

CALIFORNIA COASTAL COMMISSION

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Filed: 03/29/02
49th Day: 05/17/02
180th Day: 09/25/02
Staff: S. Haswell
Staff Report: 04/18/02
Hearing Date: 05/07/02
Commission Action:

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

APPLICATION NO.: 4-00-230

APPLICANTS: Robert and Alexis Adler

AGENTS: Jaime Harnish and Susan McCabe

PROJECT LOCATION: 6625 Zumirez Drive, Malibu, Los Angeles County

PROJECT DESCRIPTION: Demolish an existing 4,608 square foot single family residence and 375 square foot detached garage; construct a new one-story (with basement), 28 foot high, 6,336 square foot single family residence with an attached 666 square foot garage, swimming pool, retaining walls, garden walls, and septic system with 1,490 cubic yards of grading (1,430 cubic yards cut and 60 cubic yards fill), convert an existing 1,552 square foot guest house into a 710 square foot guest house and 842 square foot workshop, garage, and storage area; and remove all invasive plant material and debris within the riparian area of the site and restore and revegetate with native plantings. In addition the project also includes a request for after-the-fact approval of an existing septic system.

Lot area:	65,340 square feet
Building coverage:	7,834 square feet
Pavement coverage:	3,158 square feet
Landscape coverage:	39,835 square feet
Unimproved:	65,340 square feet

LOCAL APPROVALS RECEIVED: City of Malibu, Biological Review, Approval in Concept, March 18, 2002; County of Los Angeles, Fire Department, Approval in Concept, February 5, 2002; City of Malibu, Environmental Health, Approval in Concept, October 30, 2001; City of Malibu, Environmental Health, Approval in Concept, October 23, 2001; City of Malibu, Geology Review, Approval in Concept, September 25, 2001; County of Los Angeles, Fire Department, Fuel Modification Plan, Final Approval, July 5, 2001; City of Malibu, Planning Department, Approval in Concept, December 18, 2001; City of Malibu, Planning Department, Approval in Concept, January 24, 2001; and City of Malibu, Geology Review, Approval in Concept, August 18, 2000.

SUBSTANTIVE FILE DOCUMENTS: "Interim Tree Protection Plan," Ashley Consulting Arborists, April 9, 2002; "Building Location," GeoConcepts, Inc., February 8, 2002; Letter from Robert Adler to Commission Staff, February 6, 2002; "Private Sewage Disposal System," GeoConcepts, Inc., October 5, 2001; "Addendum Report No. 1," GeoConcepts, Inc., August 29, 2001; "Limited Geologic and Soils Engineering Investigation," GeoConcepts, Inc., August 7, 2001; "A Phase I Archaeological Study for 6625 Zumirez Drive," Robert J. Wlodarski, November 2000; "Geologic Reconnaissance Report," GeoConcepts, Inc., July 31, 2000; and Coastal Development Permit 4-99-258 (Chan).

SUMMARY OF STAFF RECOMMENDATION

Staff recommends **approval** of the proposed project with 11 special conditions regarding conformance with geologic recommendations, landscape and erosion control plans, removal of natural vegetation, drainage and polluted runoff control plan, removal of excavated material, wildfire waiver of liability, pool drainage and maintenance plan, future development, lighting, conversion of guest house, and condition compliance.

I. STAFF RECOMMENDATION

MOTION: *I move that the Commission approve Coastal Development Permit No. 4-00-230 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 permittees 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 permittees 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 reports prepared by GeoConcepts, Inc., including those dated February 8, 2002; October 5, 2001; August 29, 2001; August 7, 2001; and July 31, 2000 shall be incorporated into all final design and construction including foundations, grading, and drainage. Final plans must be reviewed and approved by the project's consulting geotechnical engineer. Prior to the issuance of the Coastal Development Permit, the applicants shall submit, for review and approval by the Executive Director, evidence of the consultant's review and approval of all project plans.

The final plans approved by the consultant 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 that may be required by the consultant shall require an amendment to the permit or a new Coastal Development Permit.

2. Landscaping and Erosion Control Plans

Prior to issuance of the Coastal Development Permit, the applicants shall submit landscaping, erosion control, and fuel modification plans prepared by a licensed landscape architect or qualified resource specialist for review and approval by the Executive Director. The landscaping and erosion control plans shall be reviewed and approved by the engineering geologist to ensure that the plans are in conformance with the consultant's recommendations. The plans 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 sixty (60) days of receipt of the certificate of occupancy for the residence. To minimize the need for irrigation and to screen and soften the visual impact of development, 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 that tend to supplant native species shall not be used. Native plantings shall be used that are visually harmonious and blend with the character of the surrounding undeveloped slopes. Non-native, invasive vegetation shall be removed from the riparian area of the site and restoration and revegetation shall occur with native plant species suitable for this area. The plan shall specify the erosion control measures to be implemented and the materials necessary to accomplish short-term stabilization, as needed, on the site.
- 2) All cut and fill slopes shall be stabilized with planting at the completion of final grading. Planting should be of native plant species indigenous to the Santa Monica Mountains using accepted planting procedures, consistent with fire safety requirements. Such planting shall be adequate to provide ninety (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 Permittees shall undertake development in accordance with the final approved plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Coastal Commission - approved amendment to the Coastal Development Permit, unless the Executive Director determines that no amendment is required.
- 5) Vegetation within 50 feet of the proposed house may be removed to mineral earth, vegetation within a 200 foot radius of the main structure may be selectively thinned in order to reduce fire hazard. However, such thinning shall only occur in accordance with an approved long-term fuel modification plan submitted pursuant to

this special condition. The fuel modification plan shall include details regarding the types, sizes, and location of plant materials to be removed, and how often thinning is to occur. In addition, prior to issuance of the Coastal Development Permit, the applicants 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 50 foot radius of the proposed structures shall be selected from the most drought tolerant species or subspecies, or varieties suited to the Mediterranean climate of the Santa Monica Mountains.

- 6) Fencing along the western property boundary of the site shall be of a design that is permeable to wildlife, such as a smooth (non-barbed) three string fencing or split rail fencing design, with the exception of the fencing around the immediate development footprint (Exhibit 18).
- 7) All recommendations made in the report entitled, "Interim Tree Protection Plan," prepared by Ashley Consulting Arborists, dated April 9, 2002, shall be incorporated into the final plans and construction activities.

B) Interim Erosion Control Plan

- 1) The plan shall delineate the areas to be disturbed by grading or construction activities and shall include any temporary access roads, staging areas, and stockpile areas. The natural areas on the site shall be clearly delineated on the project site with fencing or survey flags.
- 2) The plan shall specify that should grading take place during the rainy season (November 1 – March 31), the applicants shall install or construct temporary sediment basins (including debris basins, desilting basins, or silt traps), temporary drains and swales, sand bag barriers, silt fencing, and shall stabilize any stockpiled fill with geofabric covers or other appropriate cover, install geotextiles or mats on all cut or fill slopes, and close and stabilize open trenches as soon as possible. These erosion control measures shall be required on the project site prior to or concurrent with the initial grading operations and maintained throughout 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 of the coastal zone or within the coastal zone to a site 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 thirty (30) days, including but not limited to: stabilization of all stockpiled fill, access roads, disturbed soils, and cut and fill slopes with geotextiles, mats, sand bag barriers, and/or silt fencing; and temporary drains, swales, and sediment basins. The plans shall also specify that all disturbed areas shall be seeded with native grass species and include the technical specifications for seeding the disturbed areas. These temporary erosion control

measures shall be monitored and maintained until grading or construction operations resume.

C) Monitoring

Five years from the date of the receipt of the certificate of occupancy for the residence, the applicants shall submit, for the review and approval of the Executive Director, a landscape monitoring report, prepared by a licensed landscape architect or qualified resource specialist that certifies the on-site landscaping is in conformance with the landscape plan approved pursuant to this special condition. The monitoring report shall include photographic documentation of plant species and plant coverage.

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

3. Removal of Natural Vegetation

Removal of natural vegetation for the purpose of fuel modification within the 50 foot zone surrounding the proposed structure 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 50 to 200 foot fuel modification zone shall not occur until commencement of construction of the structures approved pursuant to this permit.

4. Drainage and Polluted Runoff Control Plan

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

- (a) Selected BMPs (or suites of BMPs) shall be designed to treat, infiltrate, or filter stormwater from each runoff event, up to and including the 85th percentile, 24-hour runoff event for volume-based BMPs, and/or the 85th percentile, one (1) hour runoff event, with an appropriate safety factor, for flow-based BMPs.
- (b) Runoff shall be conveyed off site in a non-erosive manner.

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

5. Removal of Excavated Material

Prior to the issuance of the Coastal Development Permit, the applicants shall provide evidence to the Executive Director of the location of the disposal site for all excavated material from the site. Should the disposal site be located in the Coastal Zone, a Coastal Development Permit or amendment shall be required.

6. Wildfire Waiver of Liability

Prior to the issuance of a Coastal Development Permit, the applicants shall submit a signed document which shall indemnify and hold harmless the California Coastal Commission, its officers, agents and employees against any and all claims, demands, damages, costs, expenses of liability arising out of the acquisition, design, construction, operation, maintenance, existence, or failure of the permitted project in an area where an extraordinary potential for damage or destruction from wild fire exists as an inherent risk to life and property.

7. Future Development Deed Restriction

This permit is only for the development described in Coastal Development Permit 4-00-230. Pursuant to Title 14 California Code of Regulations Sections 13250(b)(6) and 13253(b)(6), the exemptions otherwise provided in Public Resources Code Sections 30610(a) and (b) shall not apply to the entire parcel. Accordingly, any future improvements to the permitted single family residence or accessory structures, including but not limited to, clearing of vegetation or grading, other than as provided for in the approved fuel modification, landscaping, and erosion control plans prepared pursuant to Special Condition 2, shall require an amendment to Coastal Development Permit 4-00-230 from the Commission or shall require an additional Coastal Development Permit from the Commission or from the applicable certified local government.

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

8. Pool and Spa Drainage and Maintenance

Prior to issuance of the Coastal Development Permit, the applicants shall submit, for review and approval of the Executive Director, a written pool and spa maintenance agreement to install and use a non-chemical water purification system and a program to maintain proper pH, calcium and alkalinity balance in a manner that any runoff or drainage from the pool or spa will not include excessive amounts of chemicals that may adversely affect water quality or environmentally sensitive habitat area. In addition, the plan shall, at a minimum: 1) provide a separate water meter for the pool and spa to allow monitoring of water levels for the pool and spa, 2) identify the materials, such as plastic linings or specially treated concrete to be used to waterproof the underside of the pool and spa to prevent leakage, and information regarding past success rates of these materials, 3) identify methods to control pool and spa drainage and to control infiltration and runoff resulting from pool and spa drainage and maintenance activities, and 4) identify methods for periodic disposal of pool and spa water for maintenance purposes to an appropriate location and in no case shall the water be disposed of on the subject site. The Permittees shall undertake development and maintenance in compliance with this pool and spa maintenance agreement and program approved by the Executive Director. No changes shall be made to the agreement or plan unless they are approved by the Executive Director.

9. Lighting Restrictions

- A. The only outdoor, night lighting that is allowed on the site is the following:
- 1) The minimum necessary to light walkways used for entry and exit to the structures, including parking areas, on the site. This lighting shall be limited to fixtures that do not exceed two feet in height that are directed downward, and use bulbs that do not exceed 60 watts, or the equivalent, unless the Executive Director authorizes a higher wattage.
 - 2) Security lighting attached to the residence that is controlled by motion detectors and is limited to 60 watts, or the equivalent.
 - 3) The minimum lighting necessary for safe vehicular use of the driveway. The lighting shall be limited to 60 watts, or the equivalent.

No lighting around the perimeter of the site and no lighting for aesthetic purposes are allowed, specifically, lighting located near or directed toward the riparian area is prohibited.

B. Prior to issuance of Coastal Development Permit 4-00-230, the applicants shall execute and record a deed restriction reflecting the above restrictions.

10. Conversion of Portion of Existing Guest House to Non-Habitable Space

The applicants shall convert the existing 1,552 square foot guest house into a 710 square foot guest house with 842 square foot non-habitable workshop, garage, and storage area (as shown on Exhibit 6) within 30 days of issuance of the Certificate of Occupancy for the residence by the City of Malibu. There shall be no internal connection between the habitable portion of the structure (guest house) and the non-habitable portion of the structure (workshop, garage, and storage areas). The Executive Director may grant additional time for good cause.

11. Condition Compliance

Within 120 days of Commission action on this Coastal Development Permit application, or within such additional time as the Executive Director may grant for good cause, the applicants shall satisfy all requirements specified in the conditions hereto that the applicants are required to satisfy prior to issuance of this permit. Failure to comply with this requirement may result in the institution of enforcement action with respect to the development approved in this permit under the provisions of Chapter 9 of the Coastal Act.

IV. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

A. Project Description and Background

The applicants are proposing to demolish an existing 4,608 square foot single family residence and 375 square foot detached garage that were constructed prior to the Coastal Act, in approximately 1956. The applicants are also proposing to construct a new one-story (with basement), 28 foot high, 6,336 square foot single family residence with an attached 666 square foot garage, swimming pool, retaining walls, garden walls, and septic system with 1,490 cubic yards of grading (1,430 cubic yards cut and 60 cubic yards fill). The majority of the grading is excavation for the basement and will not result in significant landform alteration. In addition, the applicants are proposing to export all excess cut material outside of the Coastal Zone to an appropriate disposal location. In addition, the applicants are proposing to convert existing 1,552 square foot guest house, which was built after the Coastal Act without the benefit of a Coastal

Development Permit, into a 710 square foot guest house and 842 square foot workshop, garage, and storage area with no grading. The proposed project also includes the request for after-the-fact approval for an existing septic system to service the guest house that was installed without the benefit of a Coastal Development Permit. In addition, the applicants are also proposing to remove all invasive plant material and debris within the riparian area of the site and restore and revegetate with native plantings.

The project site is approximately 1.5 acres and is currently developed with a single family residence, garage, and guest house (Exhibit 4). The parcel is located south of Pacific Coast Highway and west of Zumirez Drive, from which the site is accessed (Exhibit 1). The subject site is located in the residential neighborhood of Point Dume in the City of Malibu, Los Angeles County. The area surrounding the project site is well developed with numerous several single family residences and accessory structures, including swimming pools and tennis courts. The parcel is situated on the western flank of a northwest trending mesa within the south central portion of the Santa Monica Mountains. The site consists of a near level pad with descending slopes to the southwest, with a maximum gradient of 2:1 (horizontal to vertical) or less. The pad maintains a light to moderately dense growth of vegetation, consisting of shrubs and trees. Vegetation on the descending slopes consists mainly of non-native, invasive ground cover and several trees.

In addition, there is a stream that crosses the southwest portion of the subject site that has been designated as a blueline stream by the U.S. Geological Survey. In addition, this stream and the associated riparian area are referred to as Walnut Canyon. The blueline stream and riparian area is an environmentally sensitive habitat area and has been recognized as such in past Commission actions (Exhibit 3). Although this area is considered to be ESHA, it is a disturbed resource area, as well, due to heavy residential development in the region.

The proposed development will be setback over 100 feet from the blue line stream and the associate riparian area and ESHA. In addition, the applicants have proposed to remove all non-native, invasive vegetation and debris from the riparian area and to restore it with native plantings. Further, the proposed project will not be visible from Pacific Coast Highway or any other public viewing area. A Phase I archaeological study was done for the subject site and proposed development, which indicated that no prehistoric or historic archaeological resources were encountered within the project area. The proposed development will be consistent with existing development in the area and will have no significant adverse impacts on visual, environmental, or cultural resources.

B. Hazards and Geologic Stability

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

- (1) *Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*
- (2) *Assure stability and structural integrity, and neither create nor contribute significantly to erosion, 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 applicant has submitted a geologic report entitled, "Limited Geologic and Soils Engineering Investigation," prepared by GeoConcepts, Inc., dated August 6, 2001, which states:

It is the finding of this corporation, based on the subsurface data that the proposed project and septic system 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.

In addition, the report entitled, "Private Sewage Disposal System," prepared by GeoConcepts, Inc., dated October 5, 2001, states:

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

In addition, in their report dated August 6, 2001, GeoConcepts, Inc., state:

The property is not located within an Earthquake Fault Zone. No known active fault exists beneath the proposed project.

That report also states:

Ancient or recent bedrock landslides were not observed on the property. Also, no recent surficial slope failures or slumps were observed within the proposed project area on the property.

In sum, the applicant has submitted several geotechnical engineering reports prepared by GeoConcepts, Inc., including those dated February 8, 2002; October 5, 2001; August 29, 2001; August 7, 2001; and July 31, 2000, which incorporate numerous specific recommendations regarding construction, foundations, grading, sewage disposal, irrigation, and drainage for the subject site.

Therefore, based on the recommendations of the applicant's engineering geologic consultant, the proposed development is consistent with the requirements of Section 30253 of the Coastal Act, so long as the engineering geologic consultant's recommendations are incorporated into the final project plans and designs. Therefore,

it is necessary to require the applicant to submit final project plans that have been certified in writing by the engineering geologic consultant as conforming to all recommendations of the consultant, in accordance with **Special Condition 1**.

In addition, **Special Condition 2** requires the implementation of landscaping and erosion control measures designed to reduce or eliminate potential erosion that might otherwise occur pursuant to the proposed development. As such, landscaping of the disturbed and graded areas on the subject property, as required by **Special Condition 2**, will serve to enhance the geological stability of the site. In addition, interim erosion control measures implemented during construction will also minimize erosion and enhance site stability. The Commission finds that the minimization of site erosion will add to the stability of the site. Erosion can best be minimized by requiring the applicant to revegetate all disturbed and graded areas of the site with native plants, compatible with the surrounding environment.

The landscape plan required pursuant to **Special Condition 2** requires the use of primarily 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. 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. Native species, alternatively, tend to have a deeper root structure than non-native, invasive species and, therefore, aid in preventing erosion.

In addition, the use of invasive, non-indigenous plant species tends to supplant species that are native to the Malibu and Santa Monica Mountains area. Increasing urbanization in this area has caused the loss or degradation of major portions of the native habitat and loss of native plant seed banks through grading and removal of topsoil. Moreover, invasive groundcovers and fast growing trees that originate from other continents that have been used as landscaping in this area have invaded and seriously degraded native plant communities adjacent to development. Therefore, in order to ensure site stability, the disturbed and graded areas of the site shall be landscaped primarily with appropriate native plant species, as specified in **Special Condition 2**. Further, the applicant has proposed to remove all invasive, non-native vegetation from the riparian area of the site and restore this area with appropriate native plantings, as specified in **Special Condition 2**. This will further aid in increasing the long-term stability of the site.

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 it necessary to impose a restriction on the removal of natural vegetation, as specified in **Special Condition 3**. Through the elimination of premature natural vegetation clearance, erosion is reduced on the site and disturbance of the soils is decreased. Therefore, **Special Condition 3** specifies that natural vegetation shall not be removed until grading or building permits have been secured and construction of the permitted structures has commenced.

Further, the amount of new cut grading proposed by the applicant is larger than the amount of fill to be placed and will result in approximately 1,270 cubic yards of excess excavated material. Excavated materials that are placed in stockpiles are subject to increased erosion. The Commission also notes that additional landform alteration would result if the excavated material were to be retained on site. In order to ensure that excavated material will not be stockpiled on site and that landform alteration is minimized, **Special Condition 5** requires the applicants to remove all excavated material, including any building or construction debris from the demolition of the existing structures, from the site to an appropriate location and provide evidence to the Executive Director of the location of the disposal site prior to the issuance of the permit. Should the dump site be located in the Coastal Zone, a Coastal Development Permit shall be required.

Wild Fire

The proposed project is located in 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.

Due to the fact that the proposed project is located in an area subject to an extraordinary potential for damage or destruction from wild fire, the Commission can only approve the project if the applicants assume the liability from these associated risks. Through **Special Condition 6**, the wildfire waiver of liability, the applicants acknowledge the nature of the fire hazard which exists on the site and which may affect the safety of the proposed development. Moreover, through acceptance of **Special Condition 6**, the applicants also agree to indemnify the Commission, its officers, agents and employees against any and all expenses or liability arising out of the acquisition, design, construction, operation, maintenance, existence, or failure of the permitted project.

The Commission finds that, as conditioned to incorporate all recommendations defined by the project's geotechnical and geologic engineering consultants for construction, design, drainage, erosion control, and landscaping, removal of excavated material, and inclusion of the wildfire waiver of liability, the proposed project is consistent with Section 30253 of the Coastal Act.

C. Environmental Sensitive Habitat Area and Water Quality

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, and minimizing alteration of natural streams.

Section 30240 of the Coastal Acts states:

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those 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 those areas, and shall be compatible with the continuance of those habitat and recreation areas.

Sections 30230 and 30231 require that the biological productivity and quality of coastal waters and the marine environment be maintained and, where feasible, restored through among other means, minimizing adverse effects of waste water discharge and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flows, and maintaining natural buffer areas.

In addition, the Coastal Act defines environmentally sensitive habitat areas (ESHAs) as any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and development. Section 30240 of the Coastal Act permits development in areas that have been designated as ESHA only when the location of the proposed development is dependent upon those habitat resources and when such development is protected against significant reduction in value.

As mentioned previously, there is a stream that crosses the southwest portion of the subject site that has been designated as a blueline stream by the U.S. Geological Survey. In addition, this stream and the associated riparian area are referred to as Walnut Canyon. The blueline stream and riparian area is an environmentally sensitive habitat area (ESHA) and has been recognized as such in past Commission actions. Although this area is considered to be ESHA, it is a disturbed resource area, as well, due to heavy residential development in the region.

The proposed development will be setback over 100 feet from the blue line stream and the associate riparian area and ESHA. In addition, the applicants have proposed to remove all non-native, invasive vegetation and debris from the riparian area and to restore it with native plantings. The proposed development will be located an average of 134 feet from the riparian area and no closer than 118 feet.

The applicants are proposing to demolish an existing 4,608 square foot single family residence and 375 square foot detached garage that were constructed prior to the Coastal Act, in approximately 1956. The applicants are also proposing to construct a new one-story, 28 foot high, 6,336 square foot single family residence with an attached 666 square foot garage, swimming pool, retaining walls, garden walls, and septic system with 1,490 cubic yards of grading (1,430 cubic yards cut and 60 cubic yards fill). The applicants are proposing to export all excess cut material outside of the Coastal Zone to an appropriate disposal location. In addition, the applicants are proposing to convert existing 1,552 square foot guest house, which was built after the Coastal Act without the benefit of a Coastal Development Permit, into a 710 square foot guest house and 842 square foot workshop, garage, and storage area with no grading. The proposed project also includes a request for after-the-fact approval of an existing septic system to service the guest house that was installed without the benefit of a Coastal Development Permit. In addition, the applicants are also proposing to remove all invasive plant material and debris within the riparian area of the site and restore and revegetate with native plantings. The applicant is proposing to use permeable driveways and pathways on the site in order to reduce the amount of hardscape, which could adversely impact resources and water quality (Exhibit 18).

As stated previously, the subject site is approximately 1.5 acres and is currently developed with a single family residence, garage, and guest house. The parcel is located south of Pacific Coast Highway and west of Zumirez Drive, from which the site is accessed. The subject site is located in the residential neighborhood of Point Dume in the City of Malibu, Los Angeles County. The area surrounding the project site is well developed with numerous several single family residences and accessory structures, including swimming pools and tennis courts. The parcel is situated on the western flank of a northwest trending mesa within the south central portion of the Santa Monica Mountains. The site consists of a near level pad with descending slopes to the southwest, with a maximum gradient of 2:1 (horizontal to vertical) or less. The pad maintains a light to moderately dense growth of vegetation, consisting of shrubs and trees, including non-native, exotic vegetation such as fruit trees, bird of paradise, banana, and eucalyptus. Vegetation on the descending slopes consists mainly of non-native, invasive ground cover and several trees.

As required by the Coastal Act and as the Commission has required in past permit actions, the proposed project will be adequately set back from the ESHA riparian corridor of the creek and Walnut Canyon. Furthermore, the applicants are proposing to remove all non-native, invasive vegetation and debris from the riparian area and restore this area with native plantings compatible with the riparian habitat, which is beneficial in preserving the watershed, vegetation, and habitat adjacent to the creek and within and

adjacent to Walnut Canyon and this disturbed ESHA. **Special Condition 2** requires this proposal to be incorporated into the final landscape plans.

In addition, there are several nursery grown, but mature and healthy, sycamores on the subject site adjacent to the proposed development. The applicant has provided an arborist's report recommending protective measures during and following construction to protect these sycamore trees on the site. **Special Condition 2** also requires that the recommendations contained in the report prepared by Ashley Consulting Arborists and entitled, "Interim Tree Protection Plan, dated April 9, 2002 to be implemented by the applicant in order to protect these resources that provide habitat and improve water quality.

The direct impacts of the proposed project, such as vegetation removal and hardscaping of the formerly natural areas of an undeveloped site, will be mitigated through the implementation of the applicable special conditions. **Special Condition 2** requires a landscape plan comprised primarily of native plant species, in conjunction with an interim erosion control plan. The landscaping of the disturbed areas of the subject site, particularly with respect to particularly steep slopes, with native plant species will assist in preventing erosion and the displacement of native plant species by non-native or invasive species. Furthermore, interim erosion control measure implemented during construction and post construction landscaping will serve to minimize the potential for adverse impacts to water quality resulting from drainage runoff during construction and in the post-development stage. In addition, the landscape and fuel modification plan required under **Special Condition 2**, will also mitigate adverse impacts to native vegetation, surrounding resources, and water quality. Therefore, the Commission finds that **Special Condition 2** is necessary to ensure the proposed development will not adversely impact water quality or coastal resources.

The effects of fuel modification, required on the applicants' project by the Los Angeles County Fire Department, will not be significant, as the applicant has set the development back from the creek and riparian area and overlapping fuel modification zones already exist from adjacent development (Exhibit 2). Although fuel modification requirements can affect natural vegetation for up to 200 feet from the footprint of defensible structures, the Los Angeles County Fire Department has approved the applicants' fuel modification plan with no requirements for fuel modification on the slopes of the site or within the riparian or creek areas. In sum, the applicant has sited and set back the proposed project from the designated ESHA, while still developing a new single family residence on the subject parcel. Further, as there is existing development on either side of the proposed residence and across the creek from the residence, there will not be any additional off site brushing or fuel modification required for the new development (Exhibit 2).

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, however, it is necessary to impose a restriction on the removal of natural vegetation, as specified in **Special Condition 3**. This restriction specifies that natural vegetation shall not be

removed until building permits have been secured and construction of the permitted structures has commenced, preventing unnecessary disturbance of the area.

Furthermore, night lighting of a high intensity has the potential to disrupt the hunting, roosting, and nesting behavior of wildlife that occupy or migrate through the sensitive habitat area adjacent to the creek that crosses the site. As a result, **Special Condition 10** reduces the disruptive effects that night lighting can have on the wildlife occupying or migrating through this sensitive habitat area, by restricting outdoor night lighting to the minimum amount required for safety. In addition, in order to lessen impacts on the surrounding sensitive species, **Special Condition 2** also requires fencing along the southwestern property boundary of the site adjacent to the creek to be of a design that is permeable to wildlife. Additionally, **Special Condition 7** addresses future development by ensuring that all future development proposals for the site, which might otherwise be exempt from review, would require prior review so that potential impacts to this sensitive habitat area may adequately be considered.

Special Condition 4 requires a drainage and polluted runoff control plan, which will ensure that drainage will be conducted in a non-erosive manner. A drainage system will serve to minimize the environmental and sensitive habitat degradation associated with erosion. In order to further ensure that adverse impacts to coastal water quality do not result from the proposed project, the Commission finds it necessary to require the applicant to incorporate filter elements that intercept and infiltrate or treat the runoff from the subject site, as is also required by **Special Condition 4**. Such a plan will allow for the infiltration and filtration of runoff from the developed areas of the site and will capture 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, making the capture of the "first flush" flow a vital component of the drainage and polluted runoff control plan. Additionally, the applicant must monitor and maintain the drainage and polluted runoff control system to ensure that it continues to function as intended throughout the life of the development.

The proposed development will result in an increase in impervious surface, which in turn decreases the infiltrative function and capacity of existing permeable land on site. The reduction in permeable space therefore leads to an increase in the volume and velocity of stormwater runoff that can be expected to leave the site. Further, pollutants commonly found in runoff associated with residential use include petroleum hydrocarbons including oil and grease from vehicles; heavy metals; synthetic organic chemicals including paint and household cleaners; soap and dirt from washing vehicles; dirt and vegetation from yard maintenance; litter; fertilizers, herbicides, and pesticides; bacteria and pathogens from animal waste; and effluent from septic systems.

The discharge of these pollutants to coastal waters can cause cumulative impacts such as: eutrophication and anoxic conditions resulting in fish kills and diseases and the alteration of aquatic habitat, including adverse changes to species composition and size; excess nutrients causing algae blooms and sedimentation increasing turbidity

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

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

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

As stated previously, the proposed project includes a swimming pool and spa. There is the potential for swimming pools and spas to have deleterious effects on aquatic habitat if not properly maintained and drained. In addition, chlorine and other chemicals are commonly added to pools and spas to maintain water clarity, quality, and pH levels. Further, both leakage and periodic maintenance of the proposed pool and spa, if not monitored and/or conducted in a controlled manner, may result in excess runoff and erosion potentially causing instability of the site and adjacent properties and may result in the transport of chemicals, such as chlorine, into coastal waters, adversely impacting intertidal and marine habitats. In order to minimize potential adverse impacts from the proposed swimming pool and spa, the Commission requires the applicant to submit a pool drainage and maintenance plan, as detailed in **Special Condition 8**. The plan shall include a separate water meter for the pool and spa, which will serve to monitor water levels of the pool and spa and identify leakage. The plan shall also include a description of the materials to be utilized to prevent leakage of the pool and spa shell and shall identify methods to control infiltration and run-off from periodic pool and spa

drainage and regular maintenance activities.

Finally, the applicants are proposing to construct a new 3,000 gallon septic tank with effluent filter and sewage disposal system to service the new single family residence. In addition, the applicants are requesting after the fact approval of the existing 1,500 gallon septic tank and sewage disposal system to service the guest house. The septic system currently servicing the existing single family residence that the applicant is proposing to demolish will be capped and abandoned.

Percolation tests have been performed on the subject site. In addition, in their report dated August 6, 2001, GeoConcepts, Inc., states:

The proposed sewage pit is located on near level topography. The geologic structure dips south. The hydraulic gradient of the effluent will be away from the proposed structure. . . . Water infiltration from irrigation and sewage disposal should not significantly raise the groundwater table. Based on the above data, it is thought that the private sewage disposal system will not adversely affect the proposed structure or daylight on descending slopes provided the system is constructed in conformance with the controlling governing agency.

In addition, in their report dated February 8, 2002, GeoConcepts, Inc., state:

The proposed septic system is proposed on the northern portion of the property due to the faster percolation rate relative to the slower percolation rates on the central and southern portions of the property. Therefore, the proposed building site needs to be in the central portion of the site, which would avoid construction over the proposed septic system and not within the natural drain channel location in the southern portion of the property. In addition, the environment will be less affected by the septic system that is located near the street and way from the natural drainage channel in the rear yard.

Furthermore, the Environmental Health Department of the City of Malibu has also given in concept approval for the proposed sewage disposal systems. This conceptual approval by the City of Malibu indicates that the sewage disposal systems for the project in this application comply with all minimum requirements of the Uniform Plumbing Code.

The Commission has found in past permit actions that conformance with the provisions of the plumbing, health, and safety codes is protective of resources and serves to minimize any potential for wastewater discharge that could adversely impact coastal waters.

Therefore, the Commission finds that, through **Special Conditions 2, 3, 4, 7, 8, and 9**, and for the reasons set forth above, the proposed project is consistent with the requirements of Sections 30231 and 30240 of the Coastal Act.

D. Cumulative Impacts

Sections 30250 and 30252 of the Coastal Act address the cumulative impacts of new developments. Section 30250 (a) of the Coastal Act states:

New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

Section 30252 of the Coastal Act states:

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing non-automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.

New development raises coastal issues related to cumulative impacts on coastal resources. The construction of a second unit on a site where a primary residence exists intensifies the use of a parcel increasing impacts on public services, such as water, sewage, electricity and roads. New development also raises issues as to whether the location and amount of new development maintains and enhances public access to the coast.

Based on these policies, the Commission has limited the development of second dwelling units (such as the proposed guest house) on residential parcels in the Malibu and Santa Monica Mountain areas. In past Commission actions, the Commission has found that placing an upper limit on the size of second units (750 square feet) is necessary given the traffic and infrastructure constraints which exist in Malibu and the abundance of existing vacant residential lots. Furthermore, in allowing these small units, the Commission found that the small size of units (750 square feet) and the fact that they are likely to be occupied by one, or at most two people, would cause such units to have less of an impact on the limited capacity of the Pacific Coast Highway and other roads (including infrastructure constraints such as water, sewage, and electricity) than an ordinary single family residence.

The Commission has also raised the second unit issue with respect to statewide consistency of both Coastal Development Permits and Local Coastal Programs (LCPs).

Statewide, additional dwelling units on single family parcels take on a variety of different functions, which in large part consist of: 1) a second unit with kitchen facilities, such as a granny unit, caretaker's unit, or farm labor unit and 2) a guest house, without separate kitchen facilities. Past Commission action has consistently found that both second units and guest houses inherently have the potential to cumulatively impact coastal resources. As such, conditions on coastal development permits and standards within LCPs have been required to limit the size and number of such units to ensure consistency with Chapter 3 policies of the Coastal Act. Therefore, as a result, the Commission has found that guest houses, pool cabanas, studios, second units, or maid's quarters can intensify the use of a site and impact public services, such as water, sewage, electricity, and roads.

There is an existing 1,552 square foot guest house on the subject site that was built without a Coastal Development Permit. Although the existing guest house would not conform to past Commission actions, the applicants are proposing to convert this structure into a 710 square foot guest house and 842 square foot workshop, garage, and storage areas (Exhibit 6). There will be no internal connection between the proposed guest house and the workshop, garage, and storage areas. As a result, as proposed, the 710 square foot guest house conforms to the Commission's past actions, allowing a maximum of 750 square feet for a second dwelling unit in the Malibu area. Therefore, in order to implement the applicant's proposal to convert a portion of the existing guest house to non-habitable space, **Special Condition 10** requires the applicants to convert the existing 1,552 square foot guest house into a 710 square foot guest house with 842 square foot non-habitable workshop, garage, and storage area (as shown on Exhibit 6) within 30 days of issuance of the Certificate of Occupancy for the residence by the City of Malibu. The Executive Director may grant additional time for good cause.

The Commission has approved many similar projects that have established a maximum size of 750 square feet of habitable space for development that may be considered a secondary dwelling unit. The proposed guest house is considered a potential second residential unit. To ensure that no additions or improvements are made to the guest house that may further intensify the use without due consideration of the potential cumulative impacts, the Commission finds it necessary to require the applicant to record a future development deed restriction, which will require the applicant to obtain an amended or new Coastal Development Permit if additions or improvements to the guest house are proposed in the future, as required by **Special Condition 7**.

Therefore, as conditioned, the Commission finds that the proposed development is consistent with Sections 30250 and 30252 of the Coastal Act.

E. Violations

Development has occurred on the subject site without the required Coastal Development Permits, including construction of the existing 1,552 square foot guest

house that the applicant is proposing to convert into a 710 square foot guest house and 842 square foot workshop, garage, and storage area, as well as the installation of a septic system to service the guesthouse.

In order to ensure that the violation portion of this development project is resolved in a timely manner, **Special Condition 11** requires that the applicant satisfy all conditions of this permit within 120 days of Commission action.

Although construction has taken place prior to submission of this permit application, consideration of this application by the Commission has been based solely upon the Chapter 3 policies of the Coastal Act. Review of this permit does not constitute a waiver of any legal action with regard to the alleged violation nor does it constitute an admission as to the legality of any development undertaken on the subject site without a Coastal Development Permit.

F. Local Coastal Program

Section 30604 of the Coastal Act states:

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

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

G. California Environmental Quality Act

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.

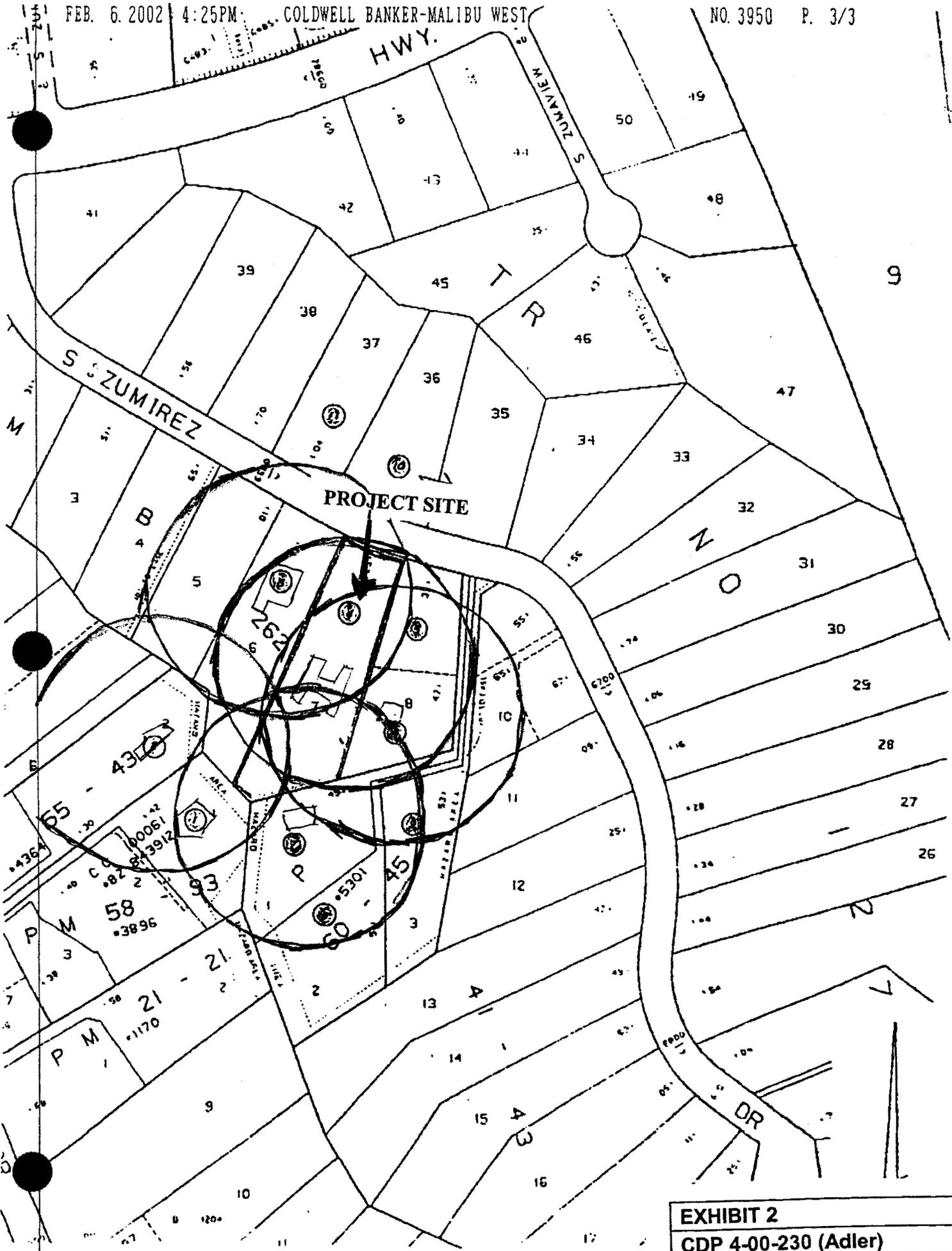
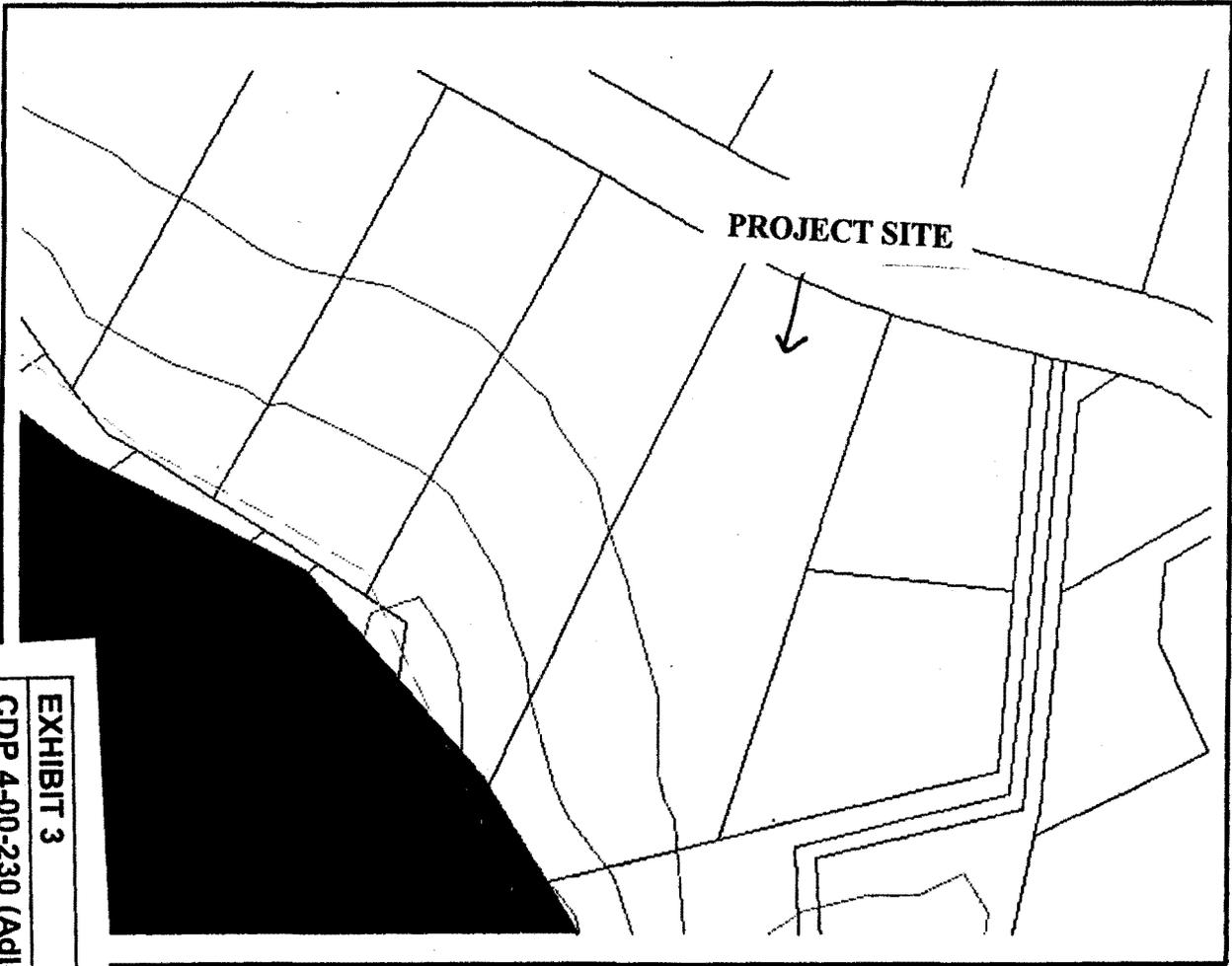


EXHIBIT 2
CDP 4-00-230 (Adler)
Assessor's Parcel Map



- trailslacoplan
- trailotds
- StrmsCCC
- shore
- laprcls
- esha (ESHA)
- Coldcreek management area inland
- locally disturbed resources
- oak woodlands and savannahs
- significant watersheds residential
- wildlife migration corridor
- contours20ft



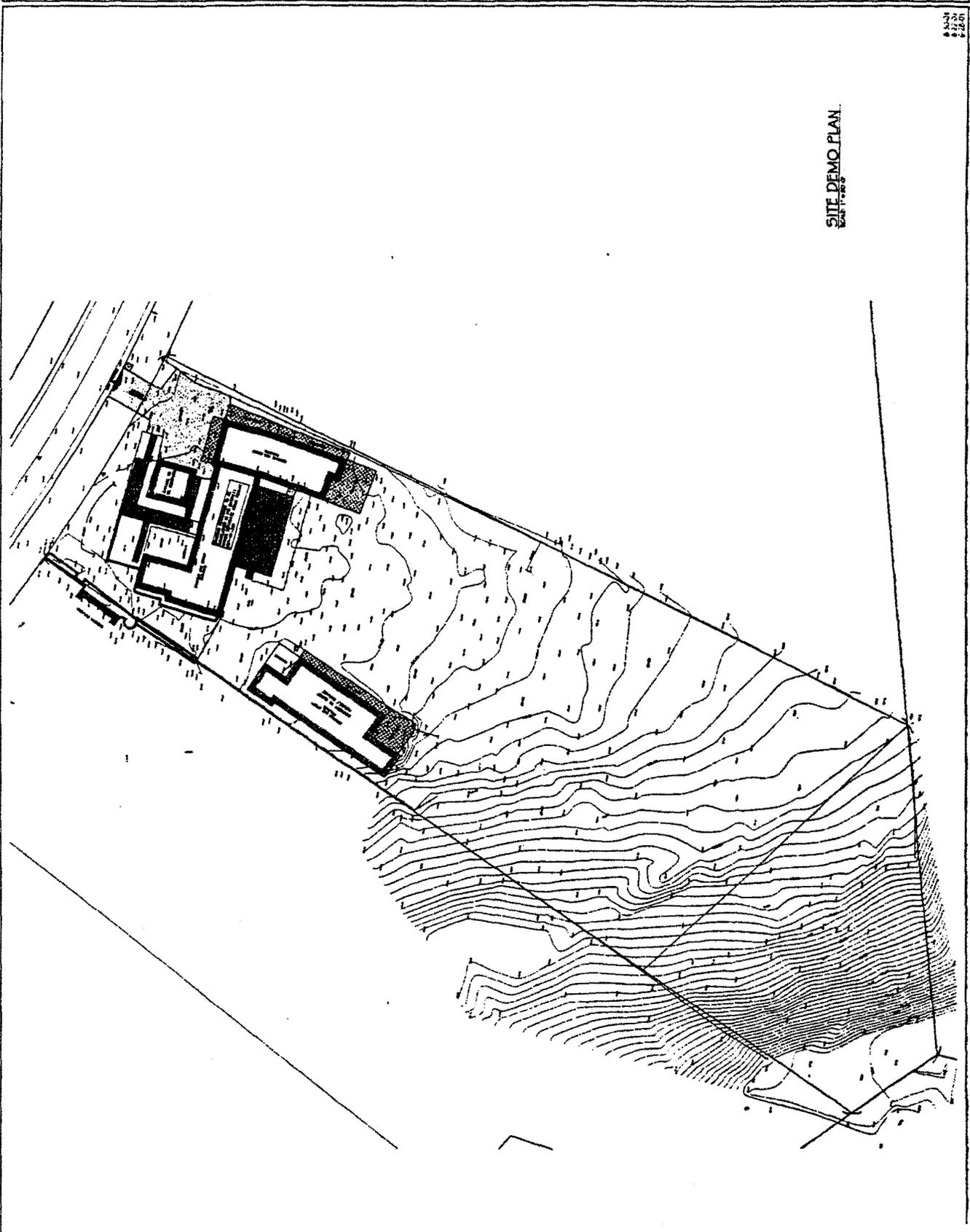
EXHIBIT 3
CDP 4-00-230 (Adler)
Resource Map

ARCHITECTURE & INTERIORS, S.P.A.
ARCHITECT
10000 Wilshire Blvd., Suite 1000
Beverly Hills, California 90210
Tel: (310) 276-1000
Fax: (310) 276-1001
WWW.RMB.ARCHITECTURE.COM

RMB ARCHITECTURE
10000 Wilshire Blvd., Suite 1000
Beverly Hills, California 90210
Tel: (310) 276-1000
Fax: (310) 276-1001
WWW.RMB.ARCHITECTURE.COM

ADLER RESIDENCE
1025 Zanker Drive
Malibu, California

DATE: 01/11/05
SCALE: 1/8" = 1'-0"
SHEET: A-1.2



SITE DEMO PLAN
DATE: 01/11/05

EXHIBIT 4
CDP 4-00-230 (Adler)
Existing Site/Demo Plan

**EXHIBIT 5
CDP 4-00-230 (Adler)
Proposed Site Plan**

FIRE DEPARTMENT NOTES

PROVIDE A MINIMUM UNOBSTRUCTED 30' MOUTH CLEAR TO THE SKY, VERTICAL ACCESS TO WITHIN 50' OF ALL PORTIONS OF THE EXTERIOR WALLS.

VEHICULAR ACCESS SHALL BE PROVIDED AND MAINTAINED SERVICEABLE THROUGHOUT CONSTRUCTION PER FIRE CODE 9013.

THE REQUIRED FIRE FLOOR FOR PUBLIC STAIRWAYS AT THIS LOCATION IS 200 GALLONS PER HOUR AT 20 PSI FOR A DURATION OF 3 HOURS OVER AND ABOVE THE MAXIMUM DAILY DOMESTIC DEMAND PER FIRE CODE 9012.

ALL ROOF COVERINGS SHALL BE CLASS "A" AS SPECIFIED IN TITLE 24 CALIF. CODE, SMALL AND WOOD SHAKE ROOFS ARE PROHIBITED RESEMBLERS OF CLASSIFICATION UNDER IBC, STANDARD 5-1 BUILDING CODE 4003.1.

THE ROOFS SHALL BE FIRE-SUPPORTED AT EAVE ENDS TO PRECLUDE ENTRY OF FLAME OR SMOKES UNDER THE T.E.C. BUILDING CODE 4003.2.

WALLS FORMING THE ENCLOSURE OF A BUILDING SHALL BE OF ONE HOUR FIRE-RESISTIVE CONSTRUCTION ON THE EXTERIOR SIDE AS APPROVED BY THE BUILDING OFFICIAL.

EXTERIOR WALLS SHALL BE CONCRETE OR MASONRY WALLS, EXTERIOR WALLS AND EXTERIOR DOORS SHALL UTILIZE MULTI-LAYERED PANELS, BUILDING CODE 4003.4.

OPENINGS INTO ATTIC, BLOBS, OR OTHER ENCLOSED AREAS SHALL NOT EXCEED 1/4" SQUARE AREAS EACH. SUCH OPENINGS SHALL BE COVERED WITH CORROSION-RESISTANT WIRE MESH WITH FRESH OPENINGS OF - R-10 BUILDING CODE 4003.5.

PROVIDE SPARK ARRESTORS, IF CORRECTLY USED WITH FRESH AIR INTAKES OR HEATING AIR INTAKES IN WHICH SOLID OR LIQUID FUEL IS USED WITH OPENINGS NOT TO EXCEED TO LOCAL FIRE CODE 4003.6, BUILDING CODE 3003.6.

WOOD FLOOR AREAS SHALL BE INCLUDED TO THE GROUND WITH CONSTRUCTION AS REQUIRED FOR EXTERIOR WALLS, BUILDING CODE 4003.9.

ACCESSORY STRUCTURES SUCH AS GARAGES, BEACHES, OR PATIO COVERS WHICH ARE ATTACHED TO OR WITHIN 20 FEET OF A MAIN BUILDING SHALL BE CONSIDERED AS PRE-RESISTIVE CONSTRUCTION, REGARDLESS OF THEIR CONSTRUCTION OR UNDESIGNABLE CONSTRUCTION, BUILDING CODE 4003.10(A).

DETACHED PATIO COVERS, DECKS, CANOPIES, BELLHOUSES AND OTHER SIMILAR ACCESSORY STRUCTURES LOCATED WITHIN 20 FEET OR MORE FROM A HABITABLE STRUCTURE, AND OF WOOD CONSTRUCTION SHALL UTILIZE LUMBER NOT LESS THAN 2" THICK NORMAL IN WIDTH AND 4" HIGH, BUILDING CODE 4003.11.

A FINAL FIRE MODIFICATION PLAN SHALL BE SUBMITTED AND APPROVED BY THE FORESTRY DIVISION PRIOR TO APPROVAL OF BUILDING PLANS. IMPLEMENTATION OF THE APPROVED FINAL FIRE MODIFICATION PLAN AND INSPECTION SHALL BE COMPLETED PRIOR TO FINAL APPROVAL FOR OCCUPANCY. SUBMIT THREE COPIES OF THE COMPLETED FIRE MODIFICATION PLAN TO THE FORESTRY DIVISION AT THE STATION 2500 N. ANGELES AVE., JUBA, CA 95924. (2003-04-01) FIRE CODE 3013.

CLEARANCE OF BRUSH AND VEGETATIVE GROWTH SHALL BE MAINTAINED PER FIRE CODE 3013.

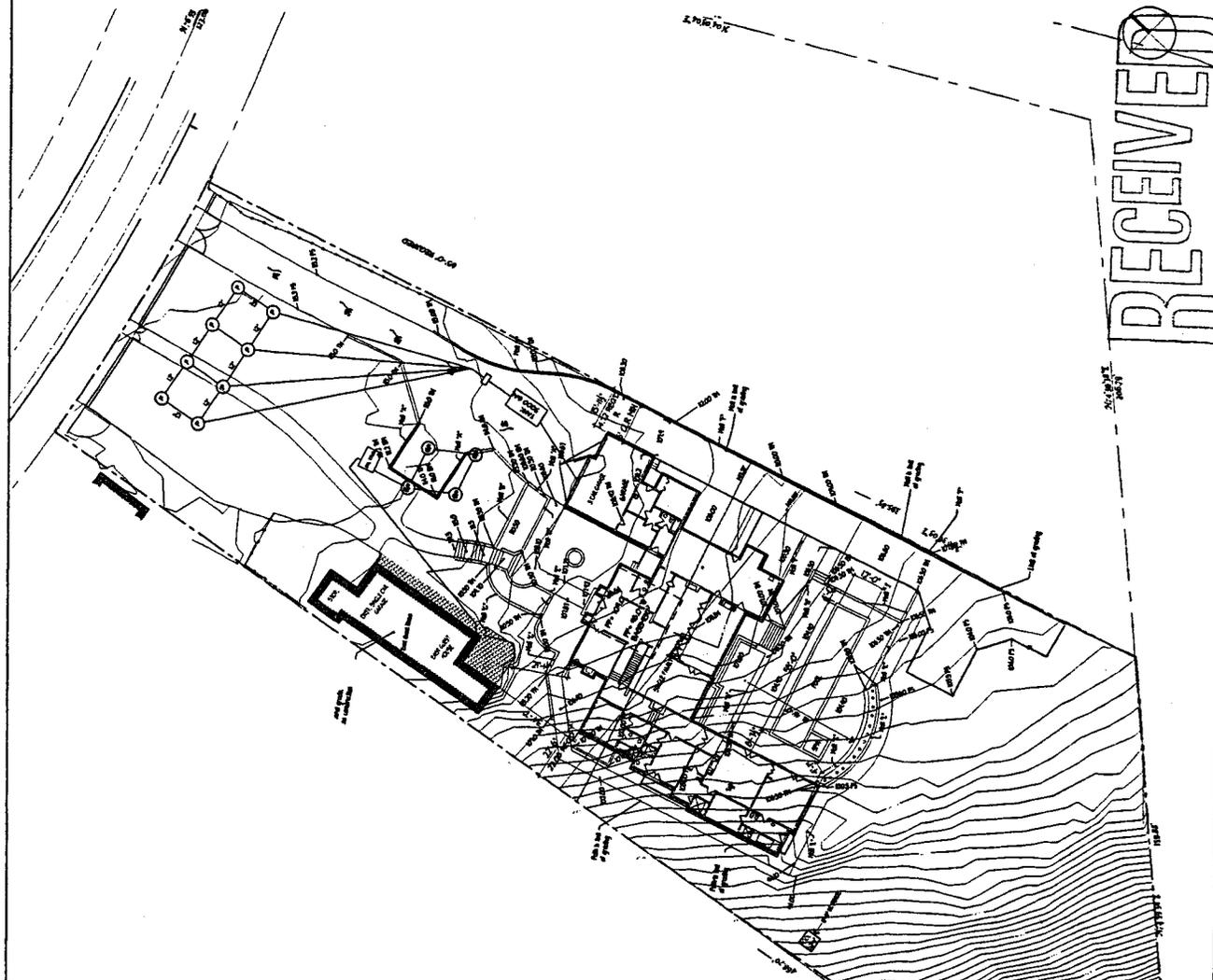
COMPLY WITH TITLE 24, 2004(1) REGARDING FIRE-ARMING SYSTEMS. SHOCK DETECTORS SHALL BE INSTALLED WITH BATTERY BACKUP. SHOCK DETECTORS SHALL BE INTERCONNECTED (INDICATE LOCATION ON FLOOR PLAN).

PROVIDE ONE-HOUR FIRE RESISTIVE OCCUPANCY SEPARATION BETWEEN THE R-3 DWELLING AND THE R-1 GARAGE, INDICATE ON THE FLOOR PLAN.

EXIT DOORS SHALL BE OPENABLE FROM THE INSIDE WITHOUT USE OF A KEY OR ANY SPECIAL KNOWLEDGE OR EFFORT, FIRE CODE 3013.

NOTES AND HEIGHT OF REQUIRED EXIT DOORWAYS SHALL COMPLY WITH TITLE 24, INDICATE ON DOOR SCHEDULES.

SEE NOTES, SUPPLEMENTAL NOTES TO BE PROVIDED ON FRONT OF ALL BUILDINGS AND SHALL BE PROVIDED TO THE BUILDING OFFICIAL. BUILDERS SHALL MAINTAIN FIRE CODE 9014.1.1(A).



REVERSIBLE COVERAGE ALLOWED

SITE AREA: 65340 SF (NO 115 SLOPE)
 30' x 65340'

REVERSIBLE COVERAGE PROHIBITED

WATER: 14000 SF
 14000 SF x 100% = 14000 SF
 TOTAL: 14000 SF

RECALCULATED

SITE AREA: 65340 SF
 11' x 5' 300' (4' x 11000')
 11' x 5' 300' (4' x 11000')
 30' x 65340'

ALLOWABLE STRUCTURE SIZE

SITE AREA: 65340 SF (NO 115 SLOPE)
 11' x 5' 300' (4' x 11000')
 30' x 65340'

TOTAL: 14000 SF

NEW ROOF

ATTACHED GARAGE: 598 SF
 ATTACHED GARAGE: 608 SF
 AREA COVERED BY SOLID ROOF: 425 SF
 56' TOTAL: 1271 SF

GUEST HOUSE

GUEST HOUSE: 700 SF
 8425 SF

GARAGE/STOCK 1 WORKSHOP

TOTAL: 1200 SF

GRAND TOTAL: 688 SF (4272 SF) DAY
 688 SF (4272 SF) DAY

BEST CASE SCENARIO: SURFACE LOT NOT AVAILABLE: THROUGH 45'-55'-56'

20' HALL ROOF AREA OVER W/ WASH

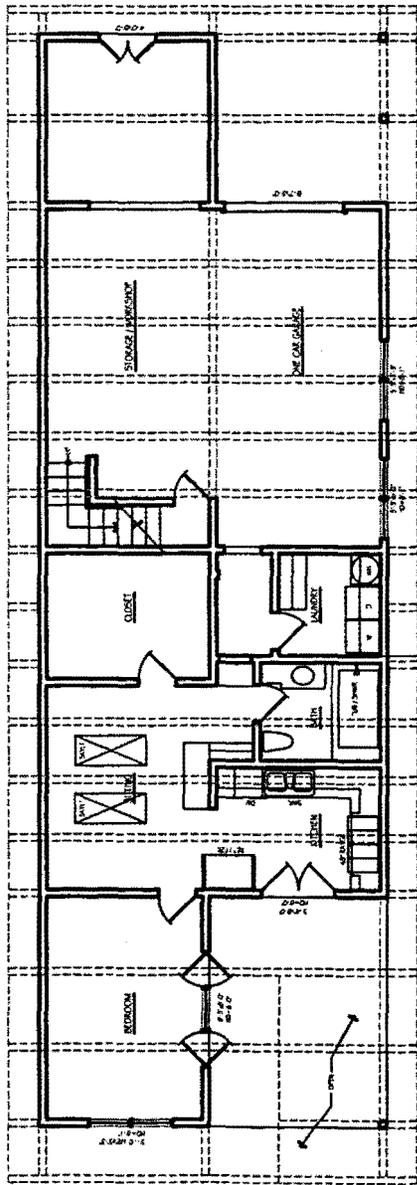
AREA OF ROOF 20' W/ ANY NAT. GRADE: 3575.0 SF
 AREA OF FIRST FLOOR: 62500.0 SF

35' x 60' / 150' x 0.50' = 1400' (1400' x 0.50')

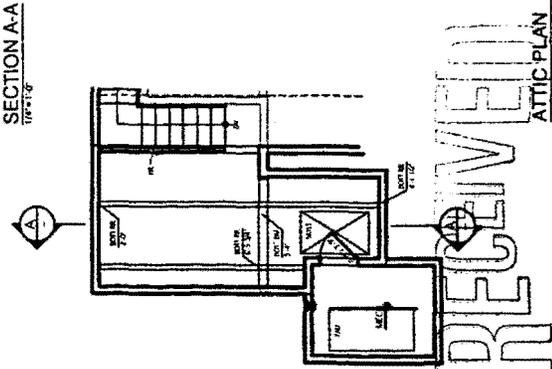
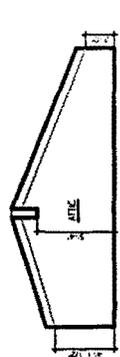
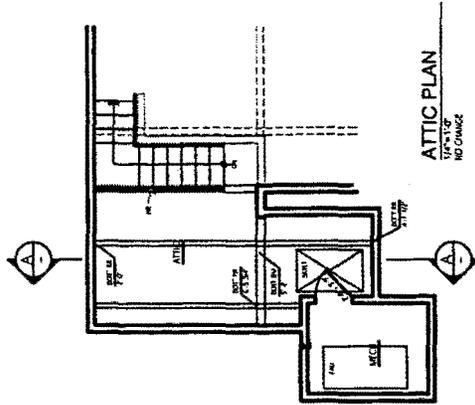
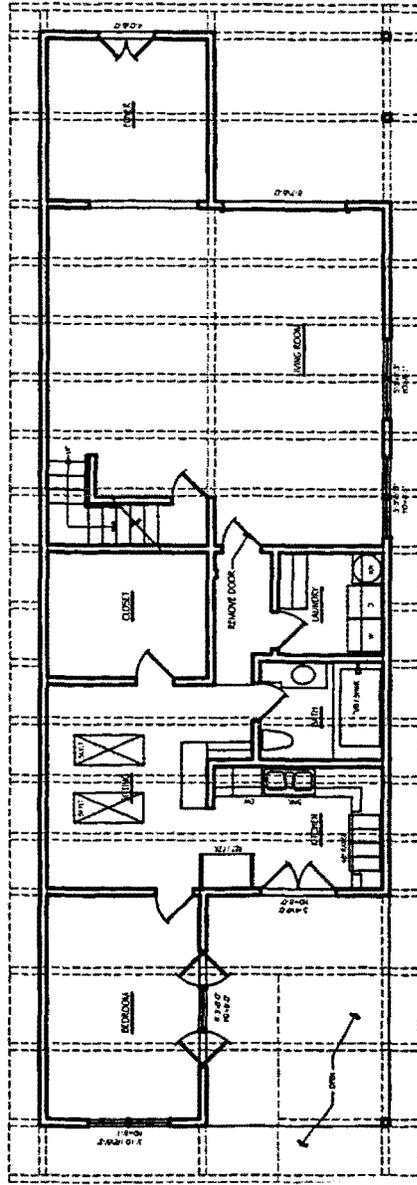
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FEB 06 2002

CALIFORNIA
 COASTAL COMMISSION
 SOUTH CENTRAL COAST DISTRICT



Note: There shall be no interior connection between the Guest House and the garage/storage/workshop/laundry area or the attic storage area.



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CALIFORNIA
 COASTAL COMMISSION
 SOUTH CENTRAL COAST DISTRICT

EXHIBIT 6
CDP 4-00-230 (Adler)
Existing/Proposed Guest House/
Storage/Workshop/Garage

A-2.1

DATE	10/11/07
BY	RLB
CHKD	
APP'D	

FIRST FLOOR PLAN &
BASEMENT PLAN

ADLER RESIDENCE
6625 Zuni Drive
Malibu, California

ARCHITECT
RICHARD SHAMBERG, AIA
ARCHITECTURE
R.L.B. ARCHITECTURE

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REVISIONS	BY	DATE	DESCRIPTION

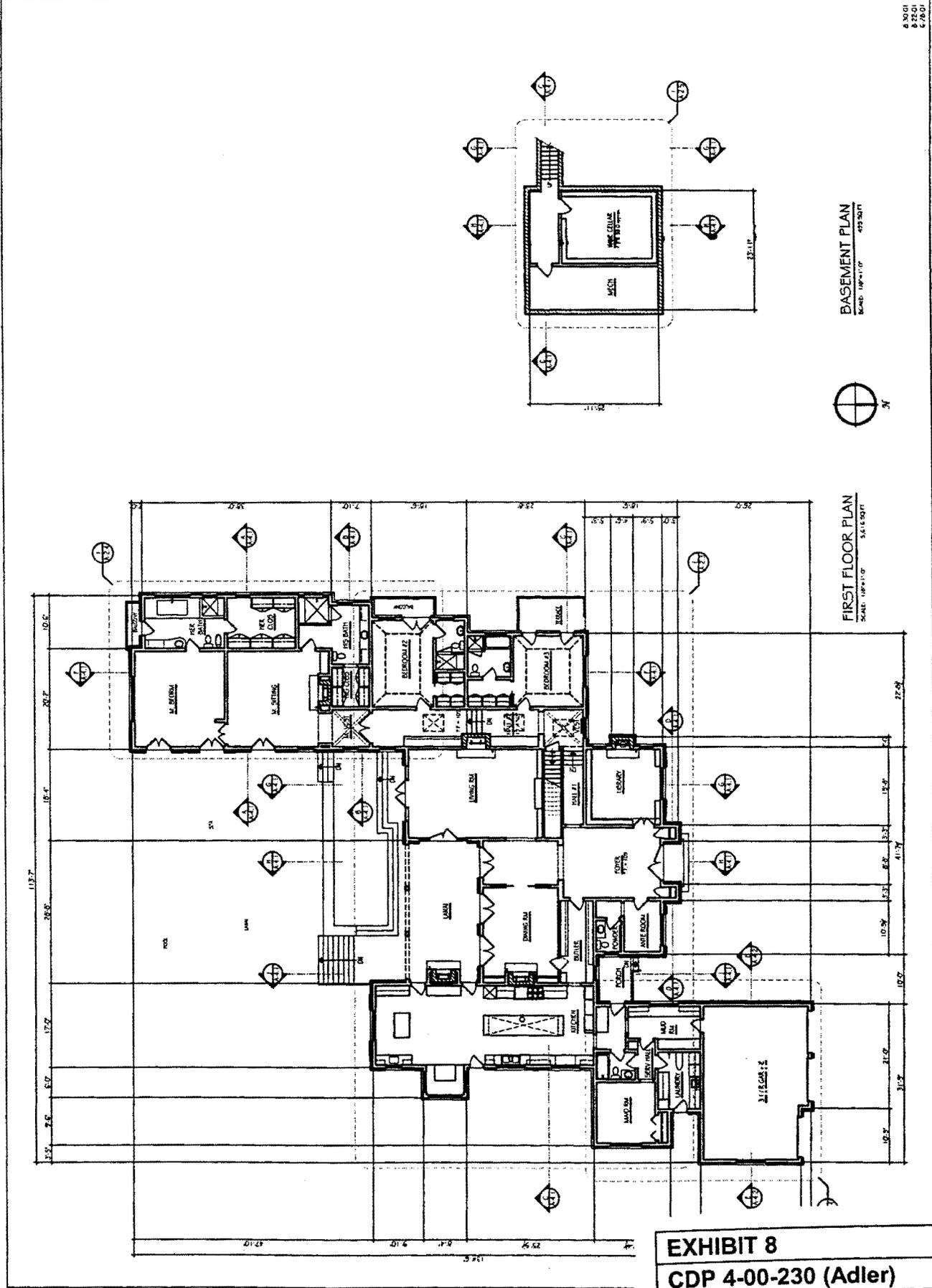
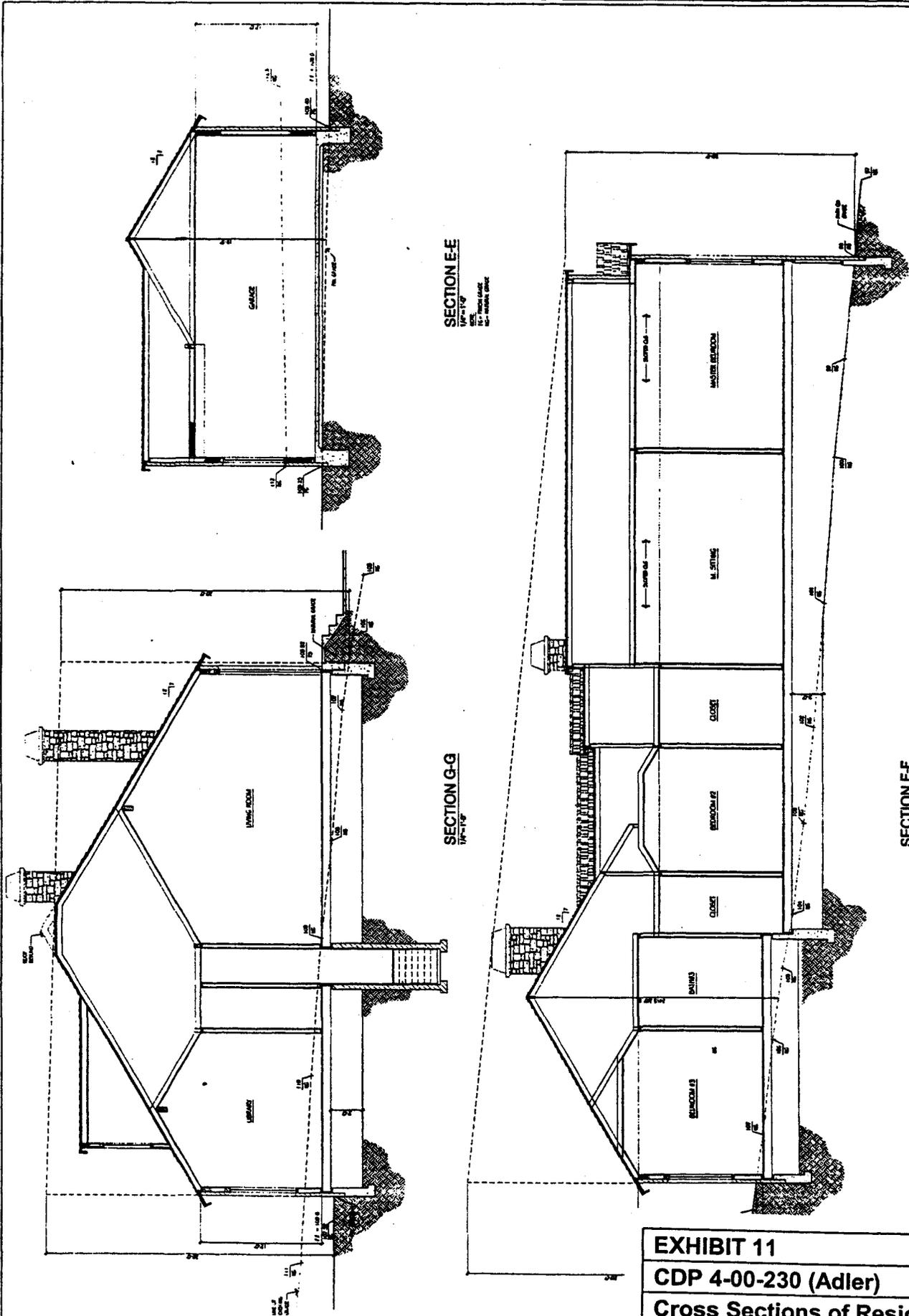


EXHIBIT 8
CDP 4-00-230 (Adler)
First and Basement FloorPlans

4/20/01
4/22/01
4/23/01



SECTION E-E
1/8" = 1'-0"

SECTION G-G
1/8" = 1'-0"

SECTION F-F
1/8" = 1'-0"

EXHIBIT 11
CDP 4-00-230 (Adler)
Cross Sections of Residence

Revision by		ARCHITECT RLB ARCHITECTURE 6625 ZUMITZ DRIVE MALIBU, CALIFORNIA	EXTERIOR ELEVATIONS	SHEET NO. A-4.4

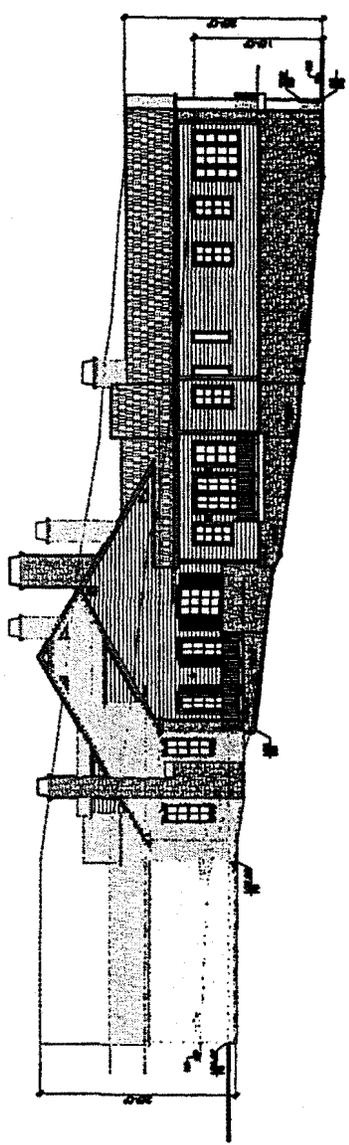
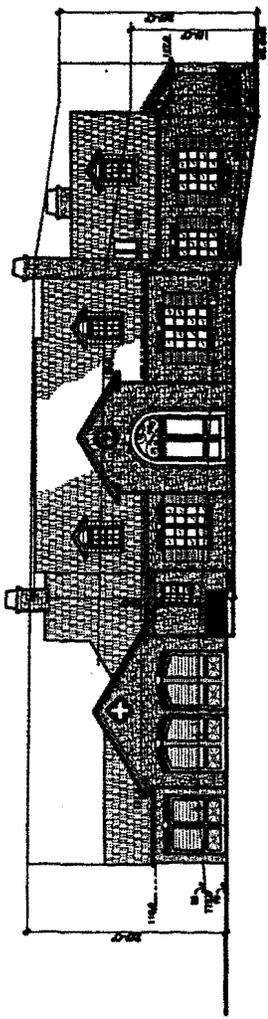
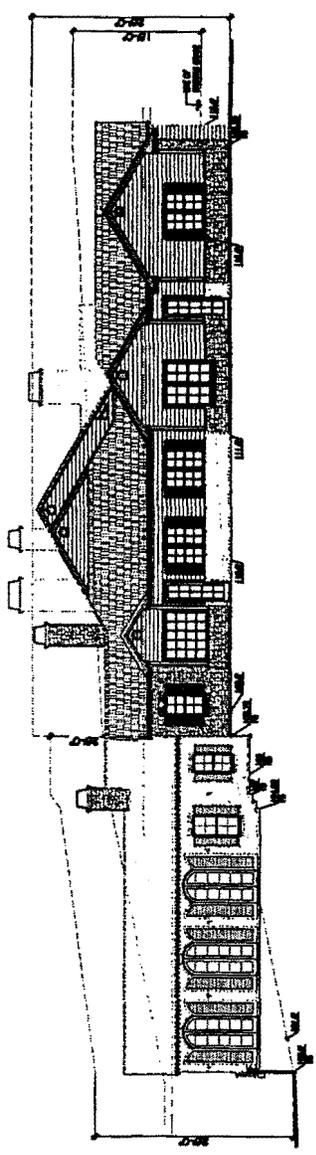


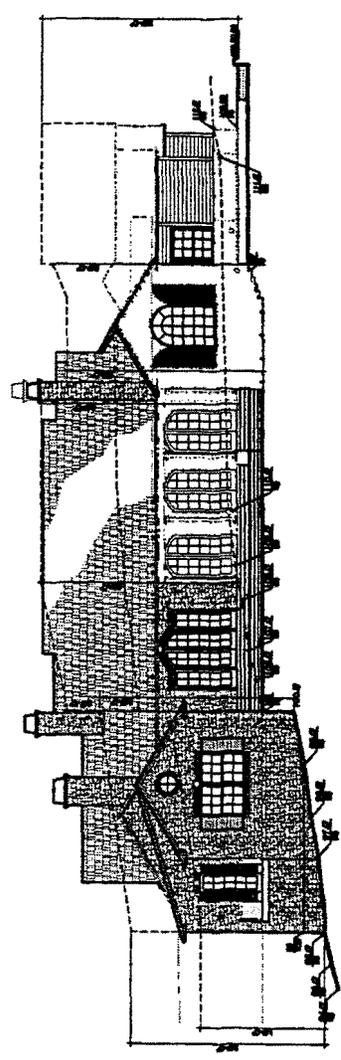
EXHIBIT 13
 CDP 4-00-230 (Adler)
 North/West Elevations- Residence

EXTERIOR ELEVATIONS

4/30/01
2/27/01
2/28/01



SOUTH ELEVATION
1/8"=1'-0"



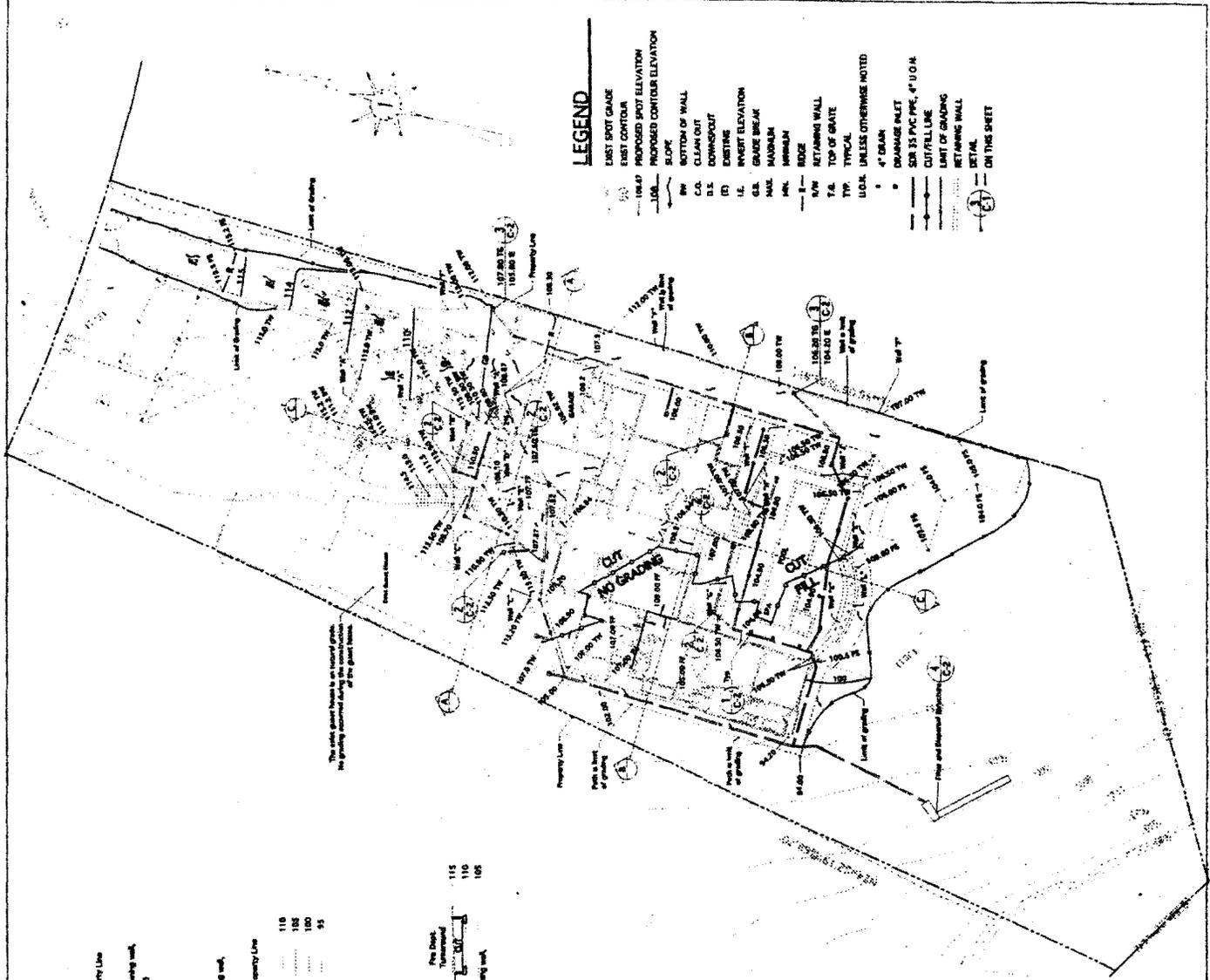
EAST ELEVATION
1/8"=1'-0"

Revisions	
1/1/83	

Robert Newton Design, Inc.
 3550 Las Flores Canyon Road, Malibu, CA 90265
 (310) 456-8750 fax (310) 456-9009

Grading Plan
 Adler Residence
 6625 Zumtreg Drive, Malibu 90265

Date: 12/1/80
 Scale: 1" = 20'
 Sheet: 33



LEGEND

- EXIST SPOT GRADE
- EXIST CONTOUR
- PROPOSED SPOT ELEVATION
- PROPOSED CONTOUR ELEVATION
- SLOPE
- BOTTOM OF WALL
- C.O. CLEAR CUT
- D.L. DOWNSPOUT
- E.C. EXISTING
- I.E. INSET ELEVATION
- G.L. GRADE BREAK
- M.L. MANHOLE
- R. RIDGE
- R/W. RETAINING WALL
- T.A. TOP OF GRADE
- TYP. TYPICAL
- U.O.R. UNLESS OTHERWISE NOTED
- 4" GRADE
- DRAINAGE INLET
- SUR 35 P/C P/C, 4" I/O.H.
- CUT/FILL LINE
- LIMIT OF GRADING
- RETAINING WALL
- DETAIL
- ON THIS SHEET

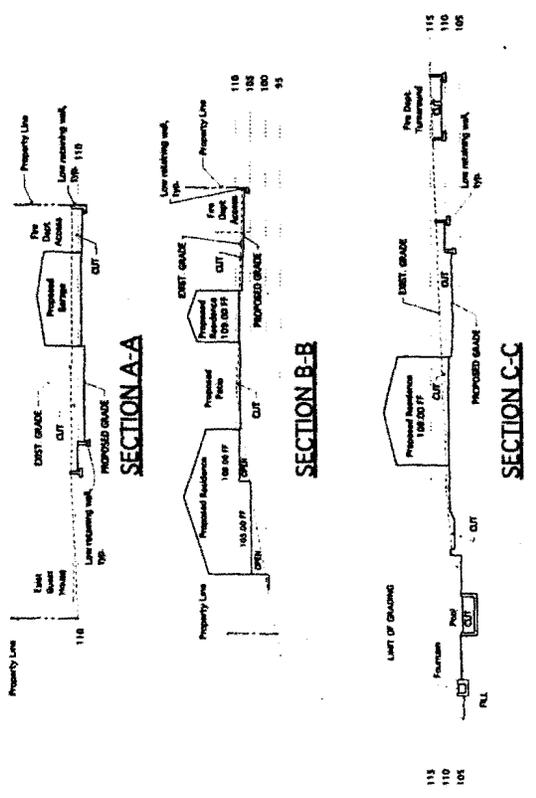
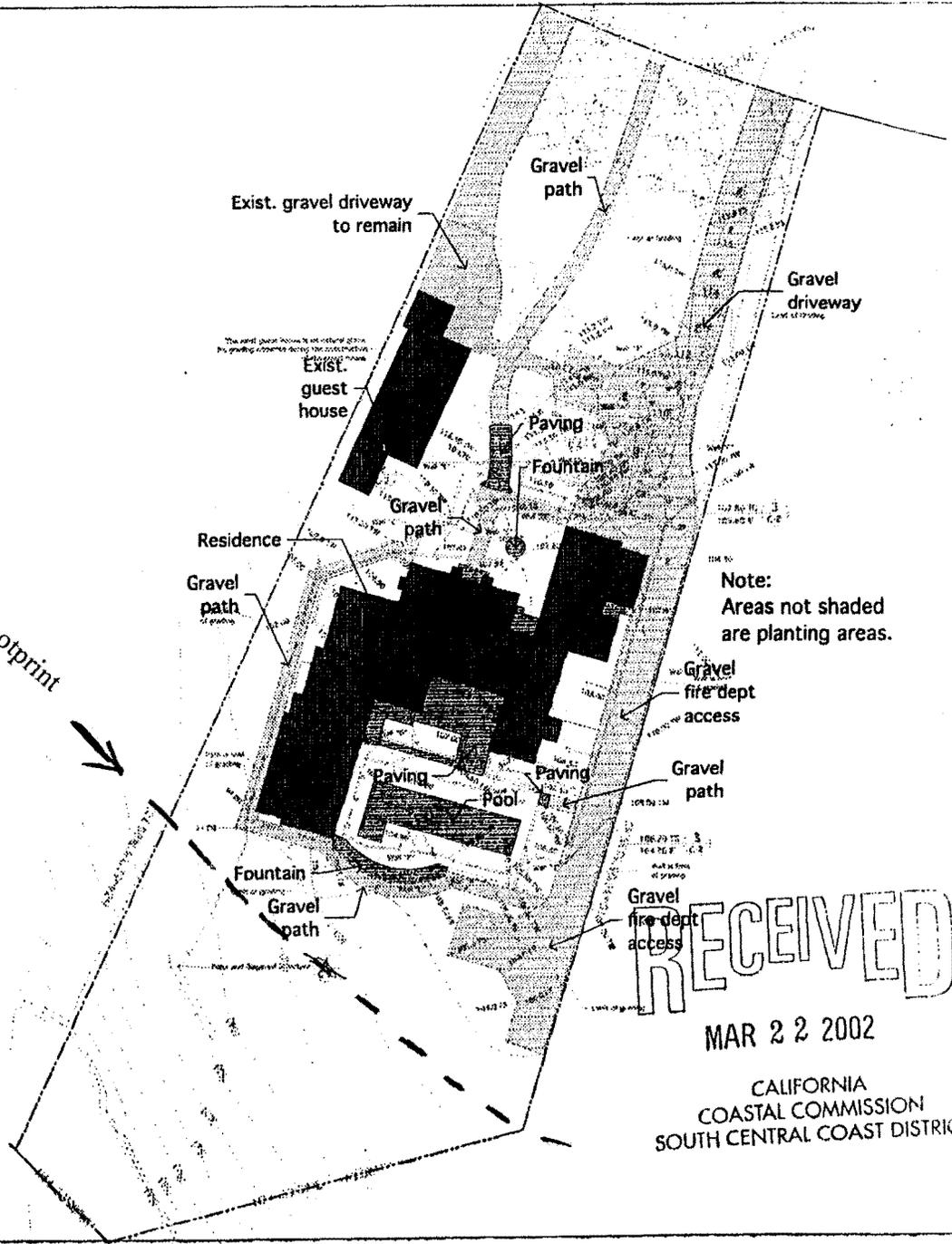


EXHIBIT 17
CDP 4-00-230 (Adler)
Grading Plan

11-00-720

Southwestern Edge of Development Footprint



RECEIVED

MAR 22 2002

CALIFORNIA COASTAL COMMISSION SOUTH CENTRAL COAST DISTRICT

Revisions

Robert Newlon Design, Inc.
 3550 Las Flores Canyon Road, Malibu, CA 90265
 (310) 456-8750 fax (310) 456-9009

Impermeable Coverage Plan
 Adler Residence
 6625 Zamirez Drive, Malibu 90265

Date:	3/18/02
Scale:	1" = 20'
Sheet:	L1.0
ADLER	3/18/02
Impermeable Plan	

EXHIBIT 18
 CDP 4-00-230 (Adler)
 Impermeable Coverage Plan

