

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585-1800

Filed: 06/17/02
49th Day: 08/06/02
180th Day: 12/15/02
Staff: AAV
Staff Report: 06/20/02
Hearing Date: 07/09-12/02
Commission Action:



RECORD PACKET COPY

STAFF REPORT: REGULAR CALENDAR

APPLICATION NO.: 4-02-114

APPLICANT: Luanne Wells

AGENT: Paul Williger

PROJECT LOCATION: 6122 Busch Drive, Malibu, Los Angeles County

PROJECT DESCRIPTION: Request for after-the-fact approval of the construction of a two-story, 6,364 sq. ft. single family residence, with attached 4-car garage, 28 ft. in height, detached 742 sq. ft. garage and two-story 706.5 sq. ft. workshop/storage, new alternative sewage disposal system, gravel motor court and court yard, site retaining walls up to 6 ft. in height, grading of 2,006 cu. yds. (1,003 cu. yds. cut, 1,003 cu. yds. fill), and approximately 250 cu. yds. overexcavation.

Lot area:	60,088 sq. ft.
Building coverage:	6,051 sq. ft.
Pavement coverage:	1,675 sq. ft.
Landscape coverage:	37,962 sq. ft.
Parking spaces:	5

LOCAL APPROVALS RECEIVED: City of Malibu Planning Department Approval-In-Concept 9/27/99, City of Malibu Department of Environmental Health In-Concept Approval for alternative private sewage disposal system 6/07/99, City of Malibu Geology and Geotechnical Engineering Review Approval In-Concept 7/16/99.

SUBSTANTIVE FILE DOCUMENTS: City of Malibu Notice of Decision for Site Plan Review Number 98-092 and Minor Modification Number 99-003 7/14/99, Prepared by Grover Hollingsworth and Associates, Inc.; Geologic and Soils Engineering Exploration 11/20/98, Addendum Report 3/03/99, Geotechnical Comments for Proposed Alternative Private Sewage Disposal System 6/22/99, City of Malibu Geology and Geotechnical Engineering Review Sheet 7/16/99, Coastal Development Permit # 5-89-1221 (Malibu Associates), 5-90-613 (Malibu AssociatesII), 4-94-005 (Karino), 4-99-225 (Wells).

SUMMARY OF STAFF RECOMMENDATION

Staff recommends approval of the proposed project with **9 Special Conditions** regarding conformance to geologic recommendations for design and construction, drainage and polluted run-off control, pool drainage and monitoring, landscaping and erosion control, removal of natural vegetation, color restriction, future developments, wildfire waiver of liability, and condition compliance. The proposed project is a request for after-the-fact approval of development that was constructed prior to the issuance of a coastal development permit. A coastal development permit was previously approved by the Commission for the same project on the subject site; however, the previously approved permit was never issued since the applicant did not comply with the special conditions and the permit has since expired.

I. STAFF RECOMMENDATION

MOTION: *I move that the Commission approve Coastal Development Permit No. 4-02-114 pursuant to the staff recommendation.*

STAFF RECOMMENDATION OF APPROVAL:

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

RESOLUTION TO APPROVE THE PERMIT:

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

II. Standard Conditions

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. Special Conditions

1. Plans Conforming to Geologic Recommendation

All recommendations contained in the reports prepared by Grover Hollingsworth and Associates, Inc. in relation to the proposed development including Geologic and Soils Engineering Exploration 11/20/98, Addendum Report 3/03/99, and Geotechnical Comments for Proposed Alternative Private Sewage Disposal System 6/22/99 shall be incorporated into all final design and construction including foundations, grading, drainage, and sewage disposal. Final plans must be reviewed and approved by the geologic and geotechnical consultants. Prior to 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 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.

2. Drainage and Polluted Run-Off Control Plans

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

- (a) For design purposes, with case-by-case considerations, post-construction structural BMPs (or suites of BMPs) shall be designed to treat, infiltrate or filter the amount of stormwater runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs, and/or the 85th percentile, 1-hour storm event, with an appropriate safety factor (i.e., 2 or greater), for flow-based BMPs.
- (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.

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

3. Pool Drainage and Monitoring

Prior to issuance of the Coastal Development Permit, the applicant shall submit, for review and approval of the Executive Director, a written plan to mitigate the potential of leakage from the proposed swimming pool. The plan shall at a minimum: 1) provide a separate water meter for the pool to allow monitoring of water levels for the pool, 2) identify the materials, such as plastic linings or specially treated cement, to be used to waterproof the underside of the pool to prevent leakage, and information regarding past success rates of these materials, and 3) identify methods to control pool drainage and

to control infiltration and run-off resulting from pool drainage and maintenance activities. The applicant shall comply with the mitigation plan approved by the Executive Director.

4. Landscaping and Erosion Control Plans

Prior to issuance of the coastal development permit, the applicant shall submit revised landscaping and erosion control plans, prepared by a licensed landscape architect or a qualified resource specialist, for review and approval by the Executive Director. The plans shall identify the species, extent, and location of all plant materials and shall incorporate the following criteria:

A. Landscaping Plan

- (1) All graded & disturbed areas on the subject site shall be planted and maintained for erosion control purposes within (60) days of receipt of the certificate of occupancy for the residence. To minimize the need for irrigation all landscaping shall consist primarily of native/drought resistant plants as listed by the California Native Plant Society, Santa Monica Mountains Chapter, in their document entitled Recommended List of Plants for Landscaping in the Santa Monica Mountains, dated February 5,1996. Invasive, non-indigenous plant species which tend to supplant native species shall not be used. 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 cut and fill slopes 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) Invasive and/or any non-native plants species within and immediately adjacent to the natural drainage course shall be removed and the area restored and revegetated with appropriate native riparian plant species.
- (4) Vertical landscape elements shall be included in the landscape plan that are designed, upon attaining maturity, to screen the residence from the views of the Malibu Equestrian Trail easement located along the south side of Busch Drive opposite the subject property.
- (5) 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.
- (6) 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.

- (7) Vegetation within 50 feet of the proposed house may be removed to mineral earth, vegetation within a 200 foot radius of the main structure may be selectively thinned in order to reduce fire hazard. However, such thinning shall only occur in accordance with an approved long-term fuel modification plan submitted pursuant to this special condition. The fuel modification plan shall include details regarding the types, sizes and location of plant materials to be removed, and how often thinning is to occur. In addition, the applicant shall submit evidence that the 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 fifty 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 roads, disturbed soils and cut and fill slopes with geotextiles and/or mats, sand bag barriers, silt fencing; temporary drains and swales and sediment basins. The plans shall also specify that all disturbed areas shall be seeded with native grass species and include the technical specifications for seeding the disturbed areas. These temporary erosion

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

C. Monitoring

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.

5. Removal of Natural Vegetation

Removal of natural vegetation for the purpose of fuel modification within the 50 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 50-200 foot fuel modification zone shall not occur until commencement of construction of the structure(s) approved pursuant to this permit.

6. Color Restriction

Prior to the issuance of the coastal development permit, the applicant shall submit for the review and approval of the Executive Director, a color palette and material specifications for the outer surface of all structures authorized by the approval of coastal development permit 4-02-114. The palette samples shall be presented in a format not to exceed 8½" X 11" X ½" in size. The palette shall include the colors proposed for the roof, trim, exterior surfaces, driveways, retaining walls, or other structures authorized by this permit. Acceptable colors shall be limited to colors compatible with the surrounding environment (earth tones) including shades of green, brown and gray with no white or light shades and no bright tones. All windows shall be comprised of non-glare glass.

The approved structures shall be colored with only the colors and window materials authorized pursuant to this special condition. Alternative colors or materials for future repainting or resurfacing or new windows may only be applied to the structures authorized by coastal development permit 4-02-114 if such changes are specifically authorized by the Executive Director as complying with this special condition.

Prior to the issuance the coastal development permit, the applicant shall execute and record a deed restriction, in a form and content acceptable to the Executive Director, which reflects the restrictions stated above on the proposed development. The document shall run with the land for the life of the structures approved in this permit, binding all successors and assigns, and shall be recorded free of prior liens and encumbrances that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

7. Future Improvements

This permit is only for the development described in **Coastal Development Permit No. 4-02-114**. Pursuant to Title 14 California Code of Regulations Sections 13250 (b)(6) and 13253 (b)(6), the exemptions otherwise provided in Public Resources Code Section 30610(a) and (b) shall not apply to the entire parcel. Accordingly, any future structures, future improvements, or change of use to the permitted structures, including the detached garage and workshop/storage structure approved under Coastal Development Permit No: **4-02-114**, and any clearing of vegetation or grading, other than as provided for in the approved fuel modification, landscape and erosion control plan prepared pursuant to Special Condition 3, shall require an amendment to **Permit No. 4-02-114** 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 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. Wildfire Waiver of Liability

Prior to the issuance of the coastal development permit, the applicant shall submit a signed document which shall indemnify and hold harmless the California Coastal Commission, its officers, agents and employees against any and all claims, demands, damages, costs, expenses of liability arising out of the acquisition, design, construction,

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.

9. 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 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 applicant is requesting after-the-fact approval to construct a two-story, 6,364 sq. ft. single-family residence, with an attached 4-car garage, 28 ft. in height, a detached 742 sq. ft. garage and two-story 706.5 sq. ft. workshop/storage structure, a new alternative sewage disposal system, gravel motor court and court yard, site retaining walls up to 6 ft. in height, grading of 2,006 cu. yds. (1,003 cu. yds. cut, 1,003 cu. yds. fill), and approximately 250 cu. yds. overexcavation (Exhibits 3, 5-10).

The project site is a 60,088 sq. ft. vacant parcel ~~located north of~~ Busch Drive approximately 3,000 ft. north of where Busch Drive intersects Pacific Coast Highway (Exhibits 1,2). The subject parcel descends toward Busch Drive at a natural gradient of approximately 2:1 and 3:1, however, past grading operations related to previously approved Coastal Development Permits for the site have created 1½:1 cut and fill slopes along the northern portions of the property. The site consists of an overall southerly descending slope which drains sheet flow run-off to a drainage course traversing the entire south and south-west portion of the property (Exhibit 4), which then drains directly to Zuma Canyon.

The County of Los Angeles has required an easement for flood control purposes on the subject property, varying in width along the natural drainage course which traverses the south and south-west portion of the property (Exhibit 4). The City of Malibu has approved a minor modification for the front yard setback of the proposed development at the north property boundary from 65 ft. to 32.5 ft., which will allow the proposed

residence to be constructed on the northern portion of the property outside of the delineated flood hazard area ~~associated with the drainage course.~~

No environmentally sensitive habitat area or sensitive species are known to exist on or adjacent to the project site. Vegetation at the site appears to be routinely disturbed by residential landscaping and fuel modification practices associated with adjacent development. The site is presently vegetated with sparse non-native weeds and grasses on the sloped portion of the property, non-native and invasive grasses and pine trees within the drainage course, and an alignment of Eucalyptus trees along a private driveway and fire lane adjacent to the north and north-west property boundaries.

As mentioned, the project site is located in an area of the City of Malibu moderately developed with several single-family residences. The proposed project will be consistent with the character of surrounding development and will not be visible from Pacific Coast Highway. However, the proposed project will be significantly visible from a 12 ft. trail easement for the Malibu Equestrian Connector Trail that exists along the south-west side of Busch Drive opposite the subject property [reference CDP # 4-94-005 (Korino), Exhibit 11. The Malibu Equestrian Connector Trail easement was originally required by the County of Los Angeles as a result of a Parcel Map approval. The trail runs parallel along the south and west sides of Busch Drive ultimately heading north where Busch Drive dead-ends into the Santa Monica Mountains National Recreation Area.

The subject parcel was created under Coastal Development Permit 5-89-1221 (Malibu Associates). Under CDP 5-89-1221 the Commission approved a subdivision of a 6.4 acre parcel into four separate single family residential lots, of which lot 4 is now the subject property of the proposed project. The permit also included 1,800 cu. yds. of grading (900 cu. yds. cut and 900 cu. yds. fill) to create the existing private driveway, which also serves as a fire lane, located along the north and north-west property boundary. Coastal Development Permit # 5-90-613 (Malibu Associates) was later granted for the ~~construction of a house, 400 sq. ft., 3 1/2 ft high~~ single family residence, with an ~~attached 3-car garage, septic system, and 50 cu. yds. of grading.~~ The project approved under CDP # 5-90-613 was partially constructed, however, the property owner ceased development and the project was never completed. Remnants of the partially constructed residence were apparently demolished in 1997 leaving the subject site vacant. The previously approved Coastal Development Permit # 5-90-613 was never transferred to subsequent owners of the property and the current applicant has submitted a different project proposal than that previously approved.

In addition, the project site and proposed development, which are currently the subject of this permit application, were subject to past Commission action on Coastal Development Permit 4-99-225 (Wells). On February 22, 2000, the Commission approved Coastal Development Permit 4-99-225 (Wells) for the proposed development subject to 7 Special Conditions relative to conformance to geologic recommendations for design and construction, drainage and maintenance, landscaping and erosion control, removal of natural vegetation, color restriction, future development, and wildfire waiver of liability. However, the Special Conditions imposed on Coastal Development Permit 4-

99-225 were never complied with, thus, the coastal permit was not issued and expired on February 22, 2002.

On April 22, 2002, Commission planning staff visited the subject site and confirmed that a significant portion of the construction of the proposed development had been completed even though the approved Coastal Development Permit 4-99-225 had never been issued. On April 24, 2002, staff informed the applicant's representative that implementing construction of the proposed development, prior to issuance of the coastal permit approved for the development, constitutes unpermitted development. Staff further informed the applicant's representative that the approved coastal permit had expired, and requested that the applicant apply for an after-the-fact permit to authorize the unpermitted construction and obtain further approval to finish construction of the proposed development.

B. Geology and Fire Hazard

Geology

The proposed development is located in the 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 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.

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.***

Section 30253 of the Coastal Act mandates that new development shall 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 applicant has submitted a Geologic and Soils Engineering Exploration report dated 11/20/98 and an Addendum report dated 5/03/99 prepared by Grover Hollingsworth and Associates, Inc. which evaluate the geologic stability of the subject site in relation to the proposed development. The consultants have determined that the project site is appropriate for the proposed development. The Geologic and Soils Engineering Exploration report dated 11/20/98 states:

Based upon our exploration, it is our finding that construction of the proposed residence is feasible from a geologic and soils engineering standpoint, provided our advice and recommendations are made a part of the plans and are implemented during construction.

The subject property is considered a suitable site for the proposed development from a geologic and soils engineering standpoint. It is the opinion of the undersigned that the proposed development will be safe against hazards from landslide, settlement or slippage, and that the proposed grading and development will not have an adverse effect on the geologic stability of the property outside the building site provided our recommendations are followed during construction.

The Geologic and Soils Engineering Exploration report dated 11/20/98 and Addendum dated 3/03/99 prepared by Grover Hollingsworth and Associates include several geotechnical and geologic engineering recommendations to be incorporated into project construction, design, and drainage to ensure the stability and geologic safety of the project site. To ensure that the recommendations of the consultants have been incorporated into all proposed development the Commission, as specified in **Special Condition 1**, requires the applicant to submit project plans certified by the consulting geotechnical and geologic 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 Conditions 2 and 4**. Special Condition 2 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 2.

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 4** 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 4 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 and disturbed and graded areas of the site shall be landscaped with appropriate native plant species, as specified in Special Condition 4.

Furthermore, 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 natural vegetation as specified in **Special Condition 5**. This restriction specifies that 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 5 avoids loss of 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.

The Commission notes that the proposed project is conditioned to incorporate the recommendations of the project's consulting geotechnical engineer and to incorporate adequate drainage, erosion control, and landscaping to assure stability of the project site and adjacent properties consistent with Section 30253 of the Coastal Act. However, the Commission also notes that both leakage and drainage of the proposed swimming pool, if not monitored and/or conducted in a controlled manner, may result in excess saturation of the hillside lot, and/or run-off and erosion from the project site potentially causing instability of the site and adjacent properties. Therefore, the Commission imposes **Special Condition 3** on the subject permit, which requires the applicant to submit a written plan which includes measures to minimize the potential of leakage from the pool and specific measures to be implemented during maintenance and drainage of the pool. The plan shall include a separate water meter for the pool which will serve to monitor water levels of the pool and identify leakage. The plan shall also include a description of the materials to be utilized to prevent leakage of the pool shell and shall identify methods to control infiltration and run-off from pool drainage and maintenance activities.

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 applicant assumes the liability from these associated risks. Through **Special Condition 8**, the wildfire waiver of liability, the applicant acknowledges 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 8, the applicant also agrees 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 consultant for construction, design, drainage, erosion control, and landscaping, and inclusion of the wildfire waiver of liability, the proposed project is consistent with Section 30253 of the Coastal Act.

C. VISUAL IMPACTS

Section 30251 of the Coastal Act requires scenic and visual qualities to be considered and protected and states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

The applicant is proposing to construct a two-story, 6,364 sq. ft. single family residence, with attached 4-car garage, 28 ft. in height, a detached 742 sq. ft. garage and two-story 706.5 sq. ft. workshop, new alternative sewage disposal system, gravel motor court and court yard, site retaining walls up to 6 ft. in height, grading of 2,006 cu. yds. (1,003 cu. yds. cut, 1,003 cu. yds. fill), and approximately 250 cu. yds. overexcavation.

The project site is located in an area of the City of Malibu moderately developed with single-family residences. The proposed project will be consistent with the character of surrounding development and will not be visible from Pacific Coast Highway. The proposed project will not exceed 28 ft. in height from existing grade and is designed to step-down with the natural contours of the project site so that it will not block or interfere with any significant view shed. The step-down design of the residence will also eliminate the need for excessive grading and landform alteration. Furthermore, the proposed residence is designed with a majority of proposed retaining walls screened by the residence from public views. Despite these measures to reduce the overall visual impact of the proposed development, however, the proposed project will be significantly visible from a trail easement for the Malibu Equestrian Trail that exists along the south side of Busch Drive opposite the subject property (Exhibit 11). Thus, the Commission finds it necessary to require mitigation measures to minimize visual impacts of the proposed project on public views.

Impacts on public views can be minimized by requiring the residence to be finished in a color consistent with the surrounding natural landscape and, further, requiring that windows of the proposed structure be of a non-reflective glass type. To ensure visual impacts associated with the colors of the structure and the potential glare of the window glass are minimized, the Commission require the applicant to use colors compatible with the surrounding environment and non-glare glass, as detailed by **Special Condition 6**.

Visual impacts associated with proposed grading, and the structure itself, can be further reduced by the use of appropriate and adequate landscaping. **Special Condition 4**, the landscape and fuel modification plan, incorporates the requirement that vertical screening elements be added to the landscape plan to soften views of the proposed residence from the Malibu Equestrian Trail. In addition, Special Condition 4 requires the applicant to prepare a landscape plan relying mostly on native, noninvasive plant species to ensure that the vegetation on site remains visually compatible with the native flora of surrounding areas. Implementation of **Special Condition 4** will partially screen the proposed structures and soften the visual impact of the development from the Malibu Equestrian Trail Connector. To ensure that the final approved landscaping plans are successfully implemented, Special Condition 4 also requires the applicant to revegetate all disturbed areas in a timely manner and includes a monitoring component to ensure the successful establishment of all newly planted and landscaped areas over time.

Finally, regarding future developments or improvements, certain types of development to the property, normally associated with a single-family residence which might otherwise be exempt, have the potential to impact scenic and visual resources in this area. It is necessary to ensure that any future development or improvements normally associated with the entire property, which might otherwise be exempt, is reviewed by the Commission for compliance with the scenic resource policy, Section 30251 of the Coastal Act. **Special Condition 7** the Future Development Deed Restriction, will

ensure that the Commission will have the opportunity to review future projects for compliance with the Coastal Act.

The proposed project, as conditioned, will not result in a significant adverse impact to scenic public views or character of the surrounding area. Therefore the Commission finds that, as conditioned, the proposed development is consistent with section 30251 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:

- (a) 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.

Pursuant to Coastal Act Sections 30250 and 30252 cited above, new development raises issues relative to cumulative impacts on coastal resources. The construction of a second unit on a site where a primary residence exists intensifies the use of the subject parcel. The intensified use creates additional demands on public services, such as water, sewage, electricity, and roads. Thus, second units pose potential cumulative impacts in addition to the impacts otherwise caused by the primary residential development.

Based on the requirements of Coastal Act Section 30250 and 30252, the Commission has limited the development of second units on residential parcels in the Malibu and Santa Monica Mountain areas to a maximum of 750 sq. ft. In addition, the issue of second units on lots with primary residences has been the subject of past Commission action in certifying the Malibu Land Use Plan (LUP). In its review and action on the Malibu LUP, the Commission found that placing an upper limit on the size of second units (750 sq. ft.) was necessary given the traffic and infrastructure constraints which exist in Malibu and given the abundance of existing vacant residential lots. Furthermore, in allowing these small units, the Commission found that the small size of units (750 sq. ft.) and the fact that they are likely to be occupied by one, or at most two people, such units would have less impact on the limited capacity of Pacific Coast Highway and other roads (as well as infrastructure constraints such as water, sewage, and electricity) than an ordinary single family residence. (certified Malibu Santa Monica Mountains Land Use Plan 1986, page 29 and P.C.H. (ACR), 12/83 page V-1 - VI-1). Finally, the Commission has found in past permit decisions that a limit of 750 sq. ft. encourages the units to be used for their intended purpose rather than as second residential units with the attendant intensified demands on coastal resources and community infrastructure.

The second unit issue has also been raised by the Commission 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 forms which in large part consist of: 1) a second unit with kitchen facilities including a granny unit, caretaker's unit, or farm labor unit; and 2) a guesthouse, with or 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. Thus, conditions on coastal development permits and standards within LCP's have been required to limit the size and number of such units to ensure consistency with Chapter 3 policies of the Coastal Act in this area (Certified Malibu Santa Monica Mountains Land Use Plan 1986, page 29).

The applicant is proposing to construct a two-story, 6,364 sq. ft. single family residence, with attached 4-car garage, and a detached 742 sq. ft. garage and two-story 706.5 sq. ft. workshop/storage. Total square footage for the detached garage and two-story workshop/storage is 1,448.5 sq. ft. The two-story 706.5 sq. ft portion of this structure consists of a first floor workshop and bathroom, a second floor storage area, and an internal stairway to connect the two floors. The Commission finds that the 742 sq. ft. garage and 706.5 sq. ft. two-story workshop and storage structure is not proposed as habitable square footage. However, the Commission notes that the 706.5 sq. ft. two-story workshop/storage with bath and internal stairway could easily be converted into a second residential unit.

The Commission has many past precedents on similar project proposals that have established a 750 sq. ft. maximum of habitable square footage for development of detached units which may be considered a secondary dwelling. The Commission finds

that the 706.5 sq. ft. workshop and storage is less than the 750 sq. ft. allowed by the Commission in past permit action. However, the Commission also finds it necessary to ensure that no additions or improvements are made to the detached 706.5 sq. ft. two-story workshop and storage in the future that may enlarge or further intensify the use of this structure without due consideration of the cumulative impacts that may result. Therefore, the Commission finds it necessary to require the applicant to record a future development deed restriction, as specified in **Special Condition 7**, which will require the applicant to obtain an amended or new coastal permit if additions or improvements to the workshop and storage structure are proposed in the future. The Commission further finds that, as conditioned, the proposed project is consistent with Section 30250 and 30252 of the Coastal Act.

E. Water Quality

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

Section 30231 of the Coastal Act states:

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

The project site is an undeveloped hillside parcel located on a descending slope that drains to natural drainage course on the property, which then flows directly to Zuma Canyon. Use of the site for residential purposes will introduce potential sources of pollutants such as petroleum, household cleaners, and pesticides, as well as other accumulated pollutants from rooftops and other impervious surfaces, into run-off from the site which will ultimately drain to coastal streams and to the ocean.

The proposed development will result in an increase in impervious surface at the subject site, which in turn decreases the infiltrative function and capacity of existing permeable land on site. Reduction in permeable space therefore leads to an increase in the volume and velocity of stormwater runoff that can be expected to leave the site. Further, pollutants commonly found in runoff associated with residential use include petroleum hydrocarbons including oil and grease from vehicles; heavy metals; synthetic organic chemicals including paint and household cleaners; soap and dirt from washing

vehicles; dirt and vegetation from yard maintenance; litter; fertilizers, herbicides, and pesticides; and bacteria and pathogens from animal waste. The discharge of these pollutants to coastal waters can cause cumulative impacts such as: eutrophication and anoxic conditions resulting in fish kills and diseases and the alteration of aquatic habitat, including adverse changes to species composition and size; excess nutrients causing algae blooms and sedimentation increasing turbidity which both reduce the penetration of sunlight needed by aquatic vegetation which provide food and cover for aquatic species; disruptions to the reproductive cycle of aquatic species; and acute and sublethal toxicity in marine organisms leading to adverse changes in reproduction and feeding behavior. These impacts reduce the biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes and reduce optimum populations of marine organisms and have adverse impacts on human health.

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

For design purposes, with case-by-case considerations, post-construction structural BMPs (or suites of BMPs) should be designed to treat, infiltrate or filter the amount of stormwater runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs, and/or the 85th percentile, 1-hour storm event, with an appropriate safety factor (i.e., 2 or greater), for flow-based BMPs. 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 2**, and finds this will ensure the proposed development will be designed to minimize adverse impacts to coastal resources, in a manner consistent with the water and marine policies of the Coastal Act.

In addition, the proposed project is conditioned to also implement a pool drainage and monitoring plan to prevent leakage or uncontrolled drainage of the proposed swimming pool such that drainage of pool water does not result in excess run-off and erosion on the subject property to coastal streams and drainages, thereby impacting coastal water quality. The pool drainage and monitoring plan, as detailed in **Special Condition 3**,

requires the applicant to submit a written plan that includes measures to minimize potential water leakage from the pool and specific measures to be implemented during maintenance and drainage of the pool. Special Condition 3 also requires the applicant to install a separate water meter for the pool to monitor water levels and therefore identify water leakage. The plan shall also include a description of the materials to be utilized to prevent leakage of the pool shell and shall identify methods to control infiltration and uncontrolled run-off from pool drainage and maintenance.

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 4** is necessary to ensure the proposed development will not adversely impact water quality or coastal resources.

Finally, the proposed development includes the installation of a new alternate private sewage disposal system. The proposed alternative sewage disposal system passes effluent through a sand filter, which is then discharged in shallow trenches such that the effluent will dissipate through evapotranspiration and percolation. The City of Malibu Environmental Health Specialist 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.

F. Violation

Unpermitted development has been carried out on the subject site without the required coastal development permit. The applicant is proposing to construct a two-story, 6,364 sq. ft. single-family residence, with an attached 4-car garage, 28 ft. in height, a detached 742 sq. ft. garage and two-story 706.5 sq. ft. workshop/storage structure, a new alternative sewage disposal system, gravel motor court and court yard, site retaining walls up to 6 ft. in height, grading of 2,006 cu. yds. (1,003 cu. yds. cut, 1,003 cu. yds. fill), and approximately 250 cu. yds. overexcavation. The majority of all the proposed development has already been completed. The applicant is requesting after-the-fact approval for all the proposed development. To ensure that the matter of unpermitted development is resolved in a timely manner, **Special Condition 9** requires that the applicant satisfy all conditions of this permit which are prerequisite to the issuance of this permit within 120 days of Commission action, or within such additional time as the Executive Director may grant for good cause.

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 permit.

G. 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 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 of Malibu's ability to prepare a Local Coastal Program for the City of Malibu area and Santa Monica Mountains which is also consistent with the policies of Chapter 3 of the Coastal Act as required by Section 30604(a).

H. California Environmental Quality Act

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

PACIFIC

OCEAN

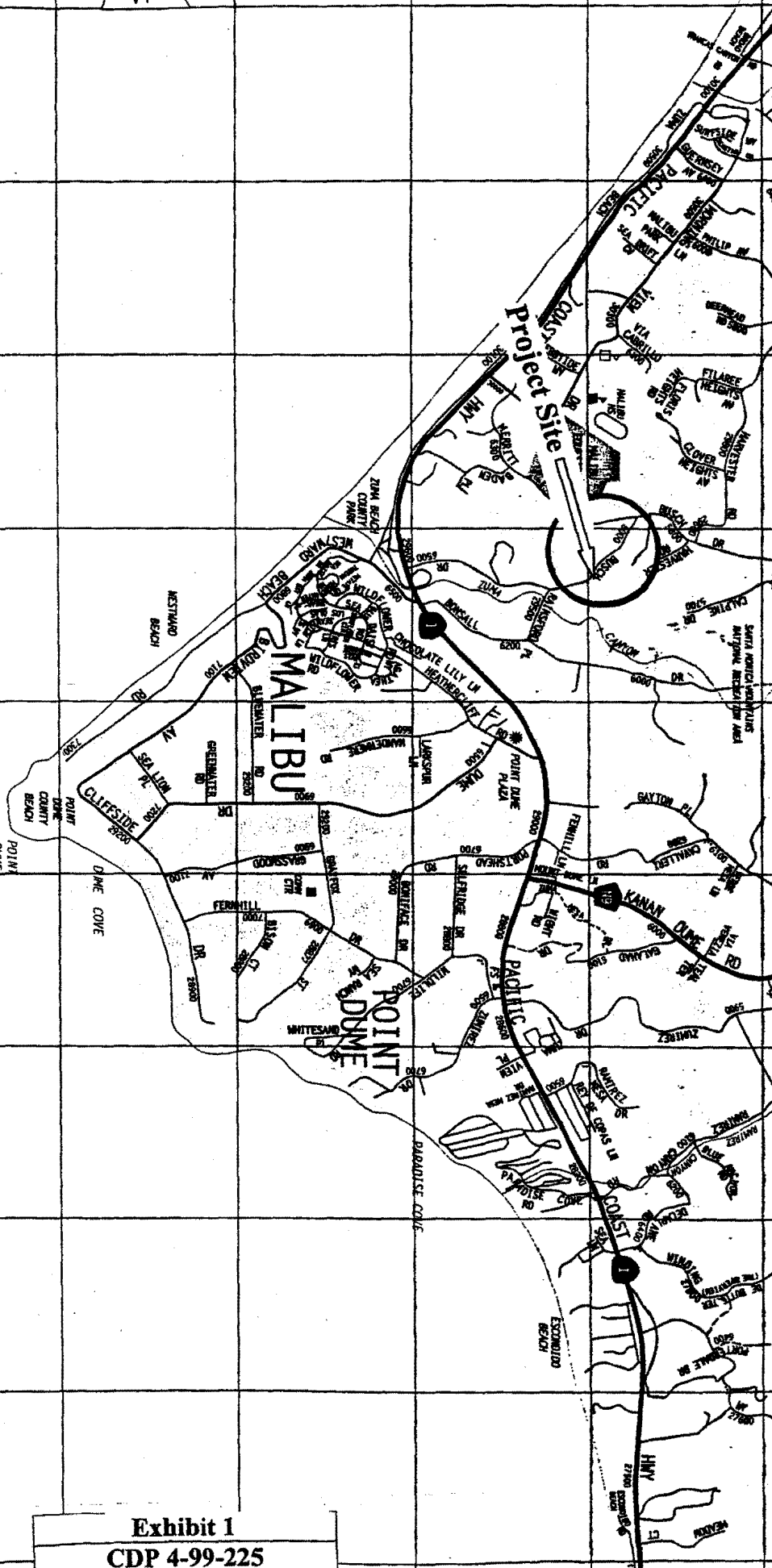


Exhibit 1
CDP 4-99-225

Vicinity Map

4467 28

SCALE 1" = 200'

19062/030031

1994

1 9

32,100.00' P. Area
18,250' P. Area
7,940' P. Area
5,381' P. Area
17,280.00'

86,548' P. Area
1,222' P. Area
2,247' P. Area
78,447'

26,591' P. Area
2,548' P. Area
2,620' P. Area
78,391'

2,824 Ac. 25,620.00' P. Area
8,201' P. Area
8,874' P. Area

MERRITT DR.

26,510' P. Area
6,250' P. Area
2,430' P. Area
1,000' P. Area
18,790'

Project Site

BK. 4469

PARCEL MAP
P.M. 74-65-66

PARCEL MAP
P.M. 70-14

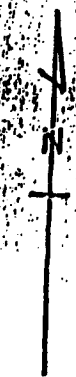
PARCEL MAP
P.M. 37-63

RECORD OF SURVEY
R. S. 56 - 14 - 17

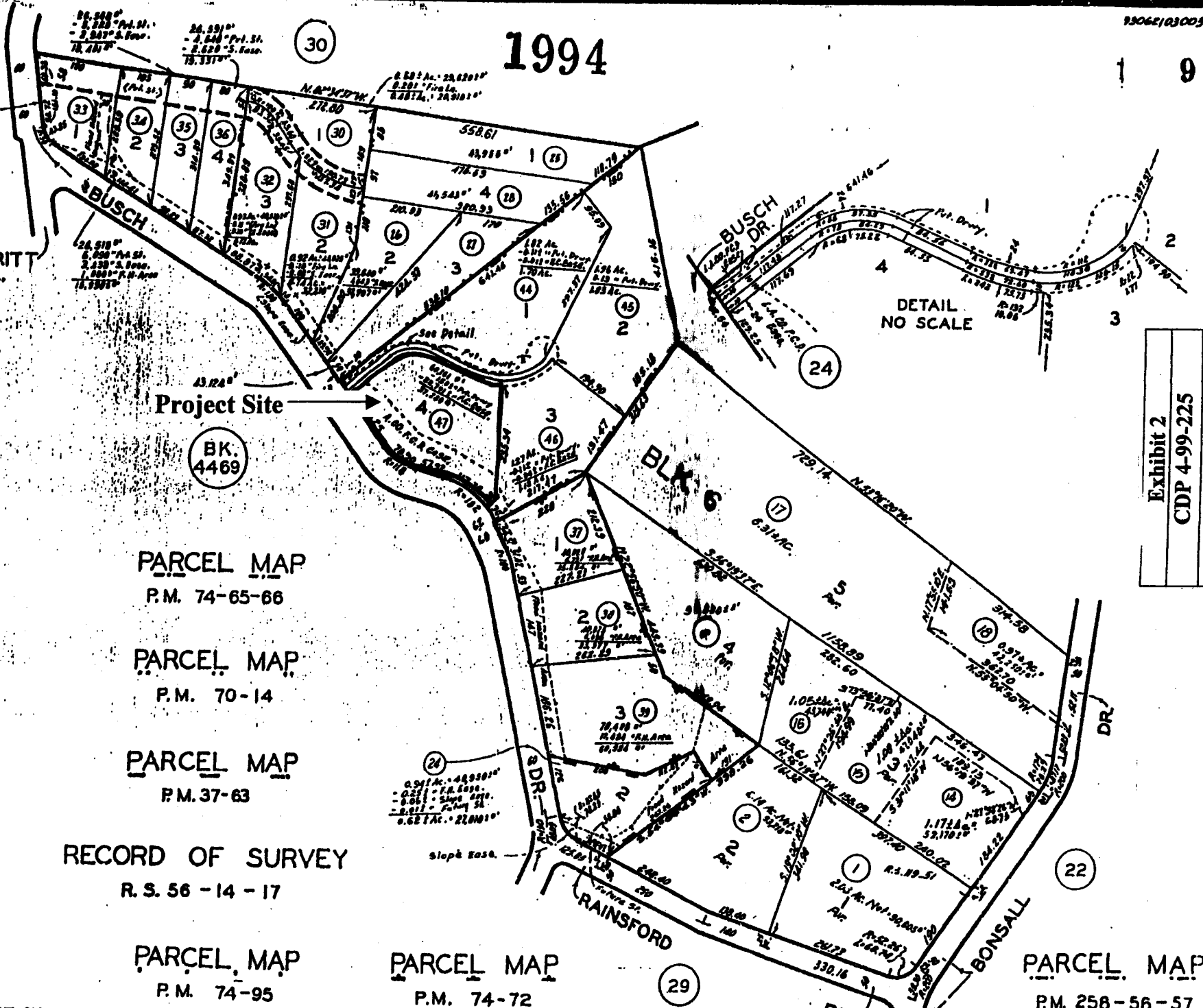
PARCEL MAP
P.M. 74-95

PARCEL MAP
P.M. 74-72

PARCEL MAP
P.M. 258-56-57



CODE 10853

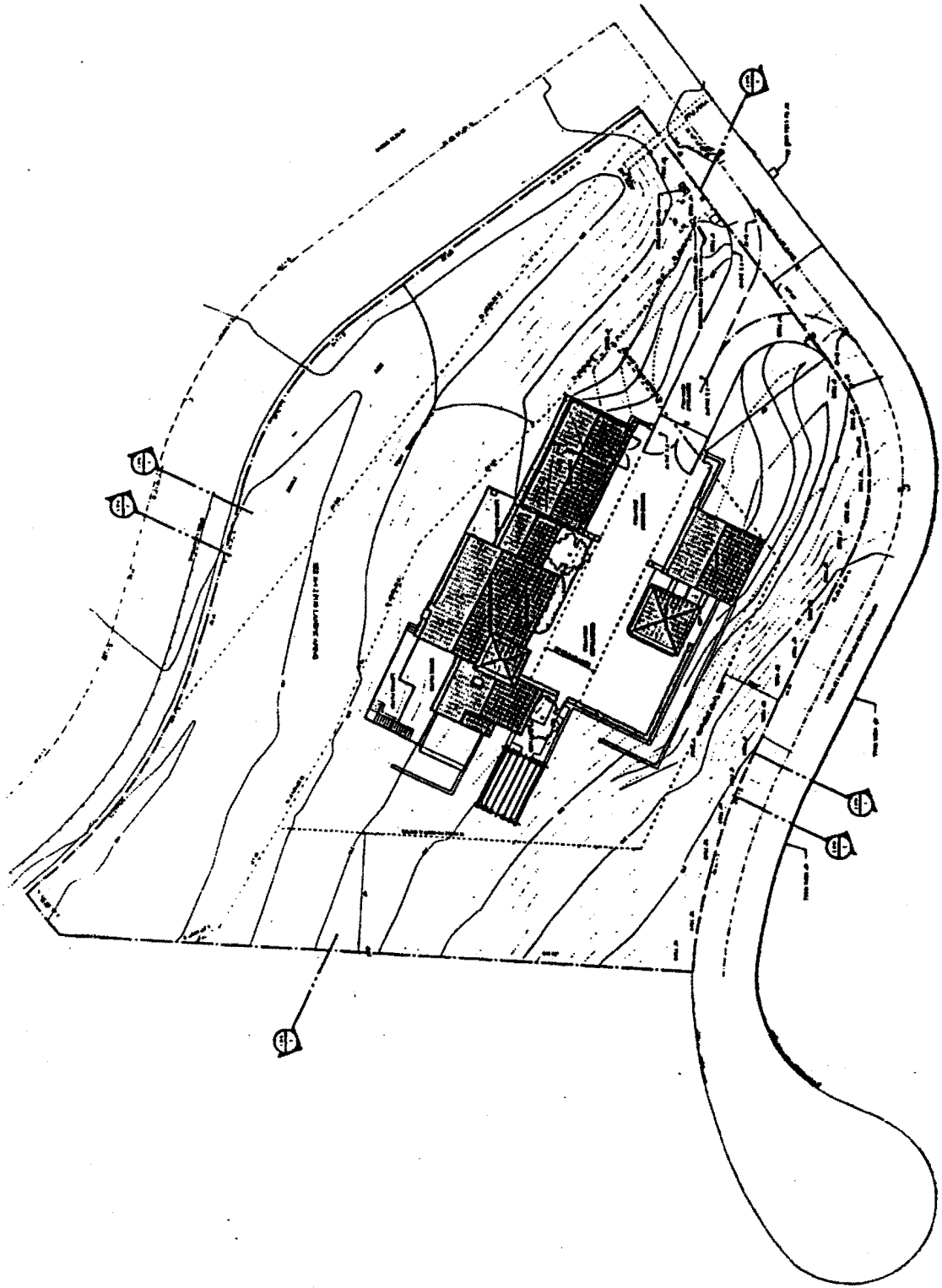


DETAIL
NO SCALE

Exhibit 2
CDP 4-99-225
Parcel Map

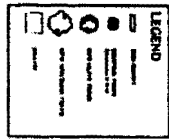
SHEEPAN
COURT

1



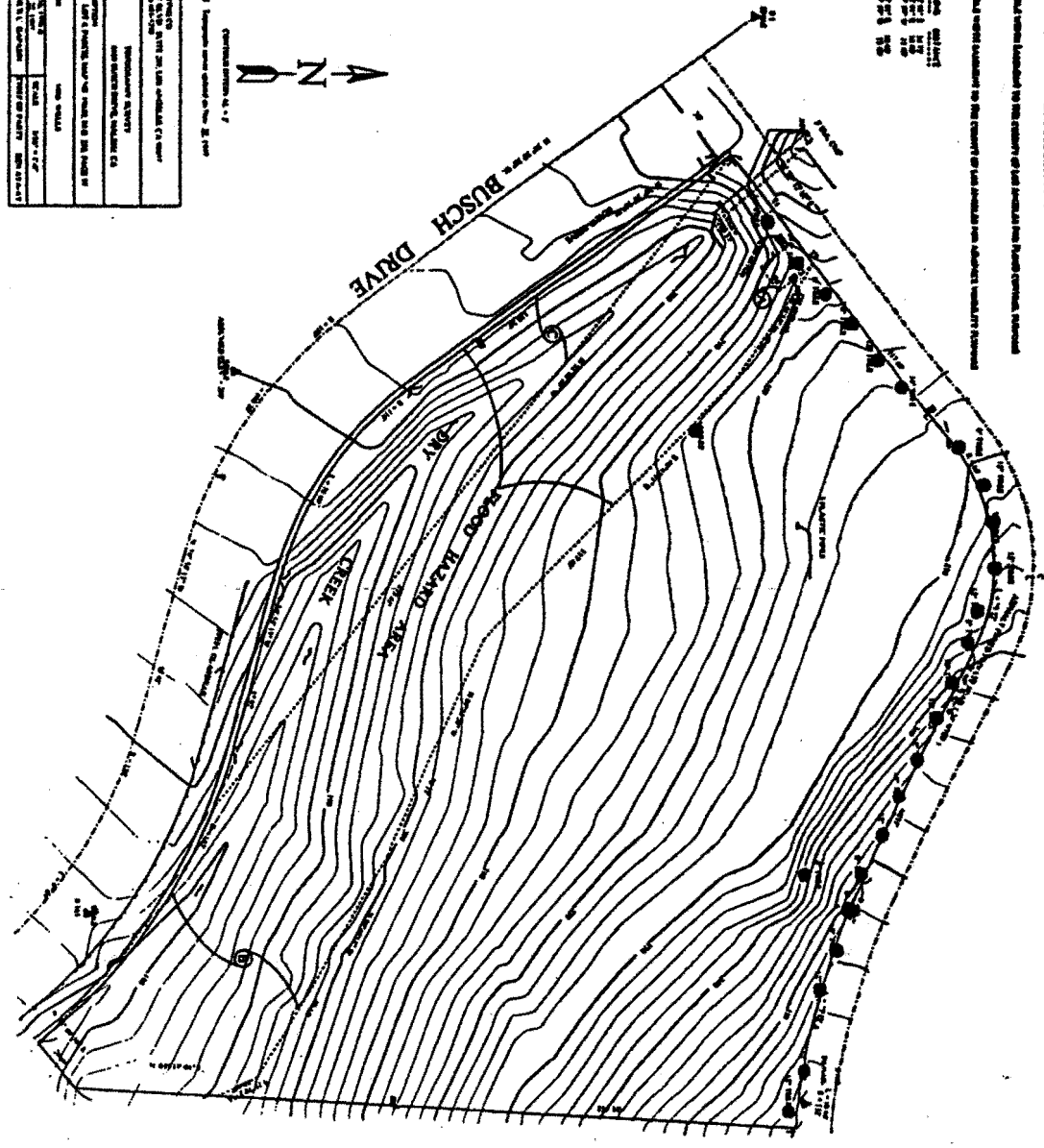
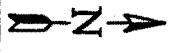
NOTES:

1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODE AND ALL APPLICABLE ORDINANCES.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.
4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
5. THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND STRUCTURES TO REMAIN.
6. THE CONTRACTOR SHALL MAINTAIN THE EXISTING LANDSCAPE AND PLANTINGS TO REMAIN.
7. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND RESTORATION OF ALL ADJACENT PROPERTIES.
8. THE CONTRACTOR SHALL MAINTAIN THE EXISTING DRIVEWAY AND PAVEMENT TO REMAIN.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND RESTORATION OF ALL ADJACENT PROPERTIES.
10. THE CONTRACTOR SHALL MAINTAIN THE EXISTING LANDSCAPE AND PLANTINGS TO REMAIN.



- ① Indicate that the flood hazard area is based on the 100-year flood plain and the 500-year flood plain.
- ② Indicate that the flood hazard area is based on the 100-year flood plain and the 500-year flood plain.
- ③ Indicate that the flood hazard area is based on the 100-year flood plain and the 500-year flood plain.

DATE	1998	BY	APP
PROJECT	WELLS RESIDENCE		
CLIENT	WELLS RESIDENCE		
LOCATION	6122 BUSCH DRIVE, MALIBU, CA		
SCALE	AS SHOWN		
PROJECT NO.	499-225		
DATE	1998		
BY	APP		
PROJECT NO.	499-225		



SURVEY

MAIN LEVEL FLOOR PLAN

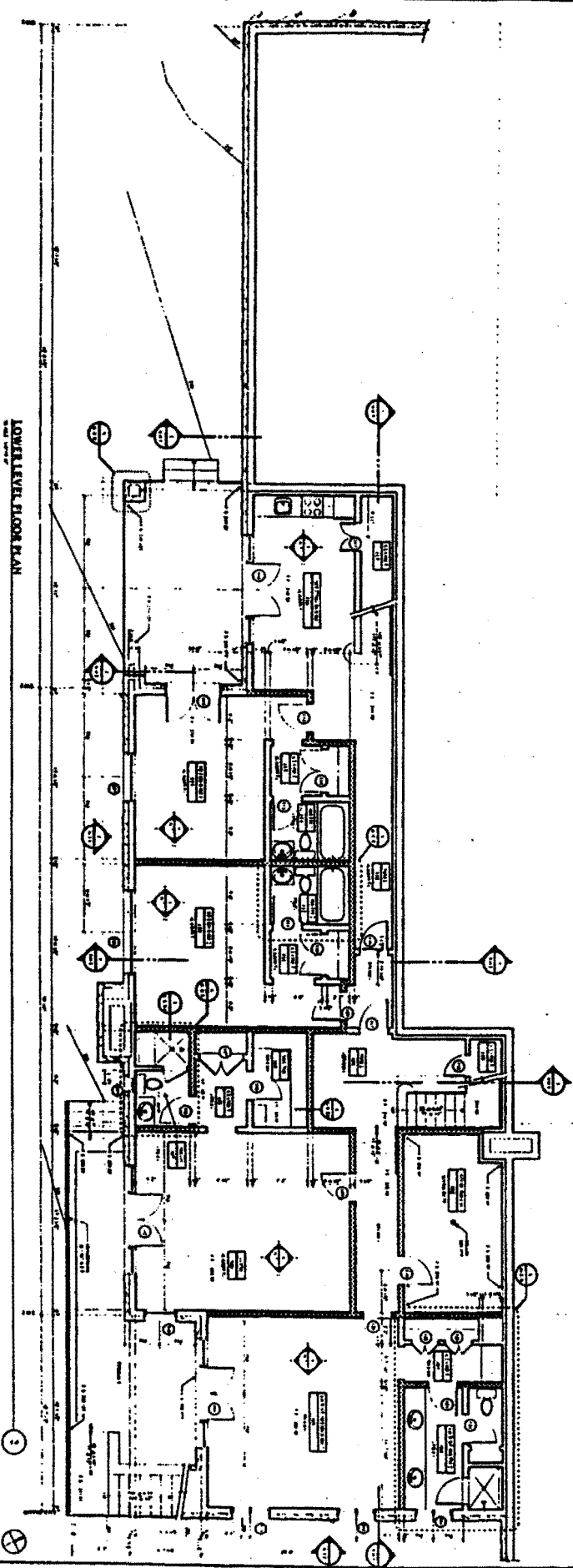
NOTE:
SEE DRAWING
NUMBER WITH WALLS

NOTE:
SEE DRAWING
NUMBER WITH WALLS

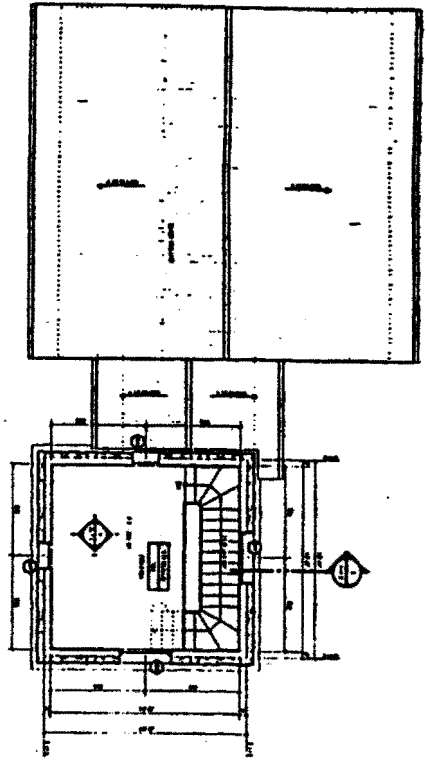
LEGEND	
[Symbol]	WALL
[Symbol]	DOOR
[Symbol]	WINDOW
[Symbol]	STAIR
[Symbol]	ELEVATOR
[Symbol]	PLUMBING
[Symbol]	ELECTRICAL
[Symbol]	MECHANICAL
[Symbol]	FINISH

A-2.1	Wells Residence 6122 Busch Drive Malibu, California	Exhibit 5 CDP 4-99-225	Appleton & Associates, INC ARCHITECTS
	First Floor Plan		
	<small>1770 47th Street San Diego, CA 92161 314-626-0210 FAX 314-626-0211</small>		

LOWER LEVEL FLOOR PLAN



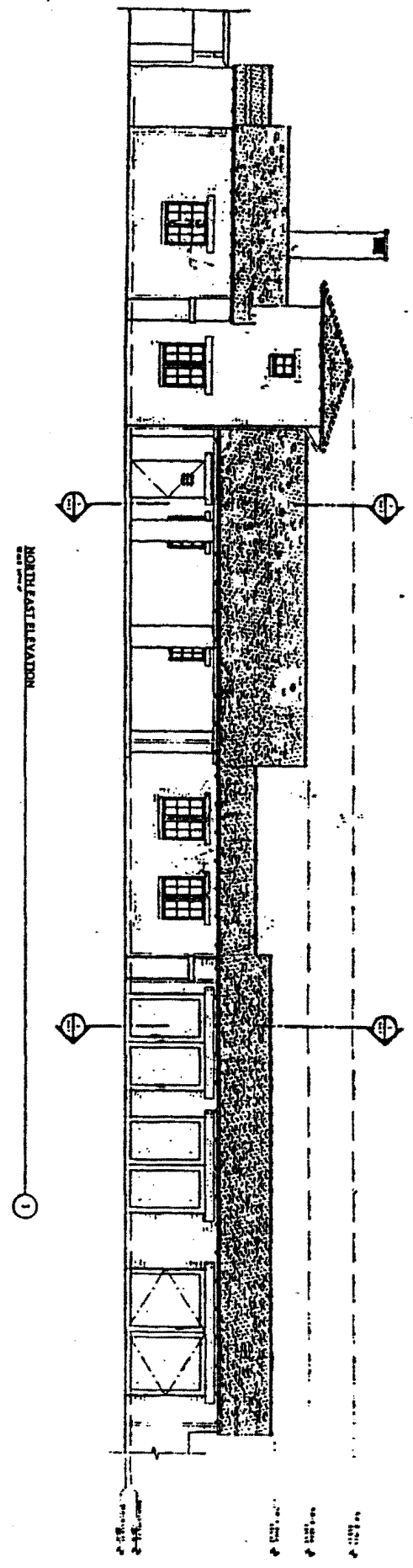
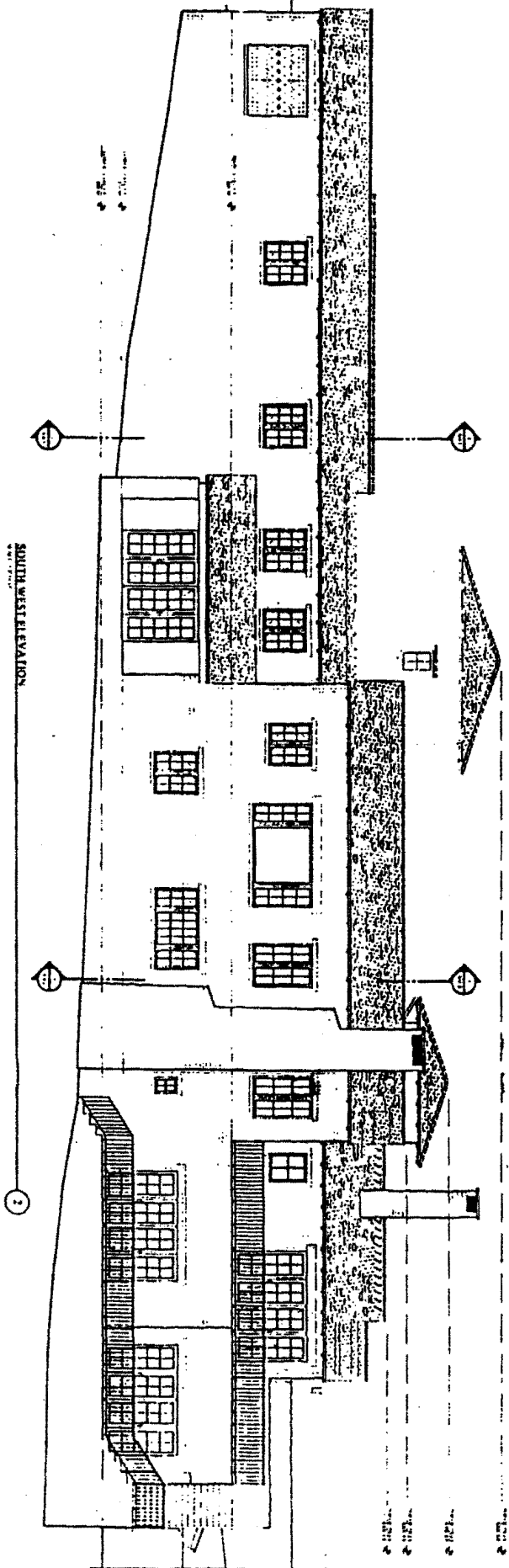
UPPER LEVEL FLOOR PLAN



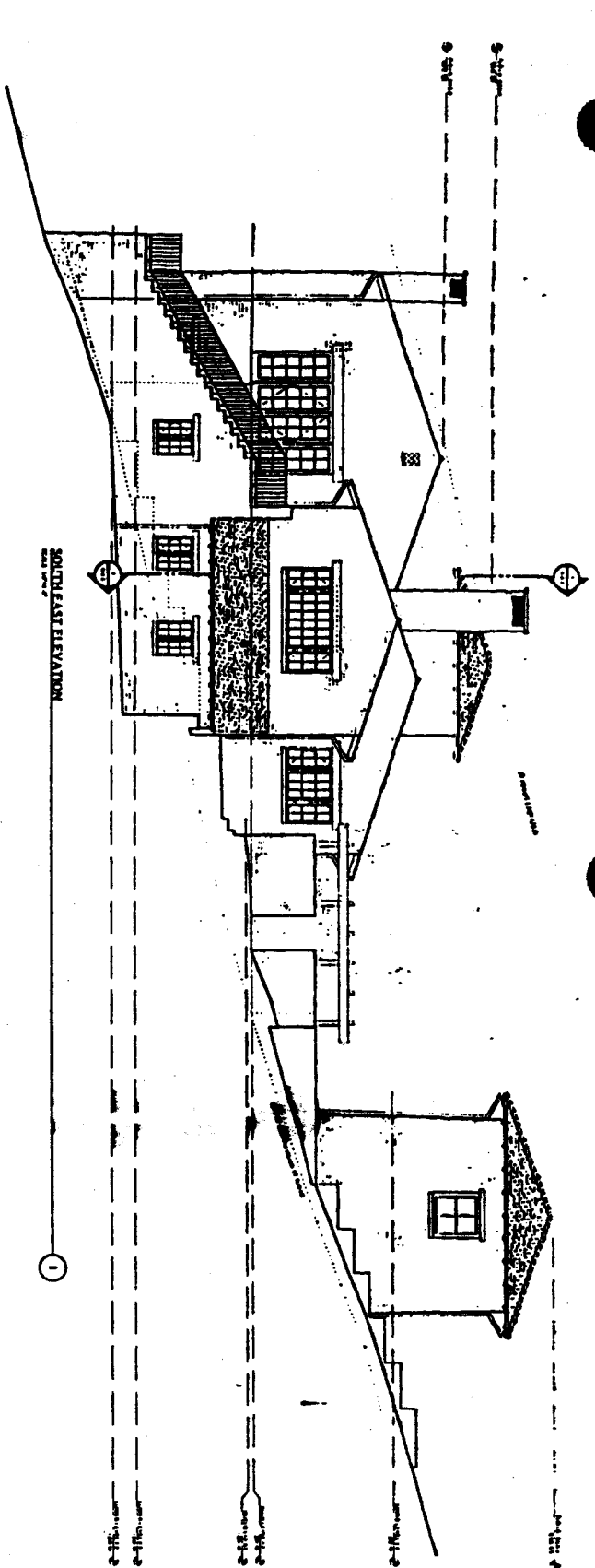
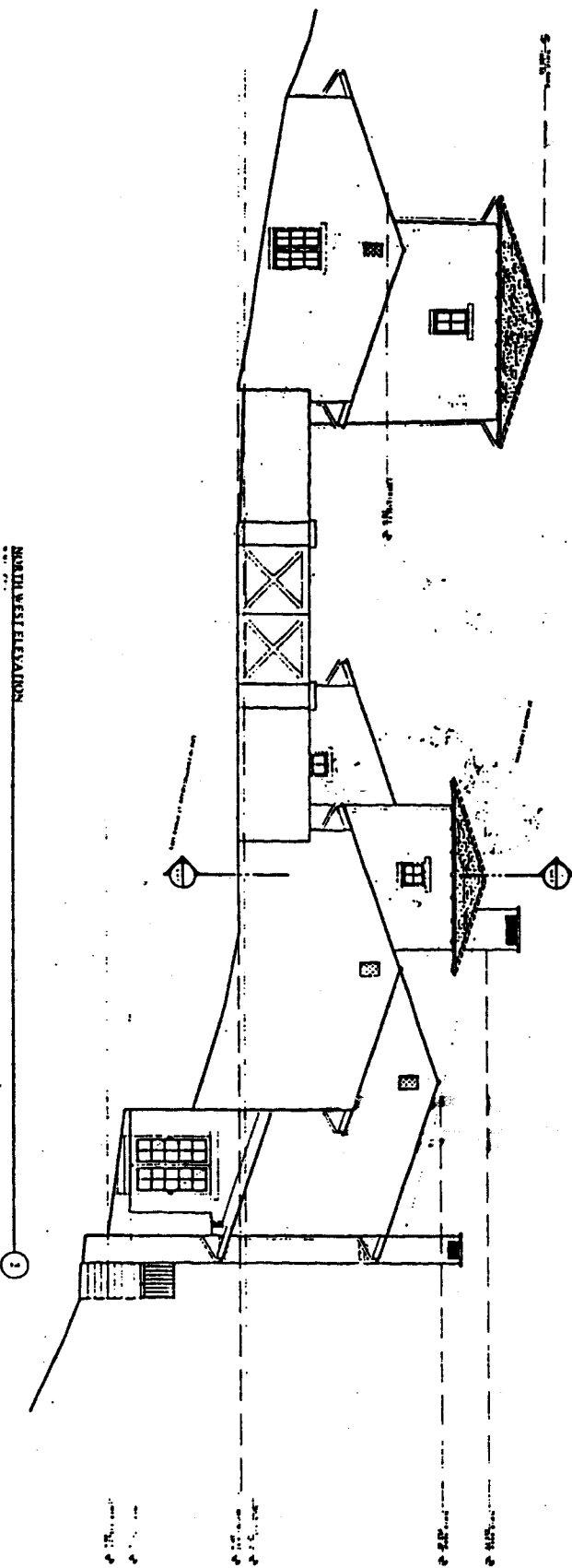
LEGEND

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

A-22	Wells Residence 6122 Busch Drive Malibu, California	Exhibit 6 CDP 4-99-225	Appleton & ASSOCIATES, INC ARCHITECTS
	Second Floor Plan		
	<small>1100 N. 7th Street, Suite 1000, San Jose, CA 95128 TEL: 408/281-1100 FAX: 408/281-1101</small>		



A-3.1	Wells Residence 6122 Busch Drive Malibu, California	Exhibit 7	Appleton & ASSOCIATES, INC ARCHITECTS <small>1790 47th Street Santa Monica, CA 90404 310 450-0000 FAX 310 450-0000</small>
		CDP 4-99-225	
		Elevations	



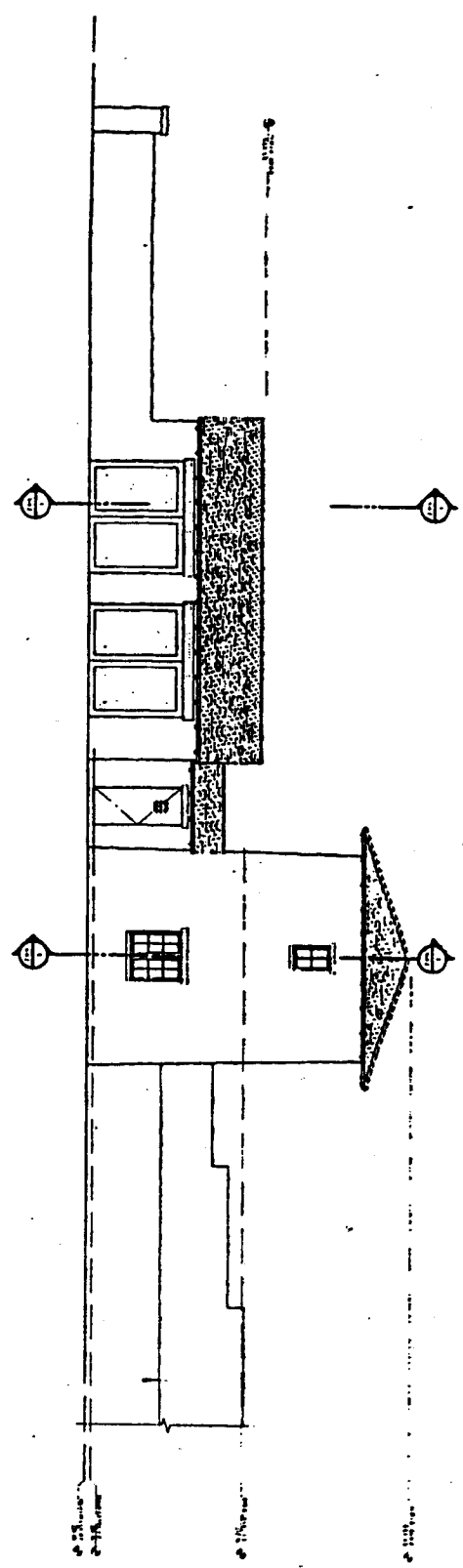
A-32	DATE	BY	CHK	APP

Wells Residence
 6122 Husch Drive
 Malibu, California

Exhibit 8
CDP 4-99-225
Elevations

Appleton & Associates, INC
ARCHITECTS
 11740 S. Taft Street
 90246-0000 FAX 310-550-0011

DATE: 01/14/00



DETACHED GARAGE/WORKSHOP SOUTH WEST ELEVATION

A-33

DATE	BY	REVISION

Wells Residence
6122 Busch Drive
Malibu, California

Exhibit 9
CDP 4-99-225

**Detached
Garage/Workshop
Elevation**

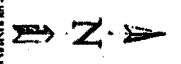
Appleton & ASSOCIATES, INC
ARCHITECTS

1710 17th Street Santa Monica, CA 90404
310 306 0000 FAX 310 306 0001

1-800-000-0000

- 1) 10000 1:1 Scale, Vertical, of 1/4" & 1/4" Contour Interval and 1/4" Scale
- 2) 10000 1:1 Scale, Horizontal, of 1/4" & 1/4" Contour Interval and 1/4" Scale
- 3) 10000 1:1 Scale, Vertical, of 1/4" & 1/4" Contour Interval and 1/4" Scale

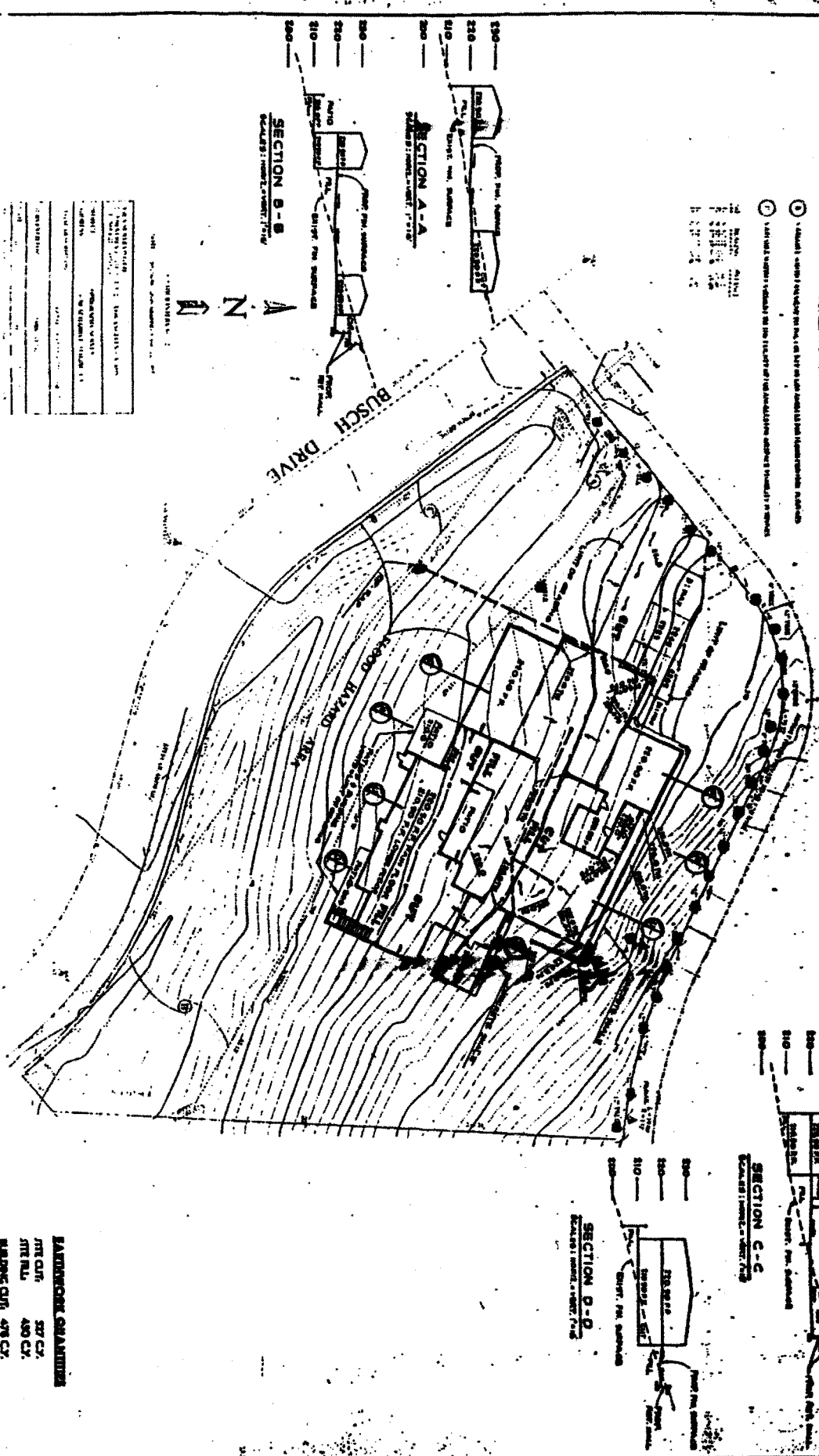
DATE: 1/11/00	PROJECT: 6122 BUSCH DRIVE
DRAWN BY: J. H. HARRISON	CHECKED BY: J. H. HARRISON
SCALE: AS SHOWN	TITLE: GRADING PLAN
DATE: 1/11/00	PROJECT: 6122 BUSCH DRIVE
DRAWN BY: J. H. HARRISON	CHECKED BY: J. H. HARRISON
SCALE: AS SHOWN	TITLE: GRADING PLAN



SECTION A-A
ELEVATION: 10000

SECTION B-B
ELEVATION: 10000

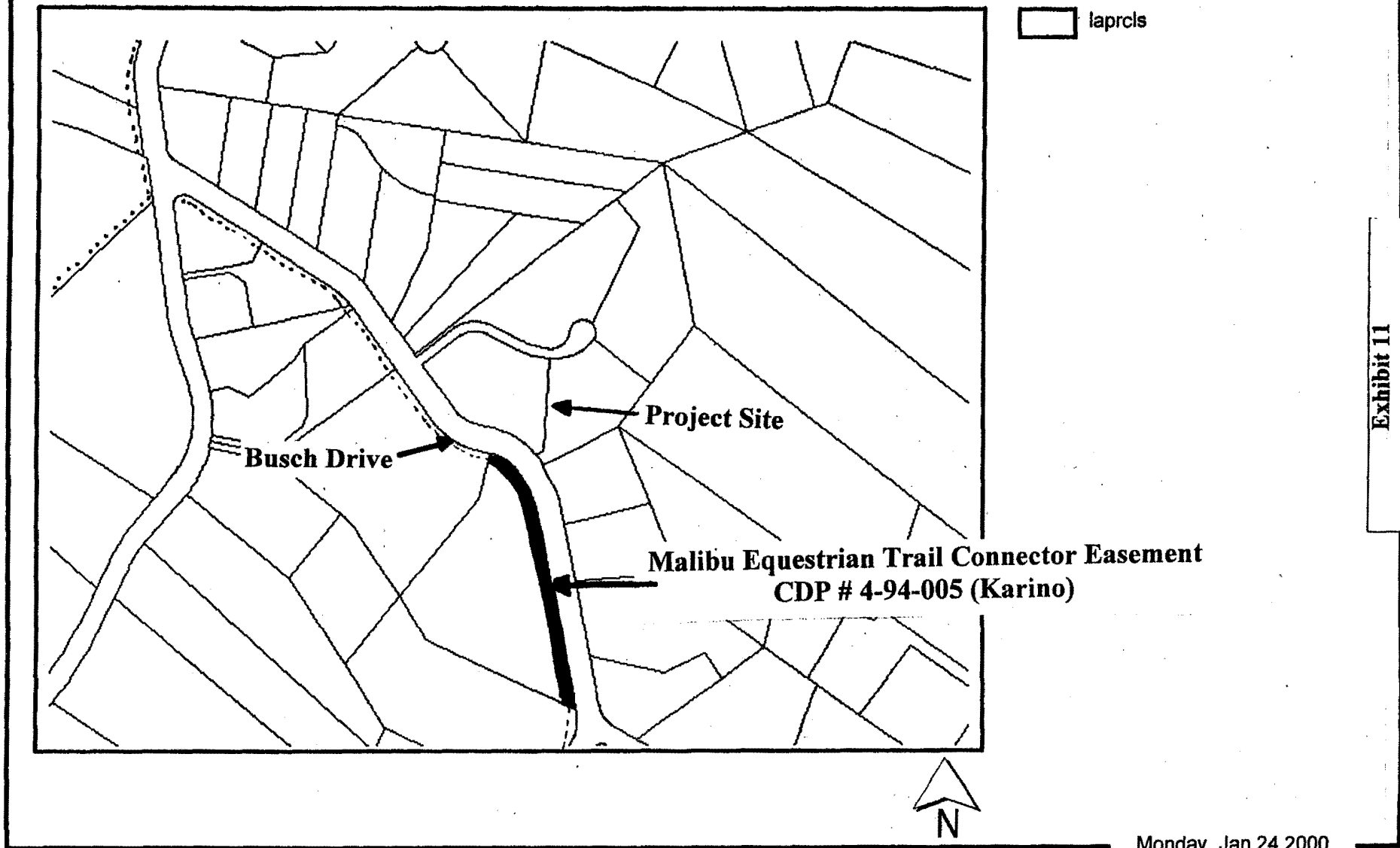
SECTION C-C
ELEVATION: 10000



1

HARRISON ENGINEERS
 5770 W. 13TH ST.
 RICHMOND, CA 94804
 415-885-1000

Malibu Equestrian Trail Easement



laprcls

Busch Drive

Project Site

Malibu Equestrian Trail Connector Easement
CDP # 4-94-005 (Karino)



Monday, Jan 24 2000

Exhibit 11

CDP 4-99-225

Malibu Equestrian Trail

19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100

