 of the Coastal Act states that:

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

Section 30240 states:

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

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

To assist in the determination of a proposed project's consistency with Sections 30230, 30231, and 30240 of the Coastal Act, the Commission has looked to the certified Malibu/Santa Monica Mountains Land Use Plan (LUP) for guidance. The Land Use Plan has been found to be consistent with Coastal Act Policies and provides specific standards for development along the Malibu coast and within the Santa Monica Mountains. The LUP offers policies designed to protect environmentally sensitive habitat areas and address stream protection and erosion control, from both the individual and cumulative impacts of development. In its findings regarding the Land Use Plan, the Commission emphasized the importance placed by the Coastal Act on protecting sensitive environmental resources. The Commission found in its action certifying the Land Use Plan in December 1986 that:

**Coastal canyons in the Santa Monica Mountains require protection against significant disruption of habitats, including not only the riparian corridors located in the bottoms of the canyons, but also the chaparral and coastal sage biotic communities found on the canyon slopes.**

The applicant proposes to demolish an existing residence and guest house and construct a new two story 8,191 sq. ft. residence with attached three car garage, new pool, spa, driveway, septic system, entry gate, fences, landscaping and grade 730 cubic yards of material with export of 110 cubic yards to a disposal site located outside the coastal zone.

There is a designated environmentally sensitive habitat area (ESHA) on the subject site (Exhibit 17). This area appears to be located on the down sloping area beyond the top of the slope. The vegetation within the 80-foot setback of the proposed residence to the top of the slope are exotic grasses. The majority of the upper portion of the slope also includes exotic grasses; some native plant and chaparral vegetation are located near the bottom of the slope. The upper portion of the slope beyond the project site is highly degraded apparently due to past fuel modification clearance. The drainage area near the base of the slope on the northern portion of the project site, appear to be vegetated with mature coastal sage scrub and both annual exotic and native grasses.

### **Stream and Habitat Protection**

The Commission notes that seasonal streams and drainages, such as this unnamed drainage beyond the subject property, provide important habitat for plant and animal

species. Section 30231 of the Coastal Act provides that the quality of coastal waters and streams shall be maintained and restored whenever feasible through means such as: controlling runoff, preventing interference with surface water flows and alteration of natural streams, and by maintaining natural vegetation buffer areas.

In past permit actions the Commission has found that new development adjacent to coastal streams and natural drainages results in potential adverse impacts to riparian habitat and marine resources from increased erosion, contaminated storm runoff, introduction of non-native and invasive plant species, disturbance of wildlife, and loss of riparian plant and animal habitat.

The siting of development in close proximity to streams results in the direct removal of riparian vegetation both for the actual construction of the building, and for fire prevention protection of the structure. The potential impact to the stream and its associated habitat extends far beyond the actual building footprint, as vegetation clearance up to 200 ft. from the structure will be required, pursuant to Los Angeles County Fire Department regulations. Such vegetation serves to hold erosive soils in place by slowing the surface flow of runoff and allowing it to infiltrate into the ground, thereby reducing the volume, velocity, and the potential pollutant load of the runoff prior to its entry into a stream. The removal of this vegetation, in turn, results in an increase in the potential force and flow of rainwater and sheetflow runoff, which leads to increased erosion, nutrient loading, sedimentation, and pollutant loading of the streambed. This degradation of the stream's water quality continues downstream in a domino effect, altering the potential makeup of the organismal community (algae, insects, amphibians, and fish) which can survive within the streambed, and those which rely on the such organisms for their food supply, such as insectivorous birds, and bats.

Development in close proximity to streams, and the removal of riparian vegetation, results in the degradation of riparian habitat essential to the functioning of the stream ecosystem as a whole. Riparian habitats also serve as movement corridors for wildlife, connecting otherwise isolated populations and habitats. Development in close proximity to such streams can disturb the wildlife, disrupting their natural behavioral patterns, and forcing them to search further afield for necessary resources.

Section 30231 of the Coastal Act is designed to protect and enhance, or restore where feasible, marine resources and the biologic productivity and quality of coastal waters, including streams. Specifically, Section 30231 states that biological productivity and quality of coastal waters shall be sustained through maintaining natural vegetation buffer areas that protect riparian habitats and minimizing alteration of natural streams, among other means. This hilltop parcel is upstream of a USGS-designated blueline stream that harbors mature, and primarily undisturbed, coastal sage scrub. For fire suppression, and to protect residences, the Fire Department requires the reduction of fuel through the removal and thinning of vegetation for up to 200 feet from any structure. A 200-foot fuel modification zone around the proposed house site would overlap onto the neighboring properties to the east and west. However, the off-site area within the fuel modification zone is largely disturbed as a result of existing fuel

modification requirements for the existing onsite and adjoining residences. Therefore, off-site fuel modification requirements in this zone would have minimal impact to native habitat. In addition, cumulative onsite fuel modification impacts are minimized since development to the west and east, include existing residences, have existing fuel modification zones which overlap the fuel modification of the proposed residence. The location of the subject residence, on the top of the level pad area and setback 80 feet from the top of the slope, serves to cluster development in the area away from the blueline stream and minimizes the potential impacts of fuel modification. To ensure the most minimal disturbance feasible of the native habitat, **Special Condition No. Five** requires the applicants to submit a final long-term fuel modification plan for the review and approval by the Executive Director which includes a zone B area extending no further than the top of the slope or about 80 feet from the proposed residence, as identified in the preliminary approved Fuel Modification Plan.

The Commission finds that there are potential adverse effects to the value and quality of this unnamed drainage and the native habitat on the subject site as a result of erosion and sedimentation. Erosion and sedimentation can be minimized by requiring the applicant to implement a drainage and polluted runoff control plan (discussed in further detail under Section C. Water Quality above), by incorporating interim erosion control methods during construction, and by landscaping disturbed areas of the site with native plants compatible with the surrounding environment.

Non-point source pollution is the pollution of coastal waters (including streams and underground water systems) which enters the waterway from numerous sources which are difficult to identify on an individual basis. Non-point source pollutants include suspended solids, coliform bacteria and nutrients. These pollutants can originate from many different sources such as overflow septic systems, storm drains, runoff from roadways, driveways, rooftops, and horse facilities. The Commission finds that the minimization of non-point source pollutants from new development will help to maintain and enhance the quality of coastal waters, streams, wetlands, estuaries and lakes.

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 specified by **Special Condition No. Four**, to incorporate drainage and polluted runoff control measures into development of the project site. This condition also ensures that: the project's drainage and runoff control structures will not contribute to further erosion and sedimentation at the project site or surrounding area; that the project's drainage structures shall be repaired should the structures fail in the future; and that the applicant agree to be responsible for any repairs or restoration of eroded areas should the drainage structures fail or result in erosion.

**Special Condition No. Five** requires that an interim erosion control plan be prepared and submitted with proof of review by the project's consulting geotechnical and geologic engineer, as conforming to their recommendations to reduce excess erosion and sedimentation from the project site into Walnut Canyon during construction activities.

To minimize erosion and excess sedimentation into the blueline stream, **Special Condition No. Five** further requires that all disturbed areas be stabilized and vegetated with appropriate native plant species. Invasive and non-native plant species are generally characterized as having a shallow root structure in comparison with their high surface/foilage weight. The Commission finds that non-native and invasive plant species with high surface/foilage weight and shallow root structures do not serve to stabilize slopes or riparian areas, and therefore do not prevent erosion in such areas. Native species, alternatively, tend to have a deeper root structure than non-native, invasive species and aid in preventing erosion.

Furthermore, **Special Condition No. Seven** requires that no removal or thinning of natural vegetation for fuel modification purposes shall occur until grading or building permits have been secured from the local government and construction of the permitted development has commenced. The limitation imposed avoids loss of natural vegetative coverage resulting in unnecessary erosion in the absence of adequately constructed drainage and runoff control devices and implementation of the landscaping and interim erosion control plans.

The Commission further finds that the implementation of **Special Condition No. Six**, removal of excess graded material, will ensure that additional soil and debris are removed from the site, and therefore will not contribute to additional erosion and sedimentation.

For the reasons set forth above, the Commission finds that the proposed project, as conditioned, is consistent with Sections 30230, 30231, and 30240 of the Coastal Act.

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

Section 30604 of the Coastal Act states:

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

Section 30604(a) of the Coastal Act provides that the Commission shall issue a Coastal Permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with Chapter 3 policies of the Coastal Act.

The preceding sections provide findings that the proposed project will be in conformity with the provisions of Chapter 3 if certain conditions are incorporated into the project and accepted by the applicant. As conditioned, the proposed project will not create adverse impacts and is found to be consistent with the applicable policies contained in

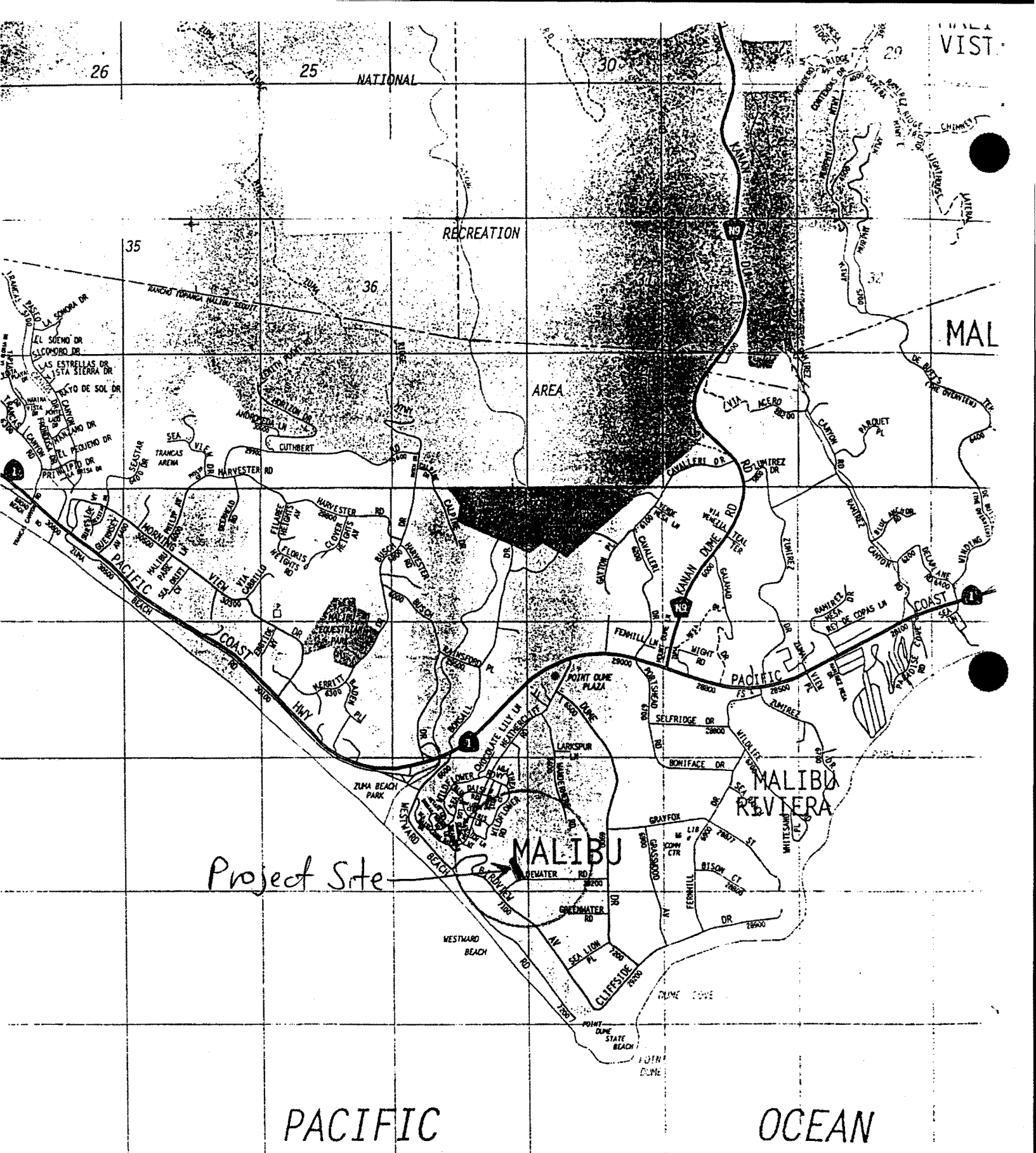
Chapter 3. Therefore, the Commission finds that approval of the proposed development, as conditioned, will not prejudice the City's ability to prepare a Local Coastal Program for the Santa Monica Mountains area which is also consistent with the policies of Chapter 3 of the Coastal Act as required by 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 by any conditions of approval, to be consistent with any applicable requirements of the California Environmentally Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The Commission finds that, the proposed project, as conditioned will not have significant adverse effects on the environment, within the meaning of the California Environmental Quality Act of 1970. Therefore, the proposed project, as conditioned, has been adequately mitigated and is determined to be consistent with CEQA and the policies of the Coastal Act.





Project Site

PACIFIC

OCEAN

EXHIBIT NO. 2
APPLICATION NO. 4-09-124
Project Site



channel  
drainages off site

SITE PLAN  
SEE GRADING PLAN FOR BALANCE OF CALL-OUTS

Adjoining  
residence

Top of slope

Adjoining  
Residence

Proposal  
Residence



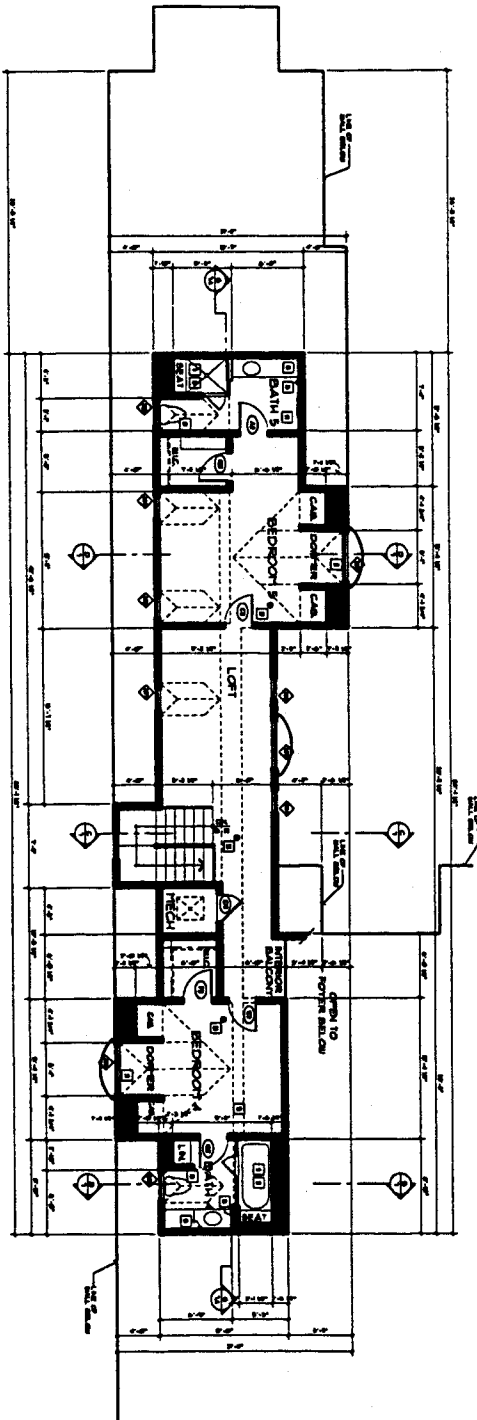
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EXHIBIT NO. 3  
APPLICATION NO. 9-01-104  
Site Plan





SECOND FLOOR PLAN

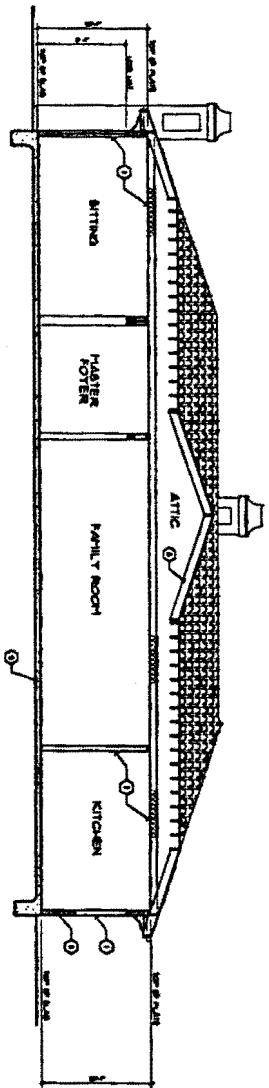


**AREA CALCULATION**

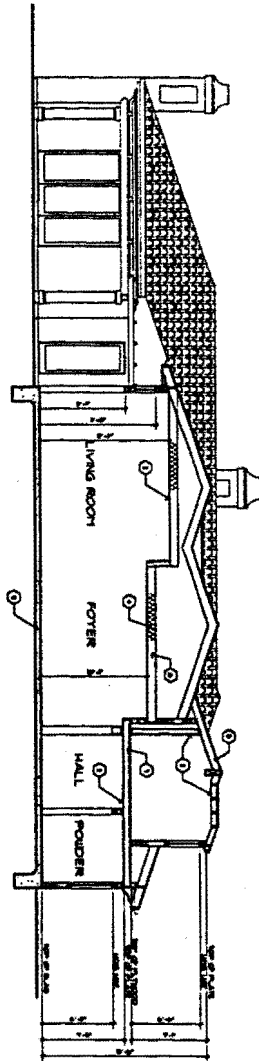
Overall Footprint	3,000 sq. ft.
Overall Living Area	2,500 sq. ft.
Overall Deck Area	500 sq. ft.
Overall Porch	0 sq. ft.
<b>TOTAL PROGRAM DEVELOPMENT FOOTAGE</b>	<b>3,000 sq. ft.</b>
Overall Living Area	2,500 sq. ft.
Overall Deck Area	500 sq. ft.
Overall Porch	0 sq. ft.
<b>ALLOWABLE TOTAL DEVELOPMENT</b>	<b>3,000 sq. ft.</b>

- HALL LEGEND:**
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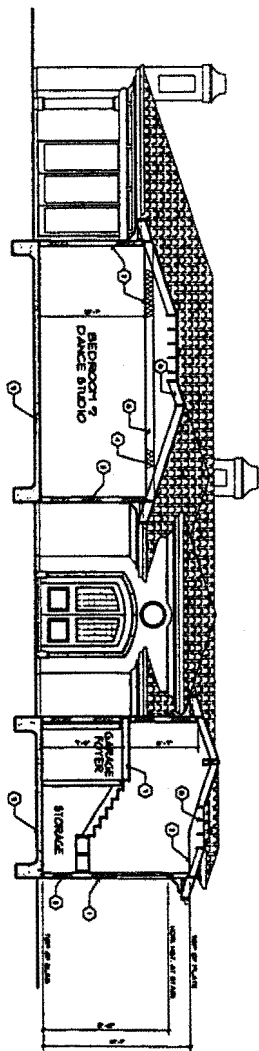




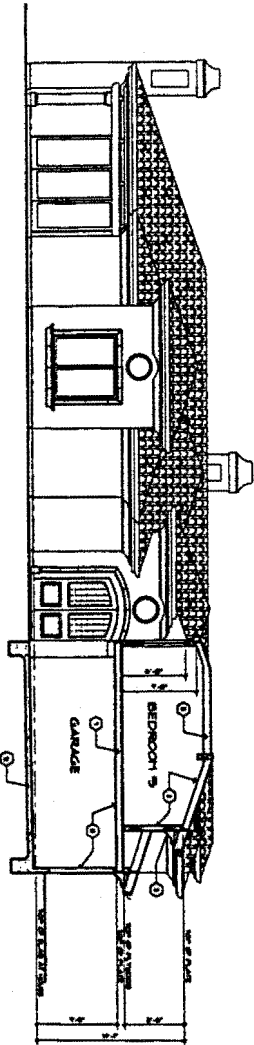
SECTION 'A'



SECTION 'B'

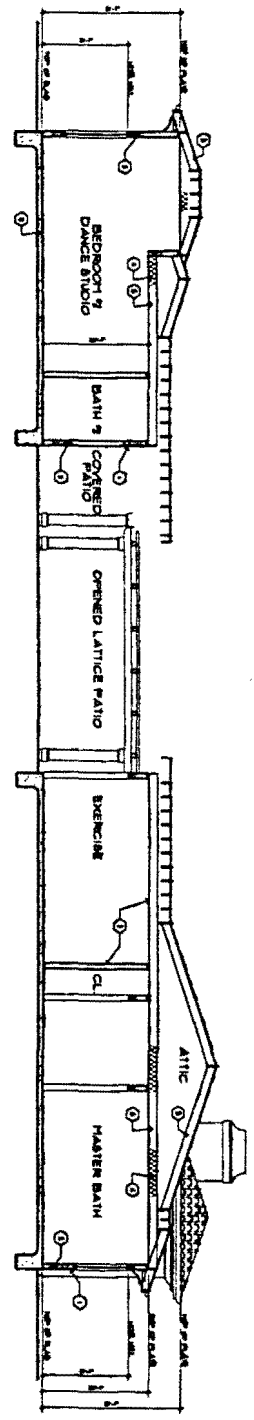


SECTION 'C'

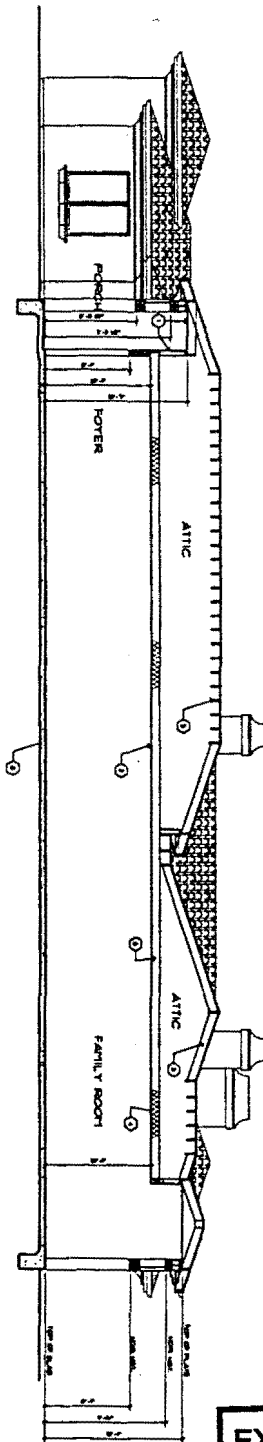


SECTION 'D'

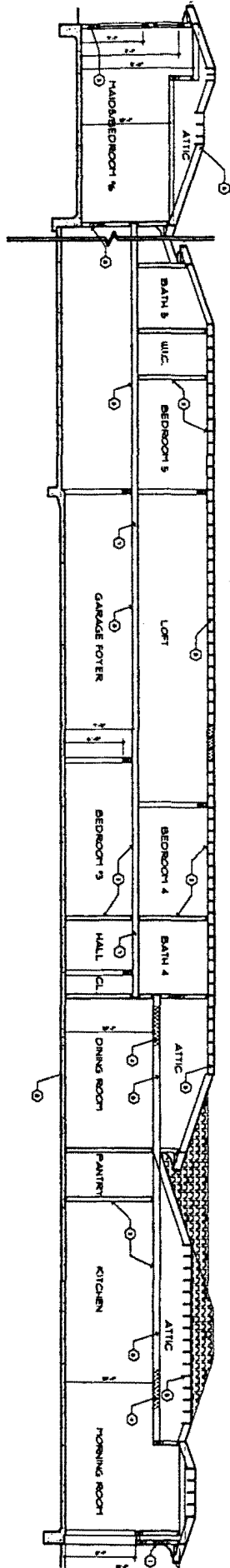
EXHIBIT NO. 8  
 APPLICATION NO. 4-08-124  
 Sections A-D



SECTION 'E'



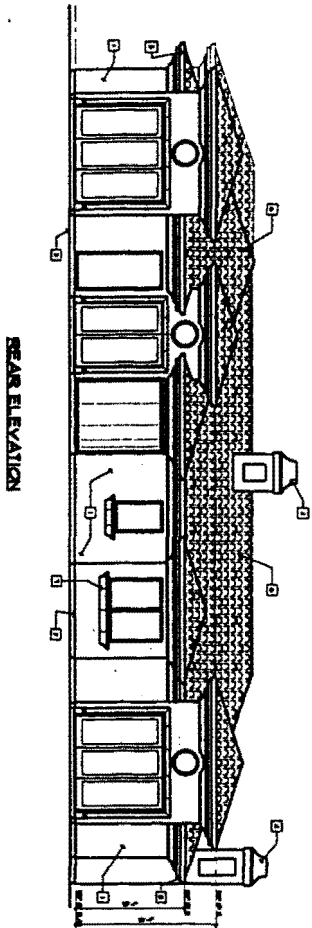
SECTION 'F'



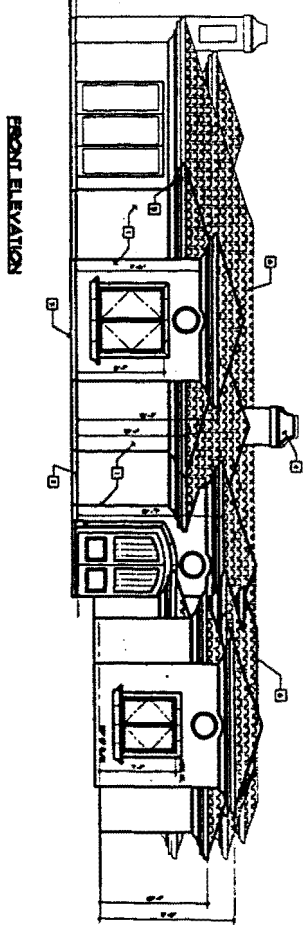
SECTION 'G'

EXHIBIT NO. 9  
 APPLICATION NO. 4-01-124  
 Sections  
 E-G

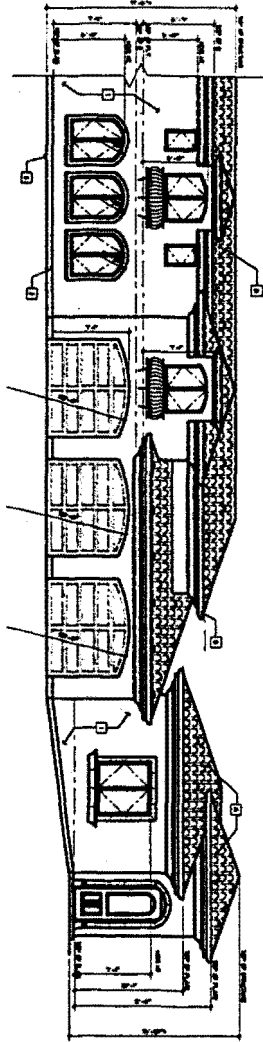
SECTION NOTES:  
 1. SEE EXHIBIT FOR LISTING OF ROOMS & FINISHES  
 2. FINISHES  
 3. SEE EXHIBIT FOR 3 DIMENSIONAL



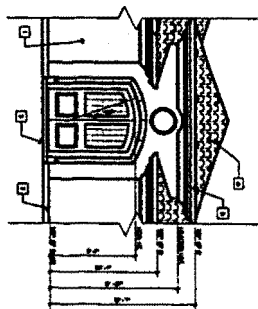
REAR ELEVATION



FRONT ELEVATION

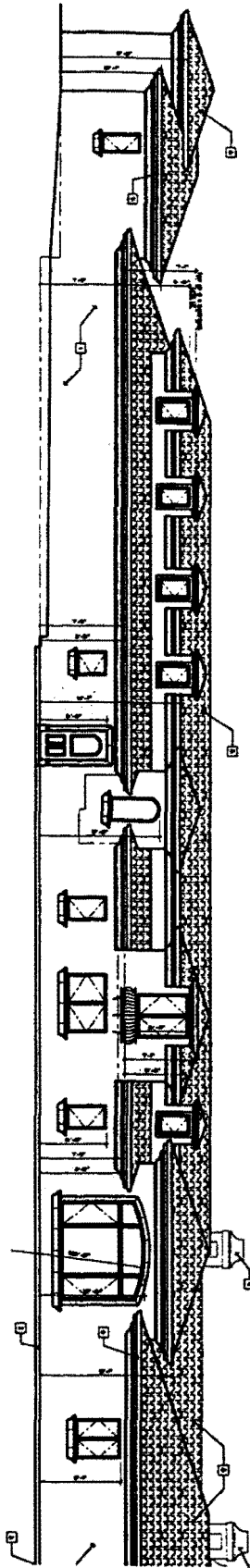


FRONT GARAGE ELEVATION

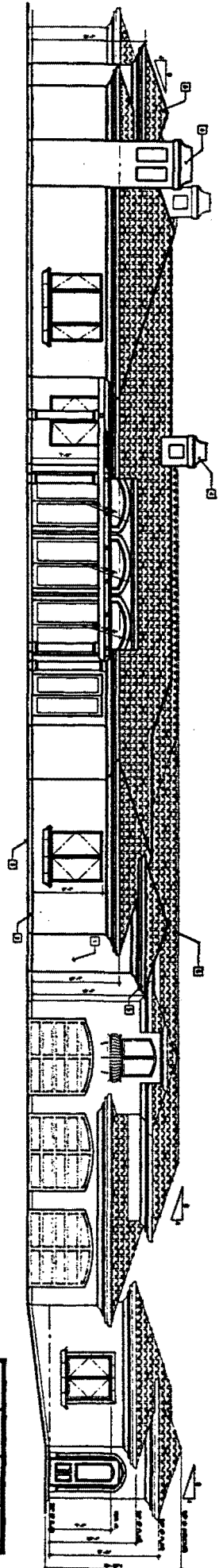


FRONT ENTRY ELEVATION

RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION



- ELEVATION NOTES:**
- 1. All elevations are shown from the exterior of the building.
  - 2. All elevations are shown from the exterior of the building.
  - 3. All elevations are shown from the exterior of the building.
  - 4. All elevations are shown from the exterior of the building.
  - 5. All elevations are shown from the exterior of the building.

EXHIBIT NO. 10
APPLICATION NO. 4-01-124
Elevations

ARTISTIC RESIDENTIAL CREATIONS, INC.  
 1000 PASO CAMARILLO, SUITE 208  
 CAMARILLO, CALIFORNIA 93010  
 TELEPHONE: (805) 484-4277



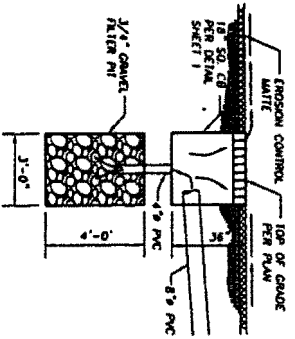


**CITY OF MALIBU GRADING NOTES**

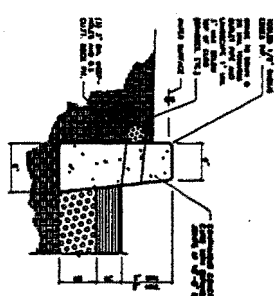
For all grading and drainage details, see the following notes:

1. All grading shall be done in accordance with the following notes.
2. All grading shall be done in accordance with the following notes.
3. All grading shall be done in accordance with the following notes.
4. All grading shall be done in accordance with the following notes.
5. All grading shall be done in accordance with the following notes.
6. All grading shall be done in accordance with the following notes.
7. All grading shall be done in accordance with the following notes.
8. All grading shall be done in accordance with the following notes.
9. All grading shall be done in accordance with the following notes.
10. All grading shall be done in accordance with the following notes.
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43. All grading shall be done in accordance with the following notes.
44. All grading shall be done in accordance with the following notes.
45. All grading shall be done in accordance with the following notes.
46. All grading shall be done in accordance with the following notes.
47. All grading shall be done in accordance with the following notes.
48. All grading shall be done in accordance with the following notes.
49. All grading shall be done in accordance with the following notes.
50. All grading shall be done in accordance with the following notes.

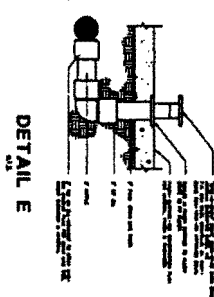
**EXHIBIT NO. 12**  
**APPLICATION NO. 4-01-124**  
**Drainage Details**



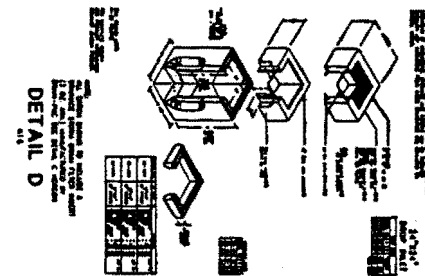
**DETAIL G**



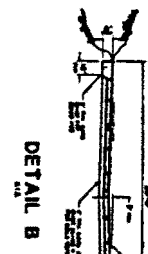
**DETAIL F**



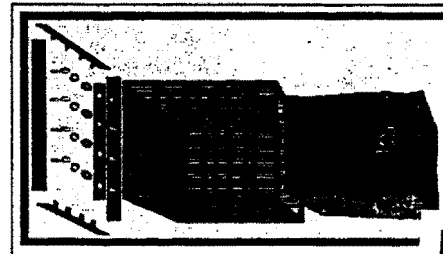
**DETAIL E**



**DETAIL D**



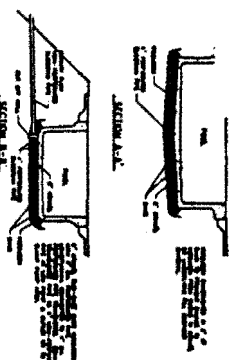
**DETAIL B**



**DETAIL C**

- ENGINEER/ARCHITECT: [Name]
- CITY ENGINEER: [Name]
- DATE: [Date]
- PROJECT: [Project Name]
- LOCATION: [Location]
- SCALE: [Scale]
- REVISIONS: [Table]

**EXHIBIT NO. 12**  
**APPLICATION NO. 4-01-124**  
**Drainage Details**



**DETAIL A**



**PROJECT INFORMATION:**  
 CITY OF MALIBU  
 12359 28TH STREET  
 SANTA MONICA, CA 90404  
 (310) 453-8848

**PROJECT LOCATION:**  
 VICINITY MAP  
 CITY OF MALIBU  
 29441 BLUEWATER ROAD  
 COVER SHEET  
 SHEET 1 OF 6

**EROSION CONTROL PLAN NOTES**

1. All erosion control measures shall be installed and maintained in accordance with the approved Erosion Control Plan.
2. Erosion control measures shall be installed prior to the start of any earthmoving or grading activities.
3. Erosion control measures shall be maintained throughout the construction period.
4. Erosion control measures shall be removed only after the final grading and stabilization of the site has been completed.
5. Erosion control measures shall be installed on all exposed soil surfaces.
6. Erosion control measures shall be installed on all exposed soil surfaces.
7. Erosion control measures shall be installed on all exposed soil surfaces.
8. Erosion control measures shall be installed on all exposed soil surfaces.
9. Erosion control measures shall be installed on all exposed soil surfaces.
10. Erosion control measures shall be installed on all exposed soil surfaces.
11. Erosion control measures shall be installed on all exposed soil surfaces.
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14. Erosion control measures shall be installed on all exposed soil surfaces.
15. Erosion control measures shall be installed on all exposed soil surfaces.
16. Erosion control measures shall be installed on all exposed soil surfaces.
17. Erosion control measures shall be installed on all exposed soil surfaces.
18. Erosion control measures shall be installed on all exposed soil surfaces.
19. Erosion control measures shall be installed on all exposed soil surfaces.
20. Erosion control measures shall be installed on all exposed soil surfaces.

**ADDITIONAL GENERAL NOTES**

1. All construction activities shall be conducted in accordance with the approved Erosion Control Plan.
2. Erosion control measures shall be installed prior to the start of any earthmoving or grading activities.
3. Erosion control measures shall be maintained throughout the construction period.
4. Erosion control measures shall be removed only after the final grading and stabilization of the site has been completed.
5. Erosion control measures shall be installed on all exposed soil surfaces.
6. Erosion control measures shall be installed on all exposed soil surfaces.
7. Erosion control measures shall be installed on all exposed soil surfaces.
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15. Erosion control measures shall be installed on all exposed soil surfaces.
16. Erosion control measures shall be installed on all exposed soil surfaces.
17. Erosion control measures shall be installed on all exposed soil surfaces.
18. Erosion control measures shall be installed on all exposed soil surfaces.
19. Erosion control measures shall be installed on all exposed soil surfaces.
20. Erosion control measures shall be installed on all exposed soil surfaces.

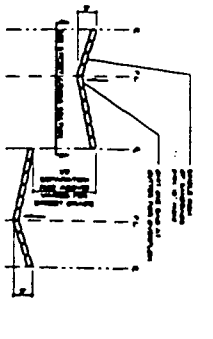
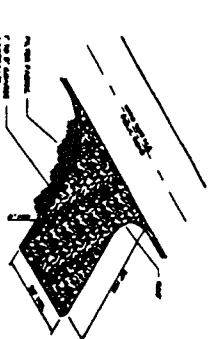
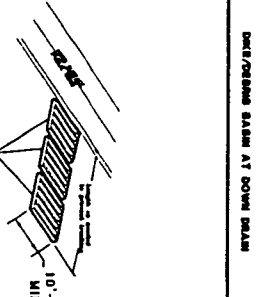
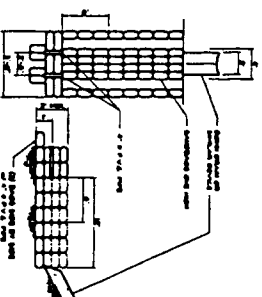
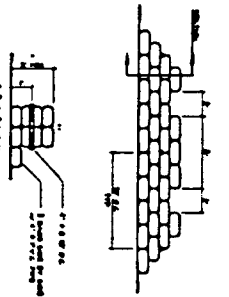


**CONSTRUCTION SCHED CONTROL**

**WASHOUT CONTAINMENT AREA**

**TEMPORARY DIVERSION DIRT**

**STABILIZED CONSTRUCTION ENTRANCE**



**EXHIBIT NO. 13**  
**APPLICATION NO. 421418-74**  
**Drainage Details**

Northern Property Boundary

Area All Future Development  
Requires Coastal Permit or  
Amendment per Sp. Condition  
Number One (1)

Northern  
Wall of  
Residence

EXHIBIT NO. 14  
APPLICATION NO. 9-01-124  
Grading &  
Drainage Details



LEGEND

1	Proposed Grading
2	Proposed Drainage
3	Proposed Retention Wall
4	Proposed Foundation
5	Proposed Structure
6	Proposed Utility
7	Proposed Easement
8	Proposed Right-of-Way
9	Proposed Boundary
10	Proposed Setback
11	Proposed Access
12	Proposed Parking
13	Proposed Driveway
14	Proposed Walkway
15	Proposed Staircase
16	Proposed Ramp
17	Proposed Slope
18	Proposed Contour
19	Proposed Spot Elevation
20	Proposed Elevation
21	Proposed Elevation
22	Proposed Elevation
23	Proposed Elevation
24	Proposed Elevation
25	Proposed Elevation
26	Proposed Elevation
27	Proposed Elevation
28	Proposed Elevation
29	Proposed Elevation
30	Proposed Elevation

CONSTRUCTION NOTES

1. All construction shall be in accordance with the approved plans and specifications.
2. The contractor shall be responsible for obtaining all necessary permits and approvals.
3. The contractor shall maintain access to all existing utilities and structures.
4. The contractor shall provide adequate erosion control measures during construction.
5. The contractor shall provide adequate drainage for the site.
6. The contractor shall provide adequate retaining walls for any slopes.
7. The contractor shall provide adequate foundations for all structures.
8. The contractor shall provide adequate structures for all buildings.
9. The contractor shall provide adequate utilities for all services.
10. The contractor shall provide adequate easements for all access.
11. The contractor shall provide adequate right-of-way for all travel.
12. The contractor shall provide adequate setbacks for all structures.
13. The contractor shall provide adequate access for all vehicles.
14. The contractor shall provide adequate parking for all vehicles.
15. The contractor shall provide adequate driveways for all vehicles.
16. The contractor shall provide adequate walkways for all pedestrians.
17. The contractor shall provide adequate staircases for all levels.
18. The contractor shall provide adequate ramps for all slopes.
19. The contractor shall provide adequate slopes for all terrain.
20. The contractor shall provide adequate contours for all grading.
21. The contractor shall provide adequate spot elevations for all points.
22. The contractor shall provide adequate elevations for all areas.
23. The contractor shall provide adequate elevations for all areas.
24. The contractor shall provide adequate elevations for all areas.
25. The contractor shall provide adequate elevations for all areas.
26. The contractor shall provide adequate elevations for all areas.
27. The contractor shall provide adequate elevations for all areas.
28. The contractor shall provide adequate elevations for all areas.
29. The contractor shall provide adequate elevations for all areas.
30. The contractor shall provide adequate elevations for all areas.

DATE OF GRADING: 10/10/2010

DESIGNED BY: [Name]

CHECKED BY: [Name]

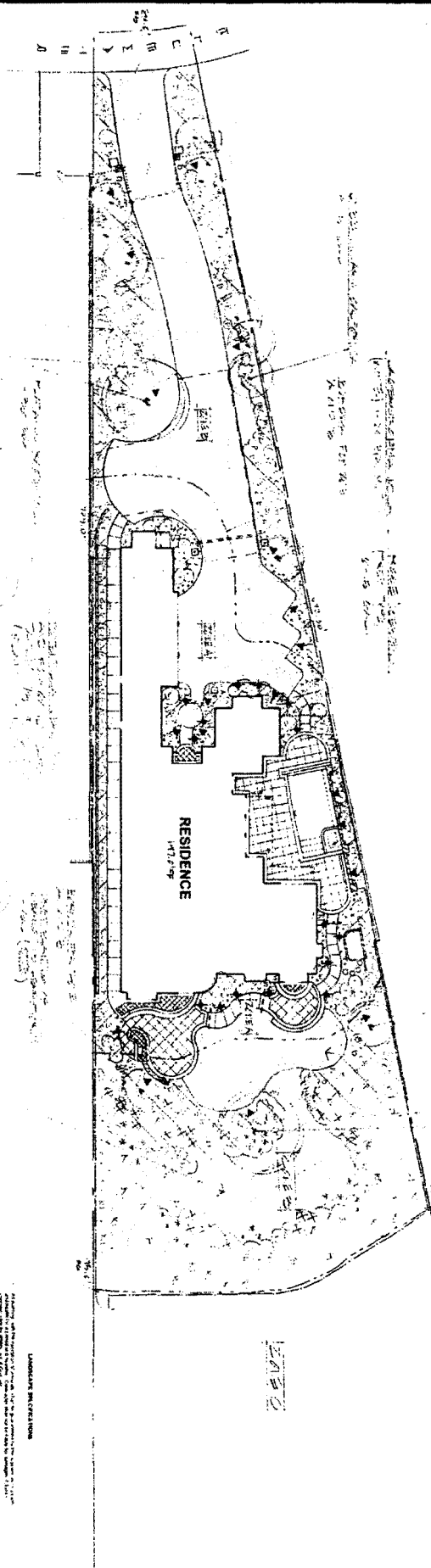
APPROVED BY: [Name]

NO.	DESCRIPTION	DATE
1	Issue for Review	
2	Issue for Review	
3	Issue for Review	
4	Issue for Review	
5	Issue for Review	
6	Issue for Review	
7	Issue for Review	
8	Issue for Review	
9	Issue for Review	
10	Issue for Review	
11	Issue for Review	
12	Issue for Review	
13	Issue for Review	
14	Issue for Review	
15	Issue for Review	
16	Issue for Review	
17	Issue for Review	
18	Issue for Review	
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21	Issue for Review	
22	Issue for Review	
23	Issue for Review	
24	Issue for Review	
25	Issue for Review	
26	Issue for Review	
27	Issue for Review	
28	Issue for Review	
29	Issue for Review	
30	Issue for Review	

DESIGNED BY: LIN-CHUAN YEH & ASSOC.  
12335 28TH STREET  
SAN DIEGO, CA 92104  
(310) 433-8866

CITY OF SAN DIEGO  
GRADING AND DRAINAGE PLAN  
29441 BLUEWATER ROAD  
SHEET 4 OF 6

THIS SIDE SHEET 4  
THIS SIDE SHEET 5



The drawings are prepared by the architect and are intended to be used in conjunction with the contract documents. The drawings are not to be used for any other purpose without the written consent of the architect.

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**FREE LIST**

ZONE	PLANTING NAME	QUANTITY	REMARKS
A	PLANTING NAME	1	REMARKS
B	PLANTING NAME	1	REMARKS
C	PLANTING NAME	1	REMARKS
D	PLANTING NAME	1	REMARKS
E	PLANTING NAME	1	REMARKS
F	PLANTING NAME	1	REMARKS
G	PLANTING NAME	1	REMARKS
H	PLANTING NAME	1	REMARKS
I	PLANTING NAME	1	REMARKS
J	PLANTING NAME	1	REMARKS
K	PLANTING NAME	1	REMARKS
L	PLANTING NAME	1	REMARKS
M	PLANTING NAME	1	REMARKS
N	PLANTING NAME	1	REMARKS
O	PLANTING NAME	1	REMARKS
P	PLANTING NAME	1	REMARKS
Q	PLANTING NAME	1	REMARKS
R	PLANTING NAME	1	REMARKS
S	PLANTING NAME	1	REMARKS
T	PLANTING NAME	1	REMARKS

**SKETCH LIST**

ZONE	PLANTING NAME	REMARKS
A	PLANTING NAME	REMARKS
B	PLANTING NAME	REMARKS
C	PLANTING NAME	REMARKS
D	PLANTING NAME	REMARKS
E	PLANTING NAME	REMARKS
F	PLANTING NAME	REMARKS
G	PLANTING NAME	REMARKS
H	PLANTING NAME	REMARKS
I	PLANTING NAME	REMARKS
J	PLANTING NAME	REMARKS
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L	PLANTING NAME	REMARKS
M	PLANTING NAME	REMARKS
N	PLANTING NAME	REMARKS
O	PLANTING NAME	REMARKS
P	PLANTING NAME	REMARKS
Q	PLANTING NAME	REMARKS
R	PLANTING NAME	REMARKS
S	PLANTING NAME	REMARKS
T	PLANTING NAME	REMARKS

**EXHIBIT NO. 15**  
**APPLICATION NO. 01-124**  
**Prelim Landscape Plan**

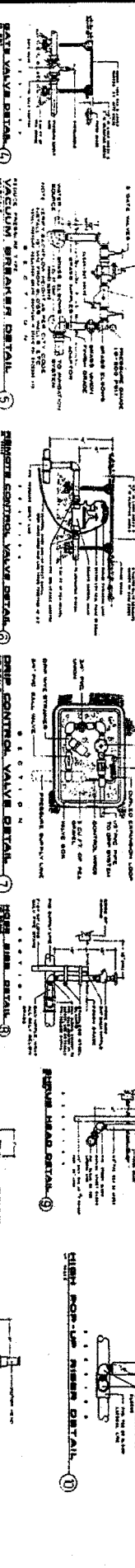
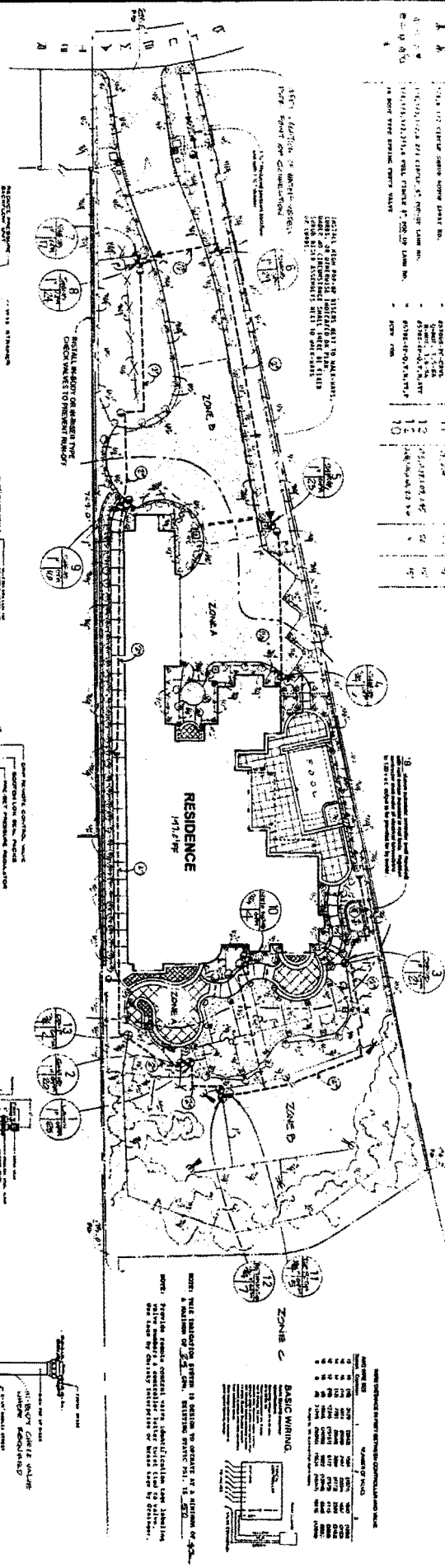
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# LEGEND

SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION
1	EXISTING CENTER LINE OF 12" WATER MAIN	11	EXISTING CENTER LINE OF 12" WATER MAIN
2	EXISTING CENTER LINE OF 12" WATER MAIN	12	EXISTING CENTER LINE OF 12" WATER MAIN
3	EXISTING CENTER LINE OF 12" WATER MAIN	13	EXISTING CENTER LINE OF 12" WATER MAIN
4	EXISTING CENTER LINE OF 12" WATER MAIN	14	EXISTING CENTER LINE OF 12" WATER MAIN
5	EXISTING CENTER LINE OF 12" WATER MAIN	15	EXISTING CENTER LINE OF 12" WATER MAIN
6	EXISTING CENTER LINE OF 12" WATER MAIN	16	EXISTING CENTER LINE OF 12" WATER MAIN
7	EXISTING CENTER LINE OF 12" WATER MAIN	17	EXISTING CENTER LINE OF 12" WATER MAIN
8	EXISTING CENTER LINE OF 12" WATER MAIN	18	EXISTING CENTER LINE OF 12" WATER MAIN
9	EXISTING CENTER LINE OF 12" WATER MAIN	19	EXISTING CENTER LINE OF 12" WATER MAIN
10	EXISTING CENTER LINE OF 12" WATER MAIN	20	EXISTING CENTER LINE OF 12" WATER MAIN



NOTES:

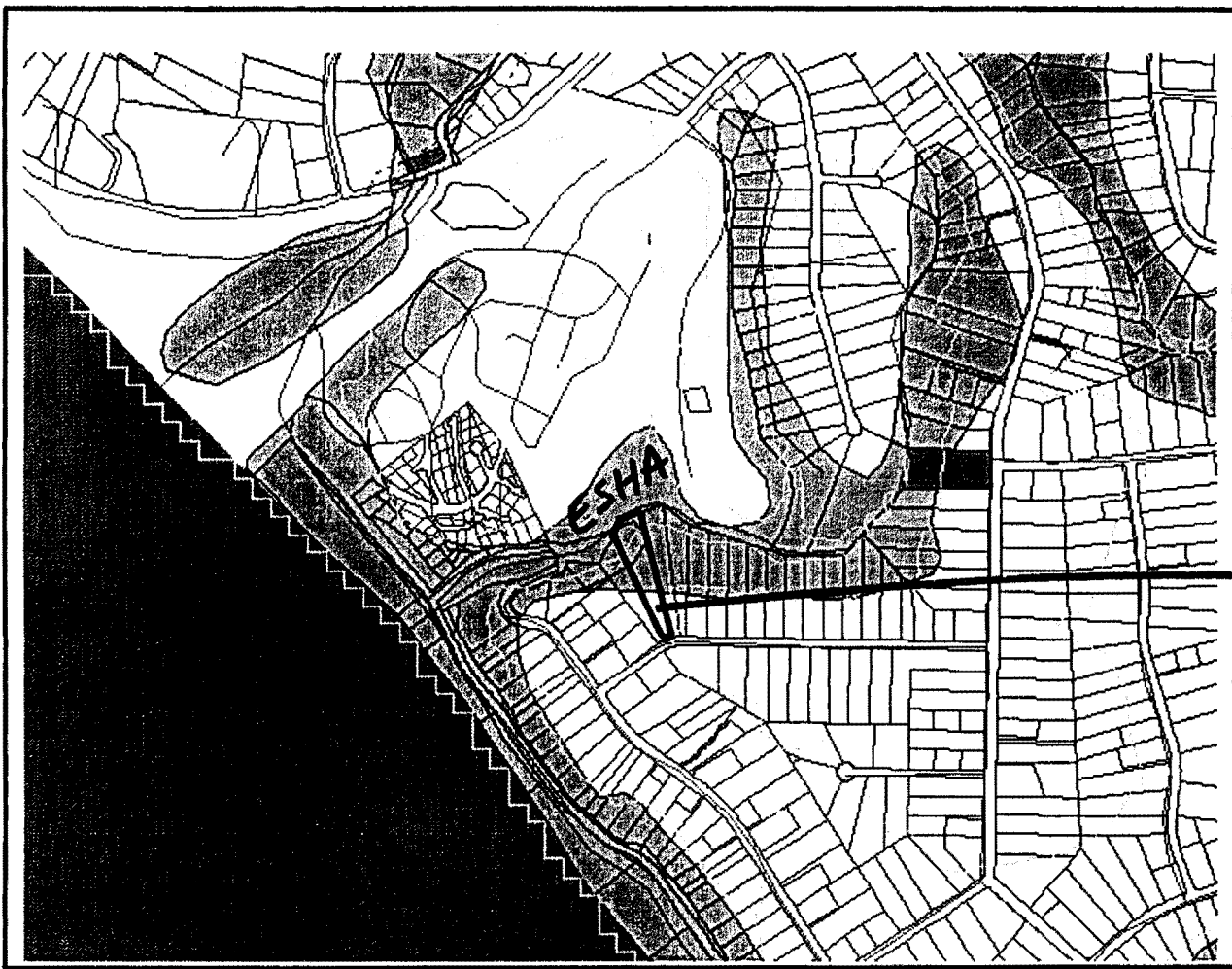
1. ALL IRRIGATION SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH THE CALIFORNIA IRRIGATION SYSTEMS ACT AND ALL APPLICABLE REGULATIONS.
2. THE IRRIGATION SYSTEM SHALL BE DESIGNED TO PROVIDE SUFFICIENT WATER TO ALL PLANTS AND TREES IN THE LANDSCAPE.
3. THE IRRIGATION SYSTEM SHALL BE DESIGNED TO PROVIDE SUFFICIENT WATER TO ALL PLANTS AND TREES IN THE LANDSCAPE.
4. THE IRRIGATION SYSTEM SHALL BE DESIGNED TO PROVIDE SUFFICIENT WATER TO ALL PLANTS AND TREES IN THE LANDSCAPE.
5. THE IRRIGATION SYSTEM SHALL BE DESIGNED TO PROVIDE SUFFICIENT WATER TO ALL PLANTS AND TREES IN THE LANDSCAPE.
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19. THE IRRIGATION SYSTEM SHALL BE DESIGNED TO PROVIDE SUFFICIENT WATER TO ALL PLANTS AND TREES IN THE LANDSCAPE.
20. THE IRRIGATION SYSTEM SHALL BE DESIGNED TO PROVIDE SUFFICIENT WATER TO ALL PLANTS AND TREES IN THE LANDSCAPE.

**EXHIBIT NO. 16**

APPLICATION NO. **UP001-124**

**Preliminary Landscape Plan Details**

### 401124hungresidence



- contours @ 100ft
- Trails - LA County
- Blue Line Streams
- streets
- trailotds (OTDSTATUS)
  - Accepted
  - Not Recorded
  - Recorded
- laprcls
  - esha
  - Ocean

*Project Site*



EXHIBIT NO. 17
APPLICATION NO. 4-01-124
ESHA



