

CALIFORNIA COASTAL COMMISSION

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Item Th14a

STAFF REPORT: REGULAR CALENDAR

APPLICATION NO.: 4-09-029
APPLICANT: Vicki Rhodes-Dyson
AGENT: Colby Mayes, Inc.
PROJECT LOCATION: 4129 S. Maguire Drive, (Malibu Vista Small Lot Subdivision) Malibu, Santa Monica Mountains

PROJECT DESCRIPTION: Remodel of an existing 2,455 sq. ft. single family residence to construct two exterior stairways, add a new unenclosed lower-level deck, remodel the structure's interior, add a new roof, and add a new septic system and leach field. The applicant also proposes after-the-fact approval of the driveway and garage configuration, and exterior deck. Additionally, the applicant is proposing to reduce the habitable square footage of the structure from 2,455 sq. ft. to conform to the 2,000 sq. ft. gross structural area limit previously established in CDP 5-90-480.

MOTION & RESOLUTION: Page 3

SUMMARY OF STAFF RECOMMENDATION: Staff recommends **approval** of the proposed development with conditions.

The standard of review for the proposed project is the Chapter Three policies of the Coastal Act. In addition, the policies of the certified Malibu – Santa Monica Mountains Land Use Plan (LUP) serve as guidance. Following is a summary of the main issues raised by the project and how they are resolved by staff's recommendation:

- **CUMULATIVE IMPACTS.** The project site is located within a small-lot subdivision, and the proposed renovations to the existing residence will conform to the maximum gross structural area allowed for the parcel, thereby minimizing cumulative impacts to coastal resources.
 - **OAK TREE PROTECTION.** The project does not include the encroachment of development within the protected zone of oak tree(s). However, given that the new septic system will be located in the back yard and work will occur near the oak trees on site, protective barrier fencing is required to ensure that no impacts to oak trees occur.
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EXHIBITS

- Exhibit 1. Vicinity Map
 - Exhibit 2. Parcel Map
 - Exhibit 3. Existing Site Plan
 - Exhibit 4. Proposed Site Plan
 - Exhibit 5. Proposed First Floor Plan
 - Exhibit 6. Proposed Second Floor Plan
 - Exhibit 7. Proposed New Deck
 - Exhibit 8. Cross Section Showing Open Decks
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LOCAL APPROVALS RECEIVED: County of Los Angeles Department of Regional Planning, Approval in Concept, dated 10/8/2008; County of Los Angeles Environmental Health Services, Sewage Disposal System Conceptual Approval, dated 4/14/2009.

SUBSTANTIVE FILE DOCUMENTS: Certified Malibu/Santa Monica Mountains Land Use Plan; "Limited Geologic & Soils Engineering Investigation" prepared by Subsurface Designs Inc., dated May 11, 2007; Oak Tree Report prepared by Tree Life Concern, Inc., dated December 12, 2007; Percolation Test Report prepared by Lawrence Young, Environmental Health Specialist, dated May 1, 2008; Coastal Development Permit No. 5-90-480.

I. STAFF RECOMMENDATION

The staff recommends that the Commission adopt the following resolution:

MOTION: *I move that the Commission approve Coastal Development Permit No. 4-09-029 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 Geotechnical Engineer's Recommendations

By acceptance of this permit, the applicant agrees to comply with the recommendations contained in all of the geology, geotechnical, and/or soils reports referenced as Substantive File Documents. These recommendations, including recommendations concerning foundations, sewage disposal, and drainage, shall be incorporated into all final design and construction plans, which must be reviewed and approved by the consultant prior to commencement of development.

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 amendment(s) to the permit(s) or new Coastal Development Permit(s).

2. Assumption of Risk, Waiver of Liability and Indemnity

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

3. Drainage and Polluted Runoff Control Plan

A. ***Prior to issuance of the Coastal Development Permit***, the applicant shall submit for the review and approval of the Executive Director, two (2) copies of a final Drainage

and Runoff Control Plan, including supporting calculations. The plan shall be prepared by a licensed civil engineer or qualified licensed professional and shall incorporate Best Management Practices (BMPs) including site design and source control measures designed to control pollutants and minimize the volume and velocity of stormwater and dry weather runoff leaving the developed site. In addition to the specifications above, the consulting civil engineer or qualified licensed professional shall certify in writing that the final Drainage and Runoff Control Plan is in substantial conformance with the following minimum requirements:

- (1) BMPs should consist of site design elements and/or landscape based features or systems that serve to maintain site permeability, avoid directly connected impervious area and/or retain, infiltrate, or filter runoff from rooftops, driveways and other hardscape areas on site, where feasible. Examples of such features include but are not limited to porous pavement, pavers, rain gardens, vegetated swales, infiltration trenches, cisterns.
- (2) Landscaping materials shall consist primarily of native or other low-maintenance plant selections which have low water and chemical treatment demands. An efficient irrigation system designed based on hydrozones and utilizing drip emitters or micro-sprays or other efficient design should be utilized for any landscaping requiring water application.
- (3) All slopes should be stabilized in accordance with provisions contained in the Landscaping and/or Erosion and Sediment Control Conditions for this Coastal Development Permit.
- (4) Runoff shall be conveyed off site in a non-erosive manner. Energy dissipating measures shall be installed at the terminus of outflow drains.
- (5) For projects located on a hillside, slope, or which may otherwise be prone to instability, final drainage plans should be approved by the project consulting geotechnical engineer.
- (6) 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.

B. The final Drainage and Runoff Control Plan shall be in conformance with the site/development plans approved by the Coastal Commission. Any changes to the Coastal Commission approved site/development plans required by the consulting civil engineer, or qualified licensed professional, or engineering geologist shall be reported to the Executive Director. No changes to the Coastal Commission approved final site/development plans shall occur without an amendment to the coastal development permit, unless the Executive Director determines that no amendment is required.

4. Interim Erosion Control Plans and Construction Responsibilities

A. ***Prior to the issuance of the Coastal Development Permit***, the applicant shall submit to the Executive Director an Interim Erosion Control and Construction Best Management Practices plan, prepared by licensed civil engineer or qualified water quality professional. The consulting civil engineer/water quality professional shall certify in writing that the Interim Erosion Control and Construction Best Management Practices (BMPs) plan is in conformance with the following requirements:

1. Erosion Control Plan

- (a) 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 plan and on-site with fencing or survey flags.
- (b) Include a narrative report describing all temporary run-off and erosion control measures to be used during construction.
- (c) The plan shall identify and delineate on a site or grading plan the locations of all temporary erosion control measures.
- (d) 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.
- (e) The 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.
- (f) 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.

2. Construction Best Management Practices

- (a) No demolition or construction materials, debris, or waste shall be placed or stored where it may enter sensitive habitat, receiving waters or a storm drain, or be subject to wave, wind, rain, or tidal erosion and dispersion.
- (b) No demolition or construction equipment, materials, or activity shall be placed in or occur in any location that would result in impacts to environmentally sensitive habitat areas, streams, wetlands or their buffers.
- (c) Any and all debris resulting from demolition or construction activities shall be removed from the project site within 24 hours of completion of the project.
- (d) Demolition or construction debris and sediment shall be removed from work areas each day that demolition or construction occurs to prevent the accumulation of sediment and other debris that may be discharged into coastal waters.
- (e) All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day.
- (f) The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction.
- (g) Debris shall be disposed of at a legal disposal site or recycled at a recycling facility. If the disposal site is located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place unless the Executive Director determines that no amendment or new permit is legally required.
- (h) All stock piles and construction materials shall be covered, enclosed on all sides, shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil.
- (i) Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems.
- (j) The discharge of any hazardous materials into any receiving waters shall be prohibited.
- (k) Spill prevention and control measures shall be implemented to ensure the proper handling and storage of petroleum products and other construction materials. Measures shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The area shall be located as far away from the receiving waters and storm drain inlets as possible.
- (l) Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of demolition or construction-related materials, and to contain sediment or contaminants associated with demolition or construction activity, shall be implemented prior to the on-set of such activity
- (m) All BMPs shall be maintained in a functional condition throughout the duration of construction activity.

B. The final Interim Erosion Control and Construction Best Management Practices plan, shall be in conformance with the site/ development plans approved by the Coastal Commission. Any changes to the Coastal Commission approved site/development plans required by the consulting civil engineer/water quality professional shall be reported to the Executive Director. No changes to the Coastal Commission approved final site/development plans shall occur without an amendment to the coastal development permit, unless the Executive Director determines that no amendment is required.

5. Future Development Restriction

This permit is only for the development described in this Coastal Development Permit. Pursuant to Title 14 California Code of Regulations section 13250(b)(6), the exemptions otherwise provided in Public Resources Code section 30610(a) shall not apply to the development governed by this Coastal Development Permit. Accordingly, any future structures, future improvements, or change of use to the permitted structures authorized by this permit, including but not limited to, any grading, clearing, other disturbance of vegetation, or enclosure of decks (to increase habitable square footage exceeding the 2,000 sq. ft. GSA) shall require an amendment to this Coastal Development Permit from the Commission or shall require an additional Coastal Development Permit from the Commission or from the applicable certified local government.

6. Structural Appearance

Prior to 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 this Coastal Development Permit. 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 roofs, trims, exterior surfaces, and 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 this Coastal Development Permit if such changes are specifically authorized by the Executive Director as complying with this special condition.

7. Lighting Restriction

A. The only outdoor night lighting allowed on the subject parcel is limited to 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 above finished grade, are directed downward and generate the same or less lumens equivalent to those generated by a 60 watt incandescent bulb, unless a greater number of lumens is authorized by the Executive Director.

- (2) Security lighting attached to the residence and garage shall be controlled by motion detectors and is limited to same or less lumens equivalent to those generated by a 60-watt incandescent bulb.
 - (3) The minimum necessary to light the entry area to the driveway with the same or less lumens equivalent to those generated by a 60-watt incandescent bulb.
- B. No lighting around the perimeter of the site and no lighting for aesthetic purposes is allowed.

8. Removal of Excavated Material

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

9. Oak Tree Protection

To ensure that the oak trees on subject site are protected during construction activities, temporary protective barrier fencing shall be installed around the protected zones (5 feet beyond drip line or 15 feet from the trunk, whichever is greater) of all oak trees closest to the residence and the septic tank/line construction area and retained during all construction operations.

10. Site Inspection

- A. By acceptance of this permit, the applicant irrevocably authorizes, on behalf of the applicant and all successors-in-interest with respect to the subject property, Coastal Commission staff and its designated agents to enter onto the property to undertake site inspections for the purpose of monitoring compliance with the permit, including the special conditions set forth herein, and to document their findings (including, but not limited to, by taking notes, photographs, or video), subject to Commission staff providing 24 hours advanced notice to the contact person indicated pursuant to paragraph B prior to entering the property, unless there is an imminent threat to coastal resources, in which case such notice is not required. If two attempts to reach the contact person by telephone are unsuccessful, the requirement to provide 24 hour notice can be satisfied by voicemail, email, or facsimile sent 24 hours in advance or by a letter mailed three business days prior to the inspection. Consistent with this authorization, the applicant and his successors: (1) shall not interfere with

such inspection/monitoring activities and (2) shall provide any documents requested by the Commission staff or its designated agents that are relevant to the determination of compliance with the terms of this permit.

- B. ***Prior to issuance of the Coastal Development Permit***, the applicant shall submit to Commission staff the email address and fax number, if available, and the address and phone number of a contact person authorized to receive the Commission's notice of the site inspections allowed by this special condition. The applicant is responsible for updating this contact information, and the Commission is entitled to rely on the last contact information provided to it by the applicant.

11. Deed Restriction

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

IV. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

A. PROJECT DESCRIPTION AND BACKGROUND

The applicant proposes to remodel an existing 2,455 sq. ft. single-family residence at 4129 S. Maguire Drive in the Malibu Vista Small Lot Subdivision in the Santa Monica Mountains, Unincorporated Los Angeles County. The applicant proposes to construct two exterior stairways, add a new approximately 1,000 sq. ft. unenclosed deck (open on three sides with no doors or windows) on the lower-level west facing side of the residence, remodel the structure's interior, add a new roof, and add a new septic system and leach field. The applicant also proposes after-the-fact approval of the driveway and garage configuration, as well as an exterior deck, which were not built in exact conformance with a previously approved CDP, explained below. Additionally, the applicant is proposing to reduce the habitable square footage of the structure from 2,455 sq. ft. to conform to the gross structural area limit of 2,000 sq. ft. by converting a

portion of the north side of the residence to create unenclosed deck area (with roof but no windows or doors). (Exhibits 1-7)

In 1990, the Commission approved Coastal Development Permit (CDP) No. 5-90-480 for construction of a new 2,000 sq. ft. single-family residence. Conditions of approval consisted of conformance with geologic reports, revised plans, and a future improvements deed restriction. The as-built residence was not built in compliance with plans for the single-family residence approved pursuant to Coastal Development Permit No. 5-90-480 in several respects. The as-built residence has a slightly different driveway and garage entry configuration than the CCC approved plans. (Exhibit 3) Additionally, the north side of the building was constructed partially encroaching into the side yard setback. The as-built residence was not constructed with a pedestrian entry bridge from Maguire Drive to the residence, as depicted on the Commission approved plans. A new entry was created instead at the front of the residence. An exterior deck, not shown on the Commission approved plans, was constructed between the garage and the kitchen. Further, the residence exceeds the previously approved floor area limit by approximately 455 sq. ft.

The applicant proposes after-the-fact approval of some portions of the residence as they are currently constructed, including the garage and driveway location and the as-built deck between the garage and kitchen area. (Exhibit 3) The applicant proposes to renovate portions of the as-built structure to reconfigure the side of the building to reduce the portion of the residence that encroaches into the side yard setback. The applicant also proposes to reconstruct some areas of the residence by opening up areas of the existing residence to change the internal area to decks. This will reduce the enclosed portions of the structure to conform to the previously approved 2,000 sq. ft. GSA requirement. The approved 'open courtyard' was located in the middle of the floor plan. The area originally approved for a master bedroom will be opened up to a deck and the open courtyard will remain enclosed and converted to the master bedroom area. The existing building footprint and structure will remain the same except for the portion of the building that will be removed from the side yard setback.

Additionally, the applicant proposes to upgrade the existing septic system by replacing it with a new septic system, sewer line, and leach field. The new septic system is proposed to be located in an open area located in the middle of the back yard to avoid oak tree drip lines. The main line from the house to the new system follows the same line as the existing main line. (Exhibit 4) A new roof, an exterior stairway from the garage to the kitchen, and a new set of exterior stairs which will lead down to a new proposed exterior deck are also proposed. The new exterior deck will be located under an existing outdoor deck on the west side of the residence and is proposed to remain unenclosed. The applicant originally proposed a deck overhanging the existing home's footprint (northwest corner) that would encroach into the protected zones of the existing oak trees. However, the applicant has revised the plans to delete that proposed deck.

The subject site a 39,788 sq. ft. lot, consisting of four lots previously tied together under CDP 5-90-480, in the Malibu Vista small lot subdivision (APN 4461-015-039) (Exhibits 1-2). The subject site is accessed from Maguire Drive just west of Latigo Canyon Road and is situated at the northwest corner of the intersection of Maguire Drive and Ocean

View Drive. The existing residence and garage are located at the southeast corner of the property, approximately 10 ft. below street grade. Access to the residence is provided by a concrete driveway that extends from Maguire Drive off the southeast corner of the site. Slopes ascend from the southeast side of the residence 5 ft. to 20 ft. to Maguire Drive at a slope ratio of approximately 30 percent. Slopes descend from the northwest side of the residence approximately 100 ft. into a northeast-southwest trending drainage ravine with slope ratios ranging from 30 percent to 12 percent.

The Malibu Vista small lot subdivision is within an oak woodland that has been highly disturbed by dense residential development. Existing single family residences are situated on adjacent properties to the north, east, and south of the property. The project site is partially visible from portions of Latigo Canyon Road. The existing residence is visible from Maguire Drive located along the eastern boundary of the property. The proposed project includes renovations to an existing single-family home; therefore, no alternative siting or design options exist on the parcel in which the development would be significantly less visible from public viewing areas.

This area is not considered to be an environmentally sensitive habitat area (ESHA) due to the fact that the site has been previously disturbed by the presence of roads and residential development in the Malibu Vista small lot subdivision. The site contains approximately 32 oak trees and a fragmented oak woodland and no development is proposed within the protected zone of any oak tree. Although the oak trees are not considered to be ESHA, in past permit actions in the Santa Monica Mountains, the Commission has found that native oak trees are an important coastal resource, as discussed in greater detail below. Further, there are no existing or mapped public trails on or adjacent to the subject property.

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 proposed development is located in the Malibu/Santa Monica Mountains area, an area historically subject to significant natural hazards including, but not limited to, landslides, erosion, flooding and wild fire. The submitted geology, geotechnical, and/or soils reports referenced as Substantive File Documents conclude that the project site is suitable for the proposed project based on the evaluation of the site's geology in relation to the proposed development. The reports contain recommendations to be incorporated into the project plans to ensure the stability and geologic safety of the proposed project, the project site, and the adjacent properties. To ensure stability and structural integrity and to protect the site and the surrounding sites, the Commission requires the applicant to comply with the recommendations contained in the applicable reports, to incorporate

those recommendations into all final design and construction plans, and to obtain the geotechnical consultant's approval of those plans prior to the commencement of construction.

Additionally, to minimize erosion and ensure stability of the project site, the project must include adequate drainage and erosion control measures. In order to achieve these goals, the Commission requires the applicant to submit drainage and interim erosion control plans certified by the geotechnical engineer.

Further, the Commission finds that, for the project to ensure stability and avoid contributing significantly to erosion, all slopes and disturbed areas of the subject site must be landscaped, primarily with native plants, to stabilize disturbed soils and reduce erosion resulting from the development.

Although the conditions described above render the project sufficiently stable to satisfy the requirements of Section 30253, no project is wholly without risks. Due to the fact that the proposed project is located in an area subject to an extraordinary potential for damage or destruction from natural hazards, including wildfire and erosion, those risks remain substantial here. If the applicant nevertheless chooses to proceed with the project, the Commission requires the applicant to assume the liability from these associated risks. Through the assumption of risk condition, the applicant acknowledges the nature of the fire and/or geologic hazard that exists on the site and that may affect the safety of the proposed development.

The following special conditions are required, as determined in the findings above, to assure the project's consistency with Section 30253 of the Coastal Act and as a response to the risks associated with the project:

Special Condition 1: Plans Conforming to Geotechnical Engineer's Recommendations

Special Condition 2: Assumption of Risk, Waiver of Liability and Indemnity

Special Condition 3: Drainage and Polluted Runoff Control Plans

Special Condition 4: Interim Erosion Control

Special Condition 8: Removal of Excavated Material

For the reasons set forth above, the Commission finds that, as conditioned, the proposed project is consistent with Section 30253 of the Coastal Act.

C. WATER QUALITY

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

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

reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, minimizing alteration of natural streams.

The Commission recognizes that new development in the Santa Monica Mountains has the potential to adversely impact coastal water quality and aquatic resources because changes such as the removal of native vegetation, the increase in impervious surfaces, and the introduction of new residential uses cause increases in runoff, erosion, and sedimentation, reductions in groundwater recharge, and the introduction of pollutants such as petroleum, cleaning products, pesticides, and other pollutants, as well as effluent from septic systems.

The proposed development will result in an increase in impervious surfaces, which leads to an increase in the volume and velocity of stormwater runoff that can be expected to leave the site and eventually be discharged to coastal waters, including streams, wetlands, and estuaries. The pollutants commonly found in runoff associated with residential use can reduce the biological productivity and the quality of such waters and thereby reduce optimum populations of marine organisms and have adverse impacts on human health.

Therefore, in order to minimize the potential for such adverse impacts to water quality and aquatic resources resulting from runoff both during construction and in the post-development stage, the Commission requires the incorporation of Best Management Practices designed to control the volume, velocity and pollutant load of stormwater and dry weather flows leaving the developed site, including: 1) site design, source control and/or treatment control measures; 2) implementing erosion sediment control measures during construction and post construction; and 3) revegetating all graded and disturbed areas with primarily native landscaping.

Additionally, the applicant's geologic consultants have concluded that the site is suitable for the proposed new septic system and that there would be no adverse impact to the site or surrounding areas from the use of a septic system. The County of Los Angeles Environmental Health Department has given in-concept approval of the proposed septic system, indicating that it meets the plumbing code requirements. The Commission has found that conformance with the provisions of the plumbing code is protective of water resources.

The following special conditions are required, as determined in the findings above, to assure the project's consistency with Section 30231 of the Coastal Act:

Special Condition 3: Permanent Drainage and Polluted Runoff Control Plans

Special Condition 4: Interim Erosion Control Plans and Construction Responsibilities

Therefore, the Commission finds that the proposed project, as conditioned, is consistent with Section 30231 of the Coastal Act.

D. OAK TREE PROTECTION

Section **30240** states:

- (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.
- (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.

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 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 the surrounding parcels.

Section **30251** of the Coastal Act 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.

1. Protection of Oaks

The project site is located within a disturbed oak woodland, in a small lot subdivision, where the past creation of urban-scale parcels has resulted in a higher density of residential development. The subject site is itself disturbed and while there are 32 oak trees present, understory plant species and connectivity to other woodland areas are lacking and therefore the site is not considered to be an environmentally sensitive habitat area. However, through past permit actions in the Santa Monica Mountains, the Commission has found that native oak trees are an important coastal resource, even where they are not part of a larger woodland that is ESHA. Native trees prevent the erosion of hillsides and stream banks, moderate water temperatures in streams through shading, provide food and habitat, including nesting, roosting, and burrowing to a wide variety of wildlife. Individual oak trees such as those on or adjacent to the subject site do provide habitat for a wide variety of wildlife species. As required by Section 30250 of the Coastal Act, the proposed new development can be approved only where it will not have impacts on coastal resources. Additionally, oak trees are an important component of the visual character and scenic quality of the area and must be protected in order to

ensure that the proposed development is visually compatible with this character, as required by Section 30251 of the Coastal Act.

Oak trees are easily damaged. They are shallow-rooted and require air and water exchange near the surface. The oak tree root system is extensive, stretching as far as 50 feet beyond the spread of the canopy, although the area within the “protected zone” (the area around an oak tree that is five feet outside the dripline or fifteen feet from the trunk, whichever is greater) is the most important. Oaks are therefore sensitive to surrounding land uses, grading or excavation at or near the roots and irrigation of the root area particularly during the summer dormancy. Improper watering and disturbance to root areas are the most common causes of tree loss. Oak trees in residentially landscaped areas often suffer decline and early death due to conditions that are preventable. Damage can take years to become evident and by the time the tree shows obvious signs of disease it is usually too late to restore the health of the tree.

Obviously, the removal of an oak tree results in the total loss of the habitat values of the tree. Encroachments into (in other words, portions of the proposed structures, or grading will be located within) the protected zone of an oak tree can also result in significant adverse impacts. Encroachments of development will result in impacts including, but not limited to: root cutting or damage, compaction, trunk or branch removal or trimming, changes in drainage patterns, and excess watering. Changes in the level of soil around a tree can affect its health. Excavation can cut or severely damage roots and the addition of material affects the ability of the roots to obtain air or water. Soil compaction and/or pavement of areas within the protected zone will block the exchange of air and water through the soil to the roots and can have serious long term negative effects on the tree. Further, the introduction of development within an oak woodland will interrupt the oak canopy coverage and will lessen the habitat value of the woodland as a whole. The impacts to individual oak trees range from minor to severe lessening of health, (including death) depending on the location and extent of the encroachments.

In order to ensure that oak trees are protected so that development does not have impacts on coastal resources and so that the development is compatible with the visual character of the area, the Commission has required, in past permit actions, that the removal of native trees, particularly oak trees, or encroachment of structures into the root zone be avoided unless there is no feasible alternative for the siting of development.

2. Project Consistency

The Oak Tree Report, listed in the Substantive File Documents, indicates that 32 oak trees are present on the site. The proposed project does not include the removal of any oak trees and no encroachment into oak tree protected zones is proposed (5 feet beyond drip line or 15 feet from the trunk, whichever is greater). However, the Commission finds that, given the substantial number of oak trees on the site, protective barrier fencing is needed to assure that impacts to oak trees are avoided or reduced. The Commission requires the applicant to install temporary protective barrier fencing around the protected zones (5 feet beyond drip line or 15 feet from the trunk, whichever

is greater) of all oak trees closest to the residence and the septic tank/line construction area and retained during all construction operations.

The Commission also finds that the amount and location of any new development that could be built in the future on the subject site consistent with the resource protection policies of the Coastal Act is significantly limited by the unique nature of the site and the environmental constraints discussed above. Therefore, the permitting exemptions that apply by default under the Coastal Act for, among other things, improvements to existing single family homes and repair and maintenance activities may be inappropriate here. In recognition of that fact, and to ensure that any future structures, additions, change in landscaping or intensity of use at the project site that may otherwise be exempt from coastal permit requirements are reviewed by the Commission for consistency with the resource protection policies of the Coastal Act, the future development restriction is required.

Further, in order to ensure that the terms and conditions of this permit are adequately implemented, the Commission conditions the applicant to allow staff to enter onto the property (subject to 24 hour notice to the property owner) to undertake site inspections for the purpose of monitoring compliance with the permit.

The following special condition is required, as determined in the findings above, to assure the project's consistency with Sections 30240, 30250, and 30251 of the Coastal Act:

- Special Condition 5:** Future Development Restriction
- Special Condition 9:** Oak Tree Protection
- Special Condition 10:** Site Inspection

Therefore, the Commission finds that the proposed project, as conditioned, is consistent with Sections 30240, 30250, and 30251 of the Coastal Act with regard to oak tree protection.

E. VISUAL RESOURCES

Section **30251** of the Coastal Act 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 proposed project site is located within the Malibu Vista small lot subdivision. The site is visible from Maguire Drive and is adjacent to Latigo Canyon Road, a public road, along an adjacent ridge to the east. Development of the proposed residence raises two

issues regarding the siting and design: (1) whether or not public views from public roadways will be adversely affected; or, (2) whether or not public views from public lands and trails will be affected.

The existing residence is three stories with a maximum height of 35 feet from existing grade at any given point. The residence was designed to be stepped into the hillside. The proposed renovations to the structure are compatible with the character of other residential development in the area. The proposed structure height, including the proposed new roof, is consistent with the maximum height (35 feet above existing grade) that the Commission has permitted in past decisions in the Santa Monica Mountains and with the maximum height (35 feet) allowed under the guidance policies of the Malibu/Santa Monica Mountains LUP.

The proposed development will be unavoidably visible from public viewing areas. The Commission has considered design alternatives that would avoid or reduce any impacts to visual resources from the proposed renovations. There is no feasible alternative whereby the structure would not be visible from public viewing areas. To minimize the visual impacts associated with development of the project site, the Commission requires: that the structure be finished in a color consistent with the surrounding natural landscape; that windows on the development be made of non-reflective glass; and a limit on night lighting of the site to protect the nighttime character of this portion of the Santa Monica Mountains.

In recognition that future development normally associated with a single-family residence, that might otherwise be exempt, has the potential to impact scenic and visual resources of the area, the Commission requires that any future improvements on the subject property shall be reviewed by the Commission for consistency with the resource protection policies of the Coastal Act through a coastal development permit.

The following special conditions are required to assure the project's consistency with Section 30251 of the Coastal Act:

Special Condition 5: Future Development Restriction

Special Condition 6: Structural Appearance

Special Condition 7: Lighting Restriction

Special Condition 11: Deed Restriction

For the reasons set forth above, the Commission finds that the proposed project, as conditioned, is consistent with Section 30251 of the Coastal Act.

F. CUMULATIVE IMPACTS

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 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 the 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.

Section 30105.5 of the Coastal Act defines the term "cumulatively," as it is used in Section 30250(a), to mean that:

...the incremental effects of an individual project shall be reviewed in conjunction with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

1. Small Lot Subdivisions

The proposed project involves the reconstruction of an existing single-family residence within a small lot subdivision. Small lot subdivisions in the Santa Monica Mountains are designated areas generally comprised of residentially-zoned parcels of less than one acre, but more typically ranging in size from 4,000 to 5,000 square feet. The Commission has found that the total buildout of these dense subdivisions would result in a number of adverse cumulative impacts to coastal resources, particularly given the small size and steepness of most of the parcels. The future development of the existing undeveloped small lot subdivision parcels will result in tremendous increases in demands on road capacity, services, recreational facilities, beaches, water supply, and associated impacts to water quality, geologic stability and hazards, rural community character, and contribution to fire hazards.

In order to minimize the cumulative impacts associated with developing these parcels, Policy 271(b)(2) of the certified Malibu/Santa Monica Mountains LUP, which has been used as guidance by the Commission in past permit actions, requires that new development in small lot subdivisions comply with the Slope Intensity Formula for calculating the allowable Gross Structural Area (GSA) of a residential unit. Past Commission action certifying the LUP indicates that the Commission considers the use of the Slope Intensity Formula appropriate for determining the maximum level of development that may be permitted in small lot subdivision areas, to minimize the cumulative impacts of such development, consistent with the policies of the Coastal Act. Additionally, the Commission has, through coastal development permit actions, consistently applied the Slope Intensity Formula to new development in small lot subdivisions. The basic concept of the formula assumes the suitability of development

of small hillside lots should be determined by the physical characteristics of the building site, recognizing that development on steep slopes has a high potential for adverse impacts on resources. Following is the formula and description of each factor used in its calculation:

Slope Intensity Formula

$$GSA = (A/5) \times ((50-S)/35) + 500$$

GSA = the allowable gross structural area of the permitted development in square feet. The GSA includes all substantially enclosed residential and storage areas, but does not include garages or carports designed for storage of autos.

A = the area of the building site in square feet. The building site is defined by the applicant and may consist of all or a designated portion of the one or more lots comprising the project location. All permitted structures must be located within the designated building site.

S = the average slope of the building site in percent as calculated by the formula:

$$S = I \times L/A \times 100$$

I = contour interval in feet, at not greater than 25-foot intervals, resulting in at least 5 contour lines

L = total accumulated length of all contours of interval "I" in feet

A = the area being considered in square feet

2. Project Consistency

The proposed project site is located in the Malibu Vista small lot subdivision, an area subject to the provisions of the slope intensity formula. The applicant proposes to remodel an existing 2,455 sq. ft. single family residence with attached garage on a parcel that is approximately 39,788 sq. ft. in size. In 1990, the Commission approved Coastal Development Permit (CDP) No. 5-90-480 for construction of a new 2,000 sq. ft. single-family residence. The findings for that permit explained that 2,000 sq. ft. was the maximum GSA allowed under Policy 271(b)(2) of the Malibu/Santa Monica Mountains LUP. This was determined to be the maximum GSA after the four lots were tied together, which currently exist as one lot with APN 4461-015-039. However, the Commission stamped approved plans contain a residence with a GSA of 2,050 sq. ft.

The as-built residence, however, does not conform to the approved 2,000-2,050 sq. ft. GSA and was built out to 2,455 sq. ft. of habitable space, according to the applicant. As part of the current application, the applicant proposes to remodel the residence to conform to the originally approved GSA of 2,000 sq. ft. by converting a portion of the upper floor on the north side of the residence to unenclosed deck area. This area is not proposed to be enclosed with windows or doors. (Exhibit 8) An approved 'open courtyard' was located in the middle of the upper floor plan. The area originally approved for a master bedroom will be opened up to a deck and the open courtyard will remain enclosed and converted to the master bedroom area. The existing building footprint and structure will remain the same except for the portion of the building that will be removed from the side yard setback. Additionally, the applicant is proposing a lower level deck that will be open on three sides. This deck is proposed to be unenclosed, with no windows or doors, and therefore will not increase the habitable square footage of the residence. Therefore, as proposed, the remodeled structure will conform to the 2,000 sq. ft. GSA requirement.

As designed, the proposed project will conform to the GSA allowed for the parcel, thereby minimizing cumulative impacts to coastal resources. However, future improvements on the subject property could cause adverse cumulative impacts on the limited resources of the subdivision. The Commission, therefore, requires a future improvements restriction on this lot, which would ensure that any future structures, additions, change in landscaping or intensity of use at the project site that may otherwise be exempt from coastal permit requirements, are reviewed by the Commission for consistency with the resource protection policies of the Coastal Act.

Additionally, the Commission requires the applicant to record a deed restriction that imposes the terms and conditions of this permit as restrictions on use and enjoyment of the property and provides any prospective purchaser of the site with recorded notice that the restrictions are imposed on the subject property.

The following special conditions are required to assure the project's consistency with Sections 30250 and 30252 of the Coastal Act, as well as the Los Angeles County LUP:

Special Condition 8: Future Development Restriction
Special Condition 11: Deed Restriction

The Commission therefore finds that the proposed project, only as conditioned, is consistent with Sections 30250(a) and 30252 of the Coastal Act, as well as the guidance policies of the Malibu/Santa Monica Mountains Land Use Plan.

G. LOCAL COASTAL PROGRAM (LCP) PREPARATION

Section **30604(a)** of the Coastal Act states that:

- 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 coastal program that is in conformity with the provisions of Chapter 3 (commencing with Section 30200).

Section 30604(a) of the Coastal Act provides that the Commission shall issue a Coastal Development Permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program, which conforms to Chapter 3 policies of the Coastal Act. The preceding sections provide findings that the proposed projects will be in conformity with the provisions of Chapter 3 if certain conditions are incorporated into the projects and are accepted by the applicant. As conditioned, the proposed development will avoid or minimize adverse impacts and is found to be consistent with the applicable policies contained in Chapter 3. The following special conditions are required to assure the project's consistency with Section 30604 of the Coastal Act:

Special Conditions 1 through 11

Therefore, the Commission finds that approval of the proposed development, as conditioned, will not prejudice the County of Los Angeles' ability to prepare a Local Coastal Program for this area which is also consistent with the policies of Chapter 3 of the Coastal Act, as required by Section 30604(a).

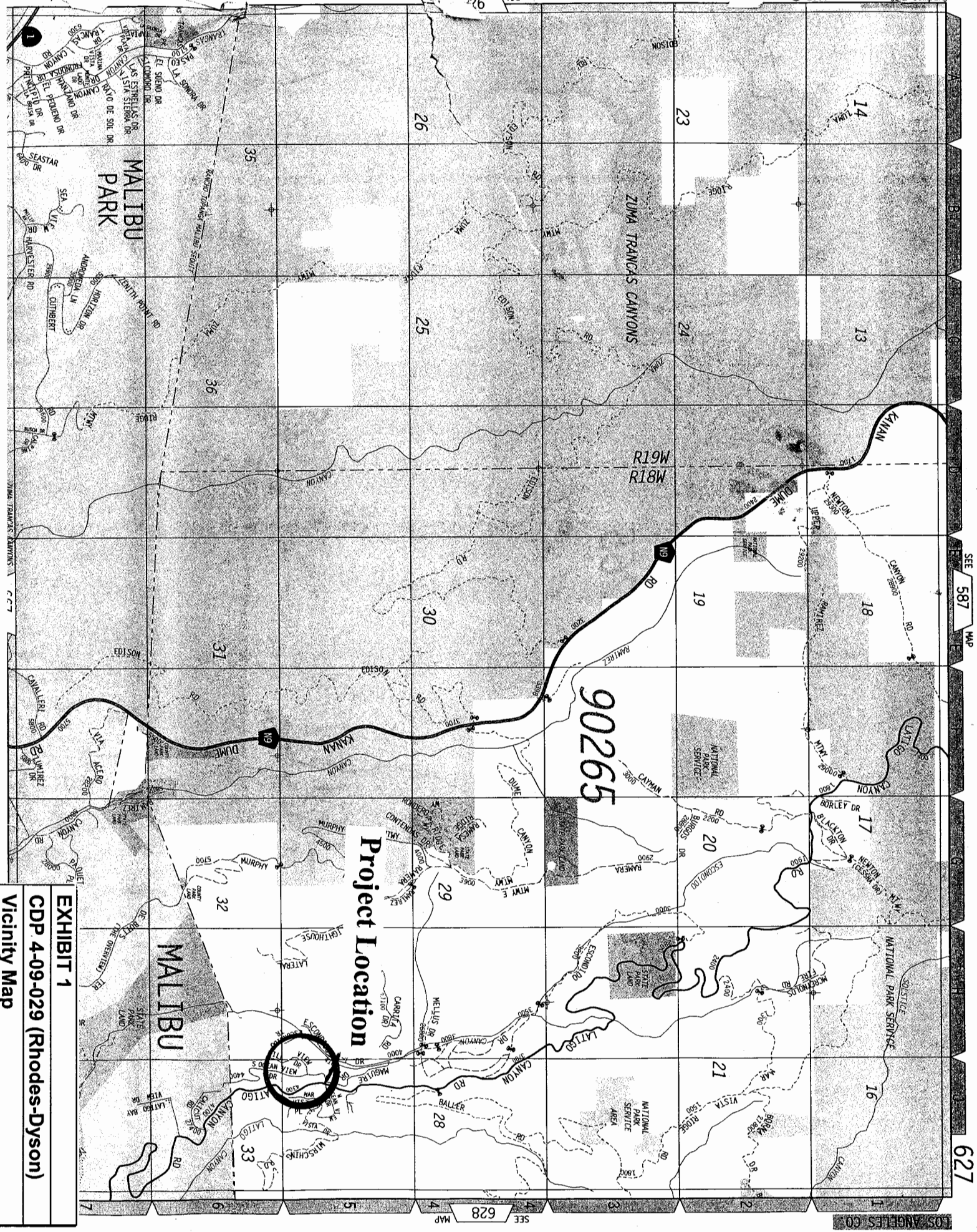
H. CALIFORNIA ENVIRONMENTAL QUALITY ACT

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 that the activity may have on the environment.

The Commission incorporates its findings on Coastal Act consistency at this point as if set forth in full. These findings address and respond to all public comments regarding potential significant adverse environmental effects of the project that were received prior to preparation of the staff report. As discussed above, the proposed development, as conditioned, is consistent with the policies of the Coastal Act. Feasible mitigation measures, which will minimize all adverse environmental effects, have been required as special conditions. The following special conditions are required to assure the project's consistency with Section 13096 of the California Code of Regulations:

Special Conditions 1 through 11

As conditioned, there are no feasible alternatives or feasible mitigation measures available, beyond those required, which would substantially lessen any significant adverse impact that the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, can be found to be consistent with the requirements of the Coastal Act to conform to CEQA.



Project Location

90265

EXHIBIT 1
CDP 4-09-029 (Rhodes-Dyson)
Vicinity Map

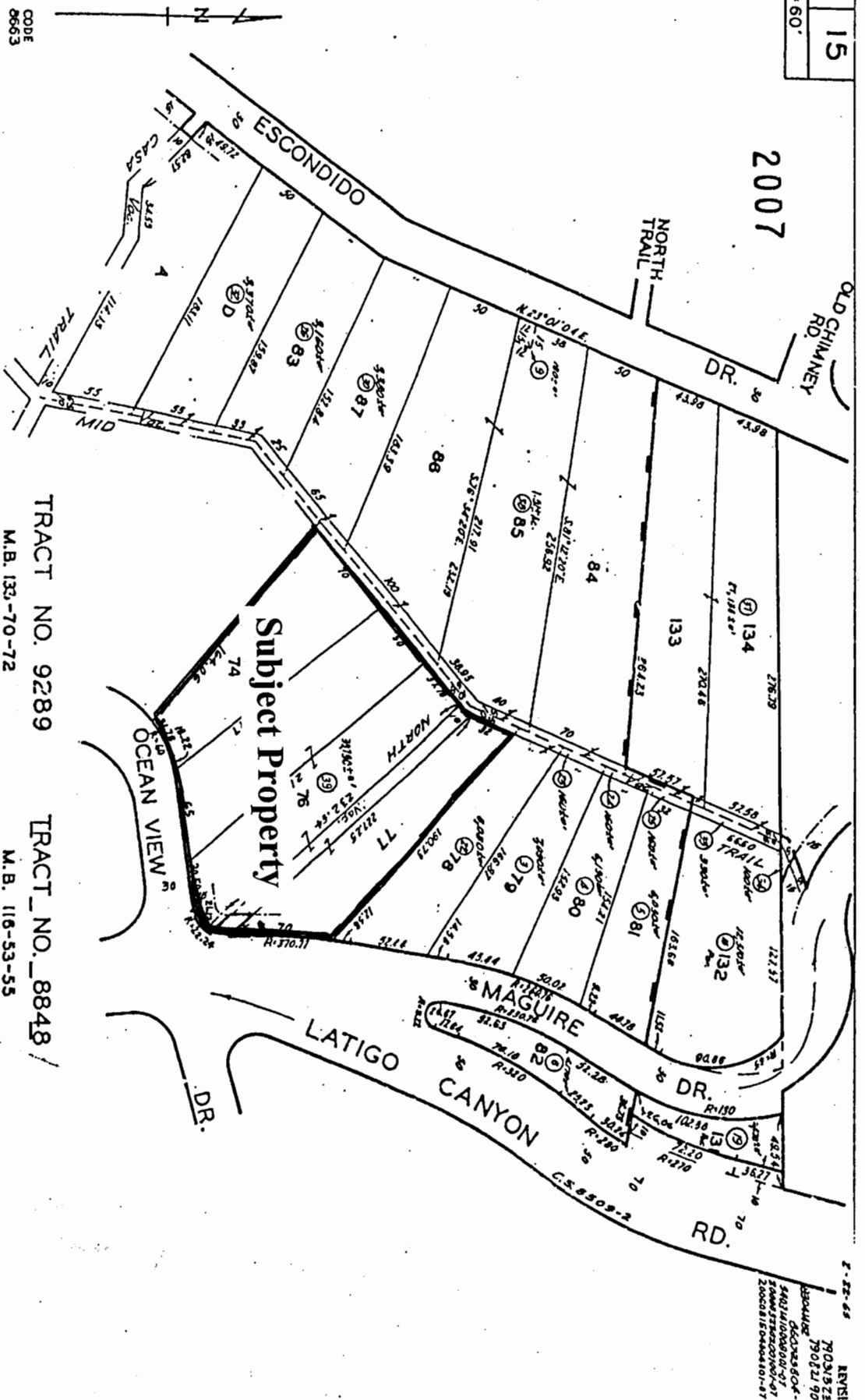
SEE 587 MAP

627

628 MAP

LOS ANGELES CO.

4461 15
SCALE 1" = 60'



TRACT NO. 9289 TRACT_NO_8848
M.B. 133-70-72 M.B. 116-53-55

FOR PREV. ASSMT. SEE: 482-214&220
4461-16

ASSESSOR'S MAP
COUNTY OF LOS ANGELES, CALIF.

SEP 18 2005

EXHIBIT 2
CDP 4-09-029 (Rhodes-Dyson)
Parcel Map

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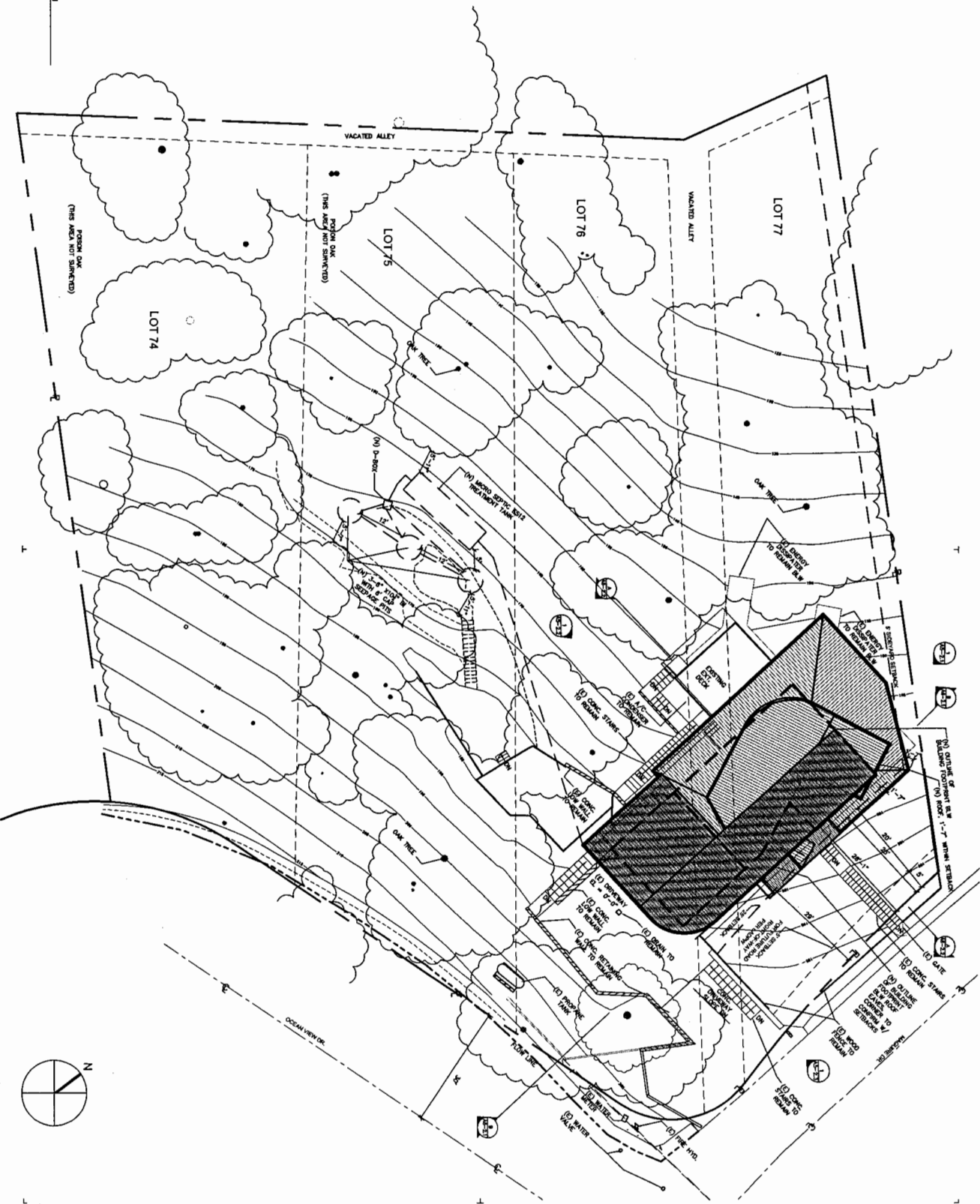
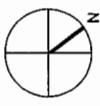


EXHIBIT 4
CDP 4-09-029 (Rhodes-Dyson)
Proposed Site Plan



DATE: _____
SCALE: 3/32" = 1'-0"
DRAWN BY: _____
REVIEWED BY: _____
JOB NO.: _____
SHEET NUMBER: _____
A1-1.3

DRAWING TITLE:
PROPOSED SITE PLAN
PROJECT ADDRESS:
4129 S. Maguire Dr.
Malibu, CA 90265

NO.	ISSUE	DATE
1	PRELIMINARY PLANNING	10/26/08
2	PRELIMINARY CONCEPT	03/11/09
3	CONCEPT DESIGN	04/21/09
4	SCOPED REVISIONS	12/14/08

NOT FOR CONSTRUCTION

Architect:
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Los Angeles, CA 90010
Tel: 310.477.8888

Structural Engineer:
GRIFFIN SURVEYING & ENGINEERING
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Malibu, CA 90265
Tel: 310.321.1011

Geology Report:
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5000 Wilshire Blvd.
Suite 1000
Los Angeles, CA 90010
Tel: 310.477.8888

Lawrence Young
Registered Environmental
Professional
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Tel: 310.321.1011

Client:
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MAYES Inc.
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Tel: 310.321.1011

Structural Designer:
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Malibu, CA 90265
Tel: 310.321.1011

Land Surveyor:
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1201 Main St.
Malibu, CA 90265
Tel: 310.321.1011

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WALL	1/2" CMU	1.000 S.F.
FLOOR	1/2" CONCRETE	1.000 S.F.
CEILING	1/2" GYP BOARD	1.000 S.F.
DOOR	1/2" GYP BOARD	1.000 S.F.
WINDOW	1/2" GYP BOARD	1.000 S.F.
STAIR	1/2" GYP BOARD	1.000 S.F.
ROOF	1/2" GYP BOARD	1.000 S.F.
TOTAL		5.000 S.F.

NEW PROPOSED SECOND FLOOR LAYOUT

NO. 101 FLOOR AREA	1,000 S.F.
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NO. 103 FLOOR AREA	1,000 S.F.
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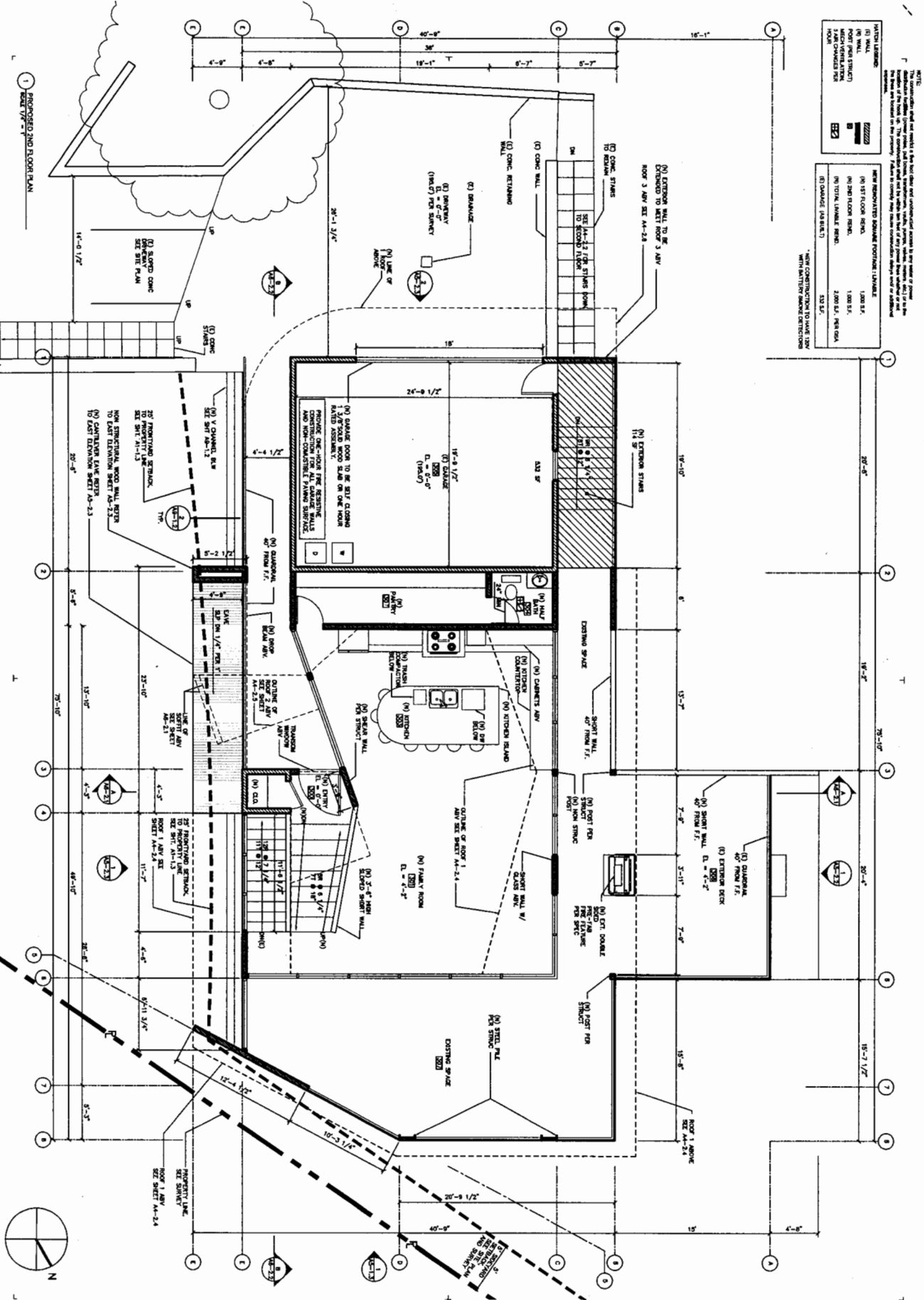


EXHIBIT 5
CDP 4-09-029 (Rhodes-Dyson)
Proposed Second Floor Plan

PROPOSED SECOND FLOOR PLAN

DRAWING TITLE: PROPOSED SECOND FLOOR PLAN

PROJECT ADDRESS: 4129 S. Maguire Dr., Malibu, CA 90265

DATE: 01/02/07

SCALE: 1/4" = 1'-0"

DRAWN BY:

REVIEWED BY:

JOB NO.: 0811

SHEET NUMBER: A4-2.3

NOT FOR CONSTRUCTION

NO.	ISSUE	DATE
1	PRELIMINARY PLANNING	10/08/06
2	CONCEPT DESIGN	02/11/07
3	CONCEPT DESIGN (A)	04/21/07

Architect: COLBY M. AYES INC.
 1301 Ventura Ave. #201
 Santa Monica, CA 90404
 Tel: 310.316.1477
 Fax: 310.316.1477
 www.colbymayes.com

Structural: SPECTRUM ENGINEERING INC.
 5100 Lemo Ave.
 Torrance, CA 90504
 Tel: 310.201.8113

Land Survey: GORDON SURVEYING & MAPPING
 5424 Hollywood Blvd.
 Hollywood, CA 90028
 Tel: 323.203.0171

Grading/Interior: TRIPLE LIFE CONCRETE INC.
 3000 Lemo Ave.
 Torrance, CA 90503
 Tel: 310.577.9512

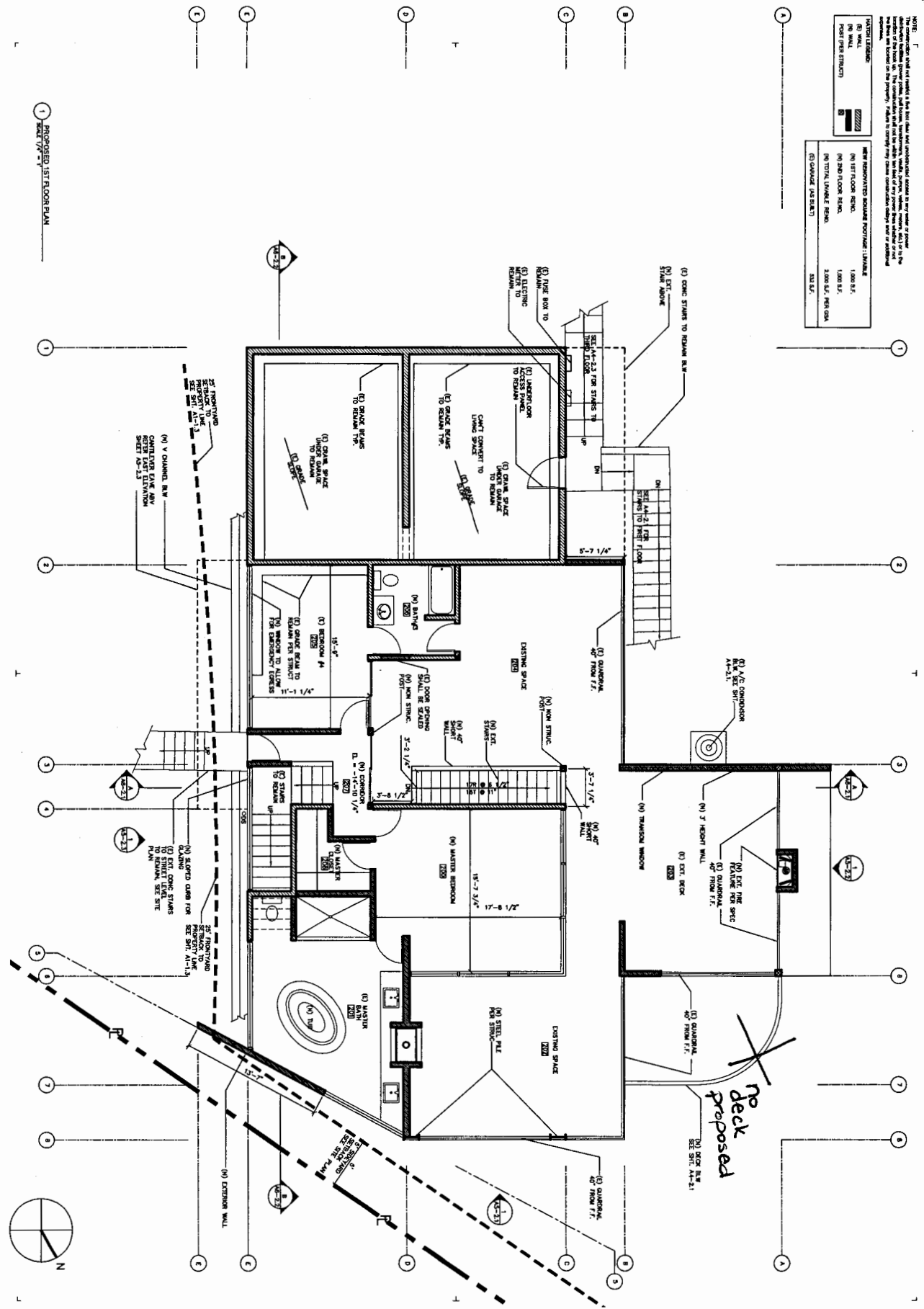
Subsurface Design: SPT CONSULTING INC.
 3701 Lemo Ave.
 Torrance, CA 90503
 Tel: 310.577.9512

Lighting: Luminaire Young
 10000 Wilshire Blvd.
 Beverly Hills, CA 90210
 Tel: 310.886.1888

Regulatory/Environmental: Paul S. Spector
 10000 Wilshire Blvd.
 Beverly Hills, CA 90210
 Tel: 310.886.2005

NOTE: 1. All work shall be in accordance with the applicable building codes and standards. 2. The contractor shall be responsible for obtaining all necessary permits and approvals. 3. The contractor shall be responsible for coordinating with all other trades and utilities. 4. The contractor shall be responsible for protecting existing work and materials. 5. The contractor shall be responsible for maintaining access to adjacent properties. 6. The contractor shall be responsible for maintaining safety and security on the site. 7. The contractor shall be responsible for maintaining a clean and safe work environment. 8. The contractor shall be responsible for maintaining accurate records of all work performed. 9. The contractor shall be responsible for maintaining communication with the owner and architect throughout the project. 10. The contractor shall be responsible for completing all work in a timely and efficient manner.

PROJECT LEADER	1000 S.F.
(E) MECH. ROOM	1000 S.F.
(E) ELEC. ROOM	1000 S.F.
(E) STORAGE ROOM	1000 S.F.
(E) OFFICE	1000 S.F.
(E) BATH	1000 S.F.
(E) KITCHEN	1000 S.F.
(E) LIVING ROOM	1000 S.F.
(E) BED ROOM	1000 S.F.
(E) PORCH	1000 S.F.
(E) DRIVEWAY	1000 S.F.



NOT FOR CONSTRUCTION

COLBY MAYES INC.
 2011 KATHLEEN AVE, SUITE 201
 P.O. BOX 1000
 MALIBU, CA 90265
 TEL: (818) 710-1810
 WWW.COLBYMAYES.COM

Owner: Field Production Group
 4129 S. Maguire Dr.
 Malibu, CA 90265
 TEL: (818) 710-1810

Structural: COLBY COMPANY INC.
 Structural Design Consultant
 5100 LUNA DR., SUITE 1100
 MALIBU, CA 90265
 TEL: (818) 710-1810

Land Survey: GRUBBS SURVEYING & MAPPING
 5040 WINDYBROOK DR.
 MALIBU, CA 90265
 TEL: (818) 710-1810

Architect: THE LIFE CONNECTION INC.
 5100 LUNA DR., SUITE 1100
 MALIBU, CA 90265
 TEL: (818) 710-1810

Geology Report: GUSBERG & COBB INC.
 5100 LUNA DR., SUITE 1100
 MALIBU, CA 90265
 TEL: (818) 710-1810

Lawrence Young
 Registered Environmental
 P.O. Box 873
 Malibu, CA 90265
 TEL: (818) 801-8888

NO. ISSUE DATE

1	REGIONAL PLANNING	10/06/08
2	IN CONCEPT	03/11/09
3	CONCEPT COMM. CA.	04/21/09

PROJECT ADDRESS:
 4129 S. Maguire Dr.
 Malibu, CA 90265

DRAWING TITLE:
 PROPOSED FIRST FLOOR PLAN

DATE: 01/02/07
 SCALE: 1/4" = 1'-0"
 DRAWN BY:
 REVIEWED BY:
 JOB NO.: 0611
 SHEET NUMBER:

EXHIBIT 6
CDP 4-09-029 (Rhodes-Dyson)
Proposed First Floor Plan

A4-2.2

NOTE:
 1. ALL VENTILATION OPENINGS SHALL BE COVERED WITH CORROSION RESISTANT METAL.
 2. CONSTRUCTION TO PROVIDE UNDER FLOOR VENTILATION NOT LESS THAN 1/50 OF UNDER FLOOR AREA AND 8" VENTS AS NOTED IN SECTION TO REMAIN.
 3. ALL VENTS SHALL BE PROVIDED WITH SCREENS TO PREVENT THE ENTRY OF ANIMALS OR DEBRIS FROM ABOVE FLOORED AREAS.
 4. ALL VENTS SHALL BE PROVIDED WITH SCREENS TO PREVENT THE ENTRY OF DEBRIS FROM ABOVE FLOORED AREAS.
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 9. ALL VENTS SHALL BE PROVIDED WITH SCREENS TO PREVENT THE ENTRY OF DEBRIS FROM ABOVE FLOORED AREAS.
 10. ALL VENTS SHALL BE PROVIDED WITH SCREENS TO PREVENT THE ENTRY OF DEBRIS FROM ABOVE FLOORED AREAS.

LEGEND

REINFORCED CONCRETE	1. 10/16
CONCRETE	2. 10/16
STRUCTURAL STEEL	3. 10/16
WOOD	4. 10/16
GLASS	5. 10/16
MECHANICAL	6. 10/16
ELECTRICAL	7. 10/16
PLUMBING	8. 10/16
PAINT	9. 10/16
FINISH	10. 10/16

- NOTES:
1. VENTILATION OPENINGS SHALL BE COVERED WITH CORROSION RESISTANT METAL.
 2. CONSTRUCTION TO PROVIDE UNDER FLOOR VENTILATION NOT LESS THAN 1/50 OF UNDER FLOOR AREA AND 8" VENTS AS NOTED IN SECTION TO REMAIN.
 3. ALL VENTS SHALL BE PROVIDED WITH SCREENS TO PREVENT THE ENTRY OF ANIMALS OR DEBRIS FROM ABOVE FLOORED AREAS.
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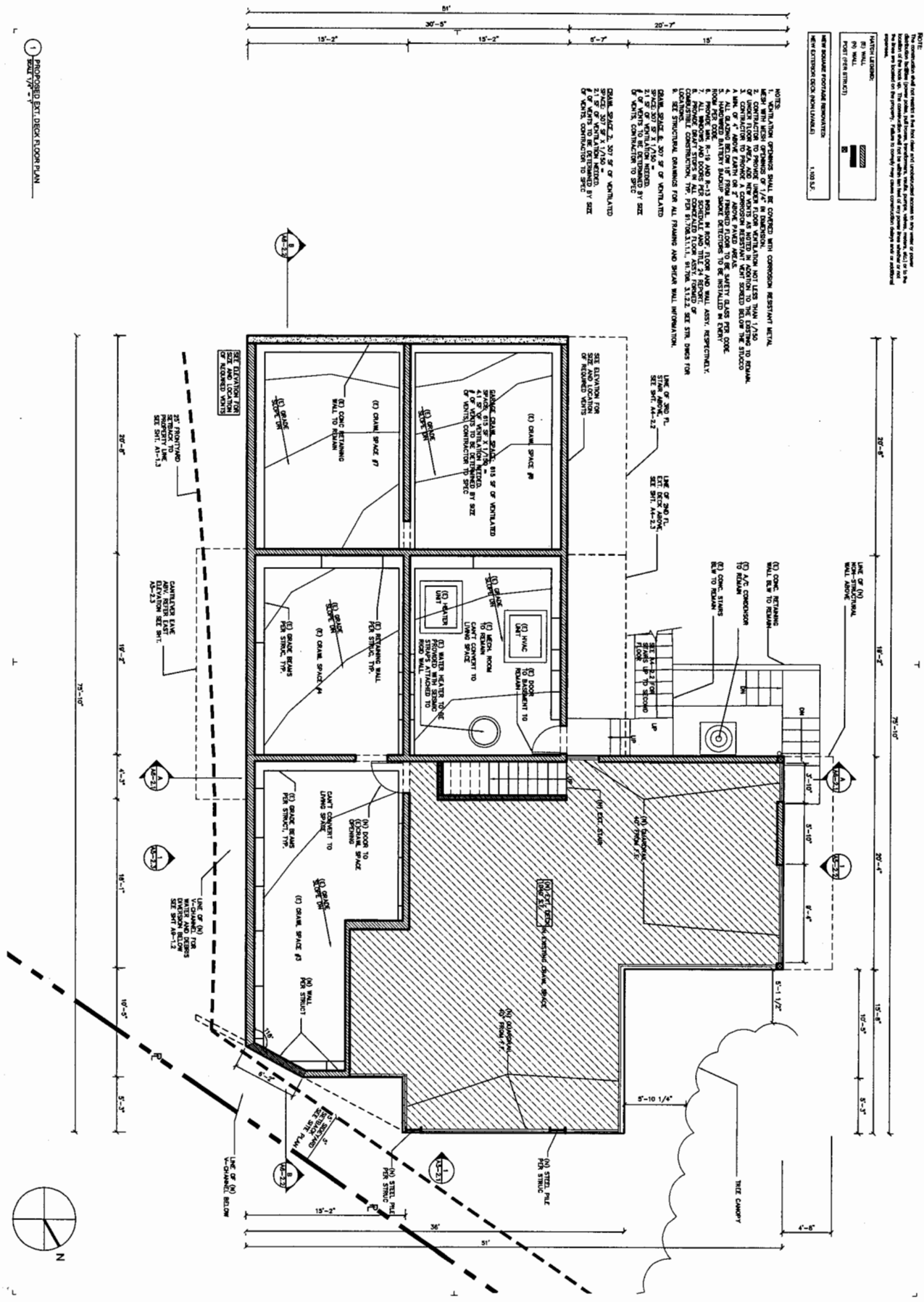


EXHIBIT 7
 CDP 4-09-029 (Rhodes-Dyson)
 Proposed New Deck Plan

NOT FOR CONSTRUCTION

OWNER: V&A Rhodes / Dyson
 4129 S. Laguna Dr.
 Malibu, CA 90265
 7:702.828.7218

ARCHITECT: BRICK COMPANY INC.
 3100 Wilshire Blvd.
 Westwood, CA 90024
 (310) 770-9110

LAND SURVEYOR: JAMES R. HARRIS & ASSOCIATES
 5800 Wilshire Blvd.
 Los Angeles, CA 90048
 (213) 223-0111

ADDRESS: 4129 S. Laguna Dr.
 Malibu, CA 90265
 3100 Wilshire Ave.
 Westwood, CA 90024
 (310) 770-9110

DATE: 10/06/09
 1. REGIONAL PLANNING
 2. PRELIMINARY
 3. CONCEPTUAL DESIGN
 4. CONCEPTUAL DESIGN
 5. CONCEPTUAL DESIGN
 6. CONCEPTUAL DESIGN
 7. CONCEPTUAL DESIGN
 8. CONCEPTUAL DESIGN
 9. CONCEPTUAL DESIGN
 10. CONCEPTUAL DESIGN

PROJECT ADDRESS: 4129 S. Maguire Dr.
 Malibu, CA 90265

DRAWING TITLE: PROPOSED EXTERIOR DECK IN (E) CRAWL SPACE

SCALE: 1/4" = 1'-0"

DRAWN BY: [Name]

REVIEWED BY: [Name]

JOB NO.: [Number]

SHEET NUMBER: A4-2.1

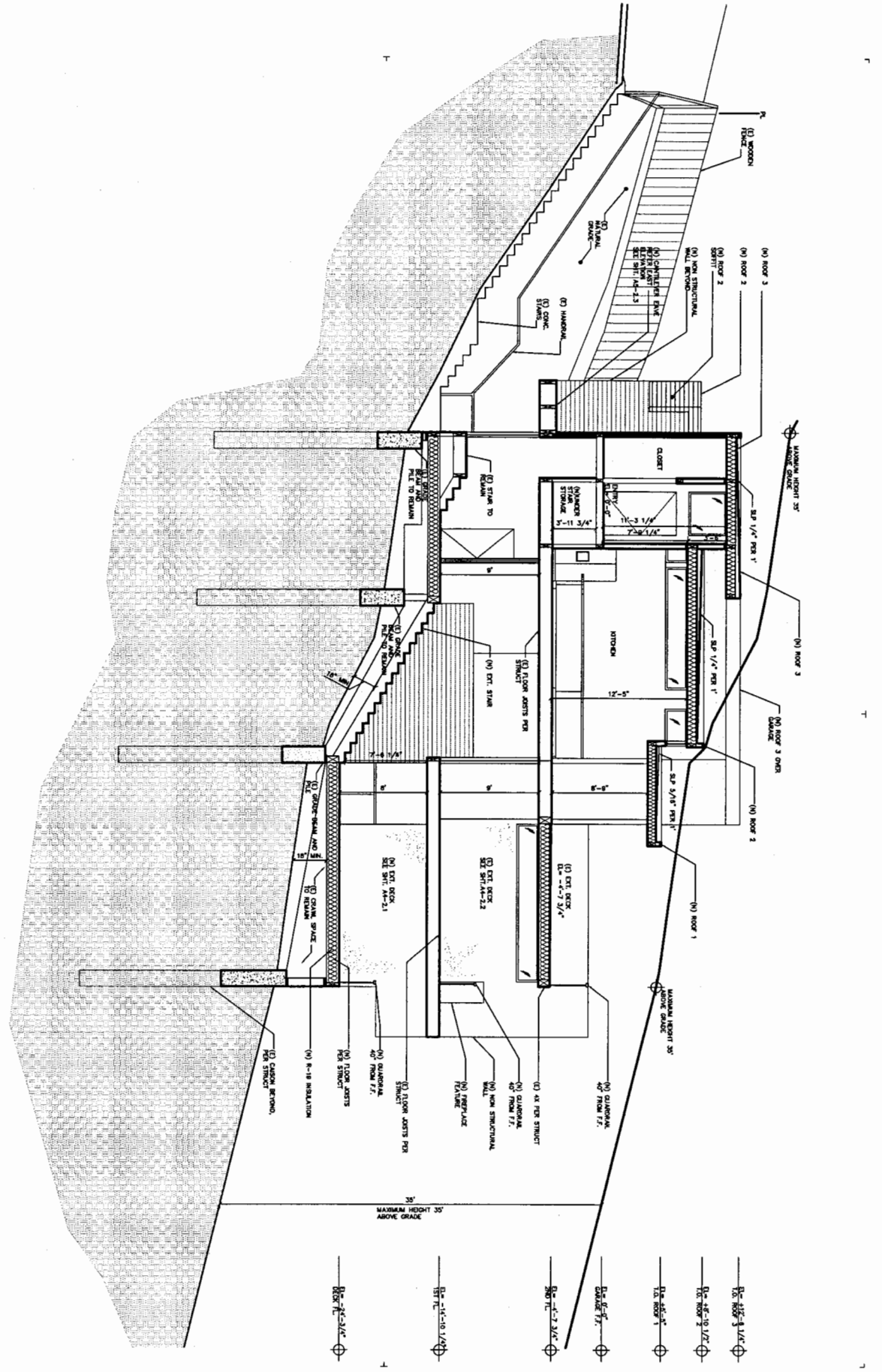


EXHIBIT 8
CDP 4-09-029 (Rhodes-Dyson)
Cross Section Showing
Open/Unenclosed Decks

NOT FOR CONSTRUCTION

OWNER: Colby Rhodes / Dyson
4129 S. Maguire Dr.
Malibu, CA 90265
T: 782.281.2718

ARCHITECT: BRCT COMPANY INC.
5700 West 19th Street
Woodward Hills, CA 91384
E: (818) 710-1810

LAND SURVEY: SERRA LINDA SUBDIVISION & IMPROVEMENTS
L.A., CA, 90232
T: 310.232.0181

ADJACENT: THE LIFE CONCRETE INC.
3380 Lathrop Ave.
Van Nuys, CA 91411
T: 818.709.2812

GEOTECHNICAL REPORT: GEOTECHNICAL CONSULTANTS
12877 North Hollywood Blvd.
Van Nuys, CA 91411
T: 818.709.2812

LANDSCAPE ARCHITECT: LAMBERTSON YOUNG
10000 Wilshire Blvd.
Suite 1000
Beverly Hills, CA 90212
T: 310.883.8888

NO. ISSUE DATE

1	REGIONAL EXAMINING	12.08.28
2	FINAL CONCEPT	03.11.28
3	COASTAL COMAL CAL.	04.21.28

PROJECT ADDRESS:
4129 S. Maguire Dr.
Malibu, CA 90265

DRAWING TITLE:
CROSS SECTION PROPOSED

DATE: 01.02.27
SCALE: 1/4" = 1'-0"
DRAWN BY:
REVIEWED BY:
JOB NO.: 0811
SHEET NUMBER: