

CALIFORNIA COASTAL COMMISSION

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STAFF REPORT: REGULAR CALENDAR

Application No.: 4-14-0545

Applicants: Craig S. Rainey and Paula Login Oehlberg

Project Location: 791 Latigo Canyon Road, Upper Latigo Small Lot Subdivision, Santa Monica Mountains, Los Angeles County (APN: 4464-010-012)

Project Description: Construction of a 2,793 square foot, 35 foot high, single-family home with attached 420 square foot garage, private septic system, fire department access stairs, and landscaping.

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 and provisions of the approved Santa Monica Mountains Local Coastal Program serve as guidance.¹ 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 the Upper Latigo Small Lot Subdivision. A majority of this small lot subdivision is located outside of the Coastal Zone, and of the 14 lots located within the Coastal Zone, very few maintain their development

¹Please note that the Coastal Commission has approved Local Coastal Program Amendment No. LCP-4-LAC-14-0108-4 with suggested modifications (April 10, 2014) to approve the 2014 Land Use Plan and Local Coastal Program Amendment No. LCP-4-LAC-14-0109-4 with suggested modifications (July 10, 2014) to approve the 2014 Implementation Plan. The County of Los Angeles has not yet accepted the suggested modifications and so the LCP is not yet effectively certified. Nonetheless, the policies and provisions of the approved Santa Monica Mountains LCP serve as guidance, as of this date.

potential. Residential development located in the portion of the Upper Latigo Small Lot Subdivision outside of the Coastal Zone is not subject to the slope intensity formula. Pursuant to Part A of Section 22.44.2140 of the 2014 Santa Monica Mountains LIP, the parcels within the portion of this small lot subdivision located within the Coastal Zone would also not be subject to the slope-intensity formula. As such, it is not appropriate in this case to apply the size restrictions that the Commission usually applies in small lot subdivisions (slope-intensity formula and maximum gross structural area) at the subject site.

- **VISUAL RESOURCES.** The proposed development will be visible from public viewing areas and will adversely impact visual resources. There are no siting or design alternatives that would avoid or significantly reduce visual impacts. The project is conditioned to minimize the visual impacts by requiring that the structure be finished in a color consistent with the surrounding natural landscape, that windows be made of non-reflective glass, by the use of native landscaping, and by limiting night lighting.

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APPENDICES

Appendix 1 Substantive File Documents

EXHIBITS

- Exhibit 1. Vicinity Map
- Exhibit 2. Parcel Map
- Exhibit 3. Project Plans
- Exhibit 4. Aerial Photograph of Project Site

LOCAL APPROVALS RECEIVED: County of Los Angeles Department of Regional Planning, Approval in Concept, dated 3/10/14; County of Los Angeles Environmental Health Services, Sewage Disposal System Conceptual Approval, dated 11/26/13; County of Los Angeles Fire Department, Preliminary Fuel Modification Plan Approval, dated 2/22/11; County of Los Angeles Fire Department, Fire Prevention Engineering Approval, dated 5/8/14.

I. MOTION AND RESOLUTION

The staff recommends that the Commission adopt the following resolution:

Motion:

I move that the Commission approve Coastal Development Permit No. 4-14-0545 pursuant to the staff recommendation.

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:

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 applicants agree 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 applicants acknowledge and agrees (i) that the site may be subject to hazards from wildfire and erosion; (ii) to assume the risks to the applicants 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. Permanent Drainage and Polluted Runoff Control Plan

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit to the Executive Director, two (2) copies of a final Drainage and Runoff Control Plan for the post-construction project site, prepared by a qualified licensed professional. The Plan shall include detailed drainage and runoff control plans with supporting calculations. The plans shall incorporate long-term post-construction Best Management Practices (BMPs) that protect water quality and minimize increases in runoff volume and rate in the project design of developments in the following order of priority:

- a. Site Design BMPs: Project design features that reduce the creation or severity of potential pollutant sources, or reduce the alteration of the project site's natural stormwater flow regime. Examples are minimizing impervious surfaces, preserving native vegetation, and minimizing grading.
- b. Source Control BMPs: Methods that reduce potential pollutants at their sources and/or avoid entrainment of pollutants in runoff, including schedules of activities, prohibitions of practices, maintenance procedures, managerial practices, or operational practices. Examples are covering outdoor storage areas, use of efficient irrigation, and minimizing the use of landscaping chemicals.
- c. Treatment Control BMPs: Systems designed to remove pollutants from stormwater, by gravity settling of particulate pollutants, filtration, biological uptake, media adsorption, or any other physical, biological, or chemical process. Examples are vegetated swales, detention basins, and storm drain inlet filters. Where post-construction treatment of stormwater runoff is required, treatment control BMPs (or suites of BMPs) shall, at a minimum, be sized and designed to treat, infiltrate, or filter stormwater runoff from each storm event, up to and including the 85th percentile, 24-hour storm event for volume-based BMPs, or the 85th percentile, 1-hour storm event (with an appropriate safety factor of 2 or greater) for flow-based BMPs.

The 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) Projects shall incorporate Low Impact Development (LID) techniques in order to minimize stormwater quality and quantity impacts from development, unless a credible and compelling explanation is provided as to why such features are not feasible and/or appropriate. LID strategies use small-scale integrated and distributed management practices, including minimizing impervious surfaces, infiltrating stormwater close to its source, and preservation of permeable soils and native vegetation.
- (2) Post-development runoff rates from the site shall be maintained at levels similar to pre-development conditions.
- (3) Selected BMPs shall consist, or primarily consist, of site design elements and/or landscape based systems or features 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, where feasible. Examples of such features include but are not limited to porous pavement, pavers, rain gardens, vegetated swales, infiltration trenches, cisterns.

- (4) Landscape plants shall have low water and chemical treatment demands and be consistent with **Special Condition 5, Landscaping and Fuel Modification Plans**. An efficient irrigation system designed based on hydrozones and utilizing drip emitters or micro-sprays or other efficient design shall be utilized for any landscaping requiring water application.
- (5) All slopes shall be stabilized in accordance with provisions contained in the Landscaping and/or Interim Erosion and Sediment Control Condition for this Coastal Development Permit and, if applicable, in accordance with engineered plans prepared by a qualified licensed professional.
- (6) Runoff shall be discharged from the developed site in a non-erosive manner. Energy dissipating measures shall be installed where needed to prevent erosion. Plan details and cross sections for any rock rip-rap and/or other energy dissipating devices or structures associated with the drainage system shall be prepared by a qualified licensed professional. The drainage plans shall specify, the location, dimensions, cubic yards of rock, etc. for the any velocity reducing structure with the supporting calculations showing the sizing requirements and how the device meets those sizing requirements. The qualified, licensed professional shall ensure that all energy dissipaters use the minimum amount of rock and/or other hardscape necessary to protect the site from erosion.
- (7) All BMPs shall be operated, monitored, and maintained in accordance with manufacturer's specifications where applicable, or in accordance with well recognized technical specifications appropriate to the BMP for the life of the project and at a minimum, all structural BMPs shall be inspected, cleaned-out, and where necessary, repaired prior to the onset of the storm season (October 15th each year) and at regular intervals as necessary between October 15th and April 15th of each year. Debris and other water pollutants removed from structural BMP(s) during clean-out shall be contained and disposed of in a proper manner.
- (9) For projects located on a hillside, slope, or which may otherwise be prone to geologic instability, site drainage and BMP selection shall be developed concurrent with the preliminary development design and grading plan, and final drainage plans shall be approved by a licensed geotechnical engineer or engineering geologist.
- (10) Should any of the project's surface or subsurface drainage/filtration structures or other BMPs fail or result in increased erosion, the applicants/landowner or successor-in-interest shall be responsible for any necessary repairs to the drainage/filtration system or BMPs and restoration of the affected area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicants shall submit a repair and restoration plan to the Executive Director to determine if an amendment or new coastal development permit is required to authorize such work.

B. The final Drainage and Runoff Control Plan shall be in conformance with the site/development plans approved by the Coastal Commission. Any necessary changes to the Coastal Commission approved site/development plans required by a qualified, licensed 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.

4. Interim Erosion Control Plans and Construction Responsibilities

A. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit to the Executive Director an Interim Erosion Control and Construction Best Management Practices Plan, prepared by a qualified, licensed professional. The qualified, licensed professional shall certify in writing that the Interim Erosion Control and Construction Best Management Practices (BMPs) plan are 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 grading shall take place only during the dry season (April 1 – October 31). This period may be extended for a limited period of time if the situation warrants such a limited extension, if approved by the Executive Director. The applicants shall install or construct temporary sediment basins (including debris basins, desilting basins, or silt traps), temporary drains and swales, sand bag barriers, silt fencing, and shall stabilize any stockpiled fill with geofabric covers or other appropriate cover, install geotextiles or mats on all cut or fill slopes, and close and stabilize open trenches as soon as possible. Basins shall be sized to handle not less than a 10 year, 6 hour duration rainfall intensity event.
- (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.
- (g) All temporary, construction related erosion control materials shall be comprised of bio-degradable materials (natural fiber, not photo-degradable plastics) and must be removed when permanent erosion control measures are in place. Bio-degradable erosion control

materials may be left in place if they have been incorporated into the permanent landscaping design.

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 applicants shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction.
- (g) Debris shall be disposed of at a permitted disposal site or recycled at a permitted 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 necessary changes to the Coastal Commission approved site/development plans required by a qualified, licensed 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. Landscaping and Fuel Modification Plans

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit two sets of landscaping and fuel modification plans, prepared by a licensed landscape architect or a qualified resource specialist. The landscaping and erosion control plans shall be reviewed and approved by the consulting engineering geologist to ensure that the plans are in conformance with the consultants' recommendations. The consulting landscape architect or qualified landscape professional shall certify in writing that the final Landscape and Fuel Modification plans are in conformance with the following requirements:

A) Landscaping Plan

- (1) All graded & disturbed areas on the subject site shall be planted and maintained for erosion control purposes within thirty (30) 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. All native plant species shall be of local genetic stock. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (<http://www.cal-ipc.org/>), or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a "noxious weed" by the State of California or the U.S. Federal Government shall be utilized within the property.
- (2) All cut and fill slopes shall be stabilized with planting at the completion of final grading. Planting should be of native plant species indigenous to the Santa Monica Mountains using accepted planting procedures, consistent with fire safety requirements. All native plant species shall be of local genetic stock. Such planting shall be adequate to provide 90 percent coverage within two (2) years, and this requirement shall apply to all disturbed soils;
- (3) Plantings will be maintained in good growing condition throughout the life of the project and, whenever necessary, shall be replaced with new plant materials to ensure continued compliance with applicable landscape requirements;
- (4) Rodenticides containing any anticoagulant compounds (including, but not limited to, Warfarin, Brodifacoum, Bromadiolone or Diphacinone) shall not be used.

B) Fuel Modification Plans

Vegetation within 20 feet of the proposed house may be removed to mineral earth, vegetation within a 200-foot radius of the main structure may be selectively thinned in order to reduce fire hazard. However, such thinning shall only occur in accordance with an approved long-term fuel modification plan submitted pursuant to this special condition. The fuel modification plan shall include details regarding the types, sizes and location of plant materials to be removed, and how often thinning is to occur. In addition, the applicants 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 twenty foot radius of the proposed house shall be selected from the most drought tolerant species or subspecies, or varieties suited to the Mediterranean climate of the Santa Monica Mountains.

C) Conformance with Coastal Commission Approved Site/Development Plans

The Permittees shall undertake development in accordance with the final Landscape and Fuel Modification Plans. The final Landscape and Fuel Modification Plans shall be in conformance with the site/development plans approved by the Coastal Commission. Any changes to the Coastal Commission approved site/development plans 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 legally required.

D) Monitoring

Three years from the date of the receipt of the Certificate of Occupancy for the residence the applicants shall submit to 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 requirements specified in this condition, the applicants, or successors in interest, shall submit, within 30 days of the date of the monitoring report, a revised or supplemental landscape plan, certified by a licensed Landscape Architect or a qualified Resource Specialist, that specifies additional or supplemental landscaping measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan. This remedial landscaping plan shall be implemented within 30 days of the date of the final supplemental landscaping plan and remedial measures shall be repeated as necessary to meet the requirements of this condition.

6. Structural Appearance

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants 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, driveways, retaining walls, 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. 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 or other disturbance of vegetation other than as provided for in the approved landscape plan prepared pursuant to **Special Condition 5, Landscaping and Fuel Modification Plans**, 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.

9. Deed Restriction

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit to the Executive Director for review and approval documentation demonstrating that the applicants have 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.

10. Revised Plans

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit, for the review and approval of the Executive Director, two (2) sets of final revised project plans. All plans must be drawn to scale with dimensions shown. The final revised project plans shall delete all references to and illustrations of: 1) the location of the Coastal Zone Boundary; 2) the construction of retaining walls on the project site; and 3) the color palate for the project site.

B. The Permittees shall undertake development in accordance with the final approved plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Coastal Commission - approved amendment to the coastal development permit, unless the Executive Director determines that no amendment is legally required.

IV. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

A. PROJECT DESCRIPTION AND BACKGROUND

The applicants propose to construct a 2,793 square foot, 35-foot high, single-family home with attached 420 square foot garage, private septic system, fire department access stairs, and landscaping at 719 Latigo Canyon Road (APN 4464-010-012) in the Santa Monica Mountains area of unincorporated Los Angeles County. The proposed residence will be constructed on a friction pile foundation and no grading is required or proposed. The subject 5,635 square foot property is located along the southwest, downhill side of Latigo Canyon Road, near the northern edge of the Coastal Zone in the Santa Monica Mountains area (Exhibit 1). The project site is a small lot that is part of an antiquated subdivision called "Upper Latigo". Such 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 typically required restrictions on the maximum size of development in small lot subdivisions to minimize cumulative impacts on coastal resources through implementation of the slope-intensity formula. However, in this case, the majority of the Upper Latigo small lot subdivision is located to the north of Latigo Canyon Road, outside of the Coastal Zone. It appears that approximately 14 parcels that are a part of the Upper Latigo Small

Lot Subdivisions are located below Latigo Canyon Road, and within the Coastal Zone. A majority of these parcels are developed, and the subject parcel is one of the few remaining lots with development potential. Residential development located in the portion of the Upper Latigo Small Lot Subdivision outside of the Coastal Zone is not subject to the slope intensity formula. Additionally, pursuant to Part A of Section 22.44.2140 of the 2014 Santa Monica Mountains LIP, the portion of this small lot subdivision located within the Coastal Zone would not be subject to the slope-intensity formula. As such, it is not appropriate in this case to apply the size restrictions that the Commission usually applies in small lot subdivisions (slope-intensity formula and maximum gross structural area).

The subject property is comprised of very steep sloping hillside terrain that descends in a southwest direction from Latigo Canyon Road, within the Zuma Canyon watershed. Site elevations range from approximately 2,000 feet to 1,900 feet above mean sea level. The project site is located along a Scenic Route, as designated by the Santa Monica Mountains LCP, and will be visible from Latigo Canyon Road which affords scenic vistas of the relatively undisturbed canyon area. There are no existing or mapped public trails on or adjacent to the subject property.

Although the subject site is located in a rural area characterized by expansive, naturally vegetated mountains and hillsides, existing single-family residences are located immediately adjacent to the subject parcel. In the Santa Monica Mountains, the Los Angeles County Fire Department requires a 200-ft fuel modification (on-site) and/or brush clearance (off-site) zone from combustible structures. In this case, the 200-ft fuel modification/brush clearance zone of adjacent residences extends onto the subject site. Therefore, the subject site is not considered to be an environmentally sensitive habitat area. Additionally, the fuel modification/brush clearance required for the proposed project will not result in impacts to environmentally sensitive habitat areas.

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 applicants 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 applicants nevertheless choose to proceed with the project, the Commission requires the applicants to assume the liability from these associated risks. Through the assumption of risk condition, the applicants acknowledge 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 5: Landscaping and Erosion Control Plans

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 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
- Special Condition 5: Landscaping and Erosion Control Plans

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

D. 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 subject site is located within a rural area characterized by expansive, naturally vegetated mountains and hillsides. The project site is adjacent to and will be visible from Latigo Canyon Road, which the approved Santa Monica Mountains LCP identifies as a Scenic Route. There are no existing or mapped public trails on or adjacent to the subject property. There are no existing or mapped public trails on or adjacent to the subject property. 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 applicants propose to construct a 35-foot high, 2,793 square foot single-family residence with 420 square foot attached garage on a friction pile foundation. No grading is required. The residence/garage is designed to be stepped down the hillside below the adjacent roadway. The proposed building site and design minimizes the amount of grading and landform alteration necessary for the project and there are no siting alternatives where the building would not be visible from public viewing areas.

The proposed structure is compatible with the character of other residential development in the area. The proposed structure height 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 (18 feet) allowed under the guidance policies and provisions of the Santa Monica Mountains LCP. Specifically, Section 22.44.1250 of the LIP requires that structures in Scenic Resource Areas (which includes Scenic Routes) have a height not to exceed 18 feet above natural or finished grade, whichever is lower. In this case, while the proposed residence will have a maximum height of 35 feet from existing grade, the portion adjacent to the Scenic Route would be approximately 14 feet in height at the elevation of Latigo Canyon Road, with the remainder of the structure lower than the road elevation. In addition, the development would be partially screened by vegetation.

Even with vegetative screening, the proposed development will be unavoidably visible from public viewing areas. The Commission has considered siting and design alternatives that would avoid or reduce any impacts to visual resources. 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 revised plans be submitted to delete all color palate references so as to ensure that the structure be finished in a color consistent with the surrounding natural landscape; that the revised plans also delete the use of retaining walls in order to accurately reflect the applicants' proposal; that windows on the development be made of non-reflective glass; use of appropriate, adequate, and timely planting of native landscaping to soften the visual impact of the development from public view areas; and a limit on night lighting of the site to protect the nighttime rural 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.

Additionally, the Commission requires the applicants 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 Section 30251 of the Coastal Act:

- Special Condition 5: Landscaping and Fuel Modification Plans
- Special Condition 6: Structural Appearance
- Special Condition 7: Lighting Restriction
- Special Condition 8: Future Development Restriction
- Special Condition 9: Deed Restriction
- Special Condition 10: Revised Plans

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

E. 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 construction of a new 2,793 sq. ft. 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 project site is a small lot, 5,635 square feet in size, which is part of an antiquated subdivision called "Upper Latigo". The majority of the approximately 116-lot Upper Latigo small lot subdivision is located to the north of Latigo Canyon Road and completely outside of the coastal zone. According to County Assessor records, there are approximately 32 existing homes in this northern portion of the subdivision. The square footage of these residences range from approximately 1,200 square feet to 4,500 square feet, with the majority of the homes having over 2,500 square feet of structural area. It appears that most of these homes have been constructed across two or more of the original small lots. There are fourteen lots that are situated on the south side of Latigo Canyon Road: one of which is the subject site. These lots are comprised of very steep sloping hillside terrain that descends in a southwest direction from Latigo Canyon Road. A majority of these parcels are developed, and the subject parcel is one of the few remaining lots with development potential. Residential development located in the portion of the Upper Latigo Small Lot Subdivision outside of the Coastal Zone is not subject to the slope intensity formula. Additionally, pursuant to Part A of Section 22.44.2140 of the 2014 Santa Monica Mountains LIP, the parcels within the portion of this small lot subdivision located within the Coastal Zone would not be subject to the slope-intensity formula. As such, it is not appropriate in this case to apply the size restrictions that the Commission usually applies in small lot subdivisions (slope-intensity formula and maximum gross structural area).

The Commission also notes that although the slope intensity formula and the maximum gross structural area calculation has been applied in most of the many small lot subdivisions in the Santa Monica Mountains in order to minimize the cumulative impacts of development on coastal resources, there have been unique circumstances where the GSA restrictions have not been applied. Most notably, the GSA was not required within small lot subdivisions that are on the "coastal terrace" area of the Santa Monica Mountains (now within the incorporated City of Malibu), given the near build-out of these subdivisions. Given the unique circumstances in this subject case, the Commission finds that applying the GSA restrictions for such a small percentage of the total number of parcels within the Upper Latigo small lot subdivision is not appropriate.

As mentioned above, the Coastal Zone Boundary is located immediately adjacent to the subject site. The project plans submitted by the applicants illustrate the Coastal Zone Boundary in an incorrect location. As such, the Commission requires the applicants to submit revised plans which delete all references to and illustrations of the Coastal Zone Boundary on the final project plans.

Additionally, some additions and improvements to residences on small steep lots within these small lot subdivisions have been found to adversely impact the area. 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.

Lastly, the Commission also requires the applicants 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:

Special Condition 8: Future Development Restriction

Special Condition 9: Deed Restriction

Special Condition 10: Revised Plans

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.

F. 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 Commission has approved an LCP for the Santa Monica Mountains portion of Los Angeles County. Specifically, Local Coastal Program Amendment No. LCP-4-LAC-14-0108-4 was approved with suggested modifications (April 10, 2014) for the 2014 Land Use Plan and Local Coastal Program Amendment No. LCP-4-LAC-14-0109-4 was approved with suggested modifications (July 10, 2014) for the 2104 Implementation Plan. The County of Los Angeles has not yet accepted the suggested modifications, and so the LCP is not yet effectively certified.

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 applicants. 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.

Further, as conditioned, the proposed development is consistent with the guidance policies and provisions of the approved LCP. The following special conditions are required to assure the project's consistency with Section 30604 of the Coastal Act:

Special Conditions 1 through 10

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).

G. CALIFORNIA ENVIRONMENTAL QUALITY ACT

Section 13096(a) of the Commission's administrative regulations requires Commission approval of a Coastal Development Permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California 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:

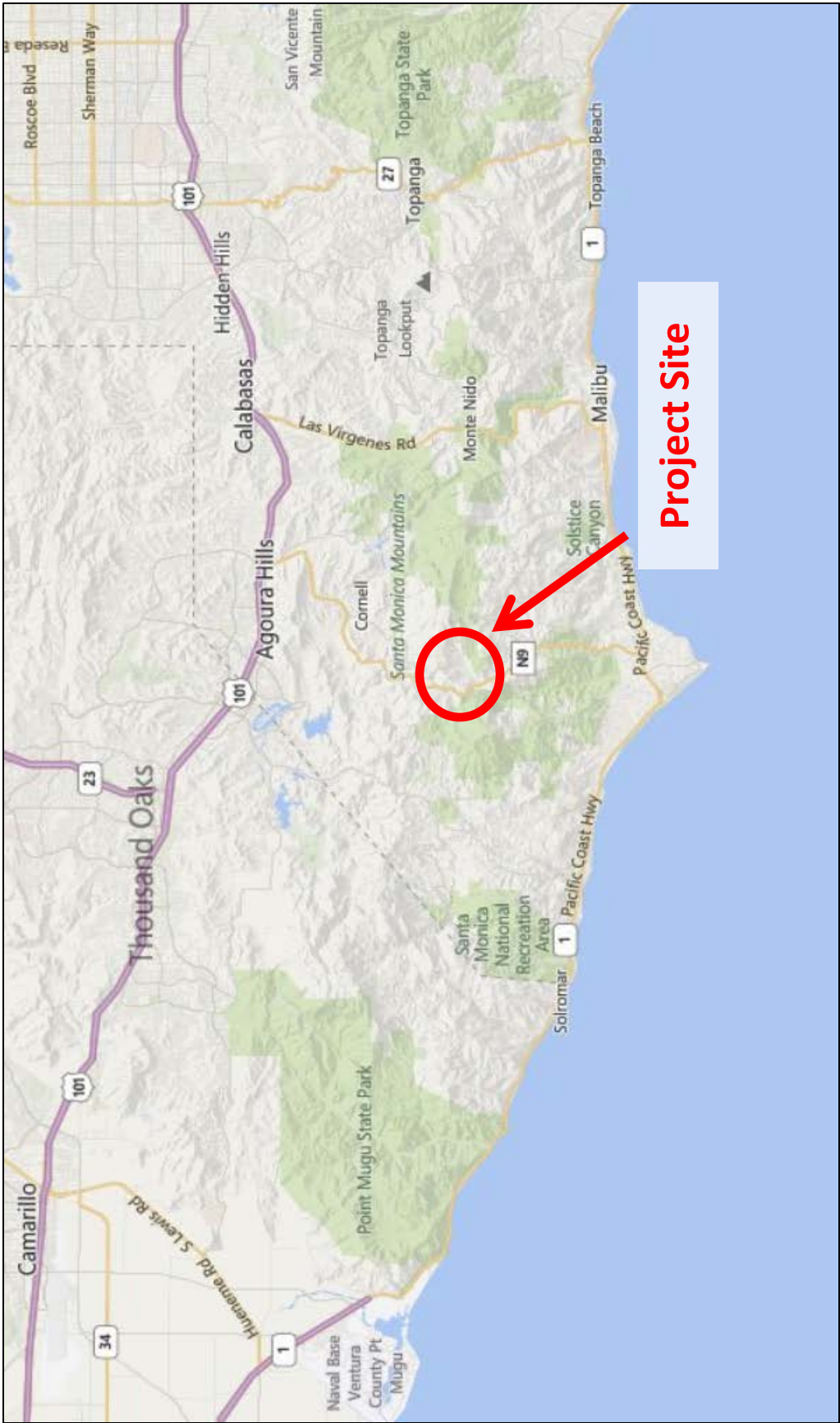
Special Conditions 1 through 10

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.

APPENDIX 1

Substantive File Documents

Certified Malibu/Santa Monica Mountains Land Use Plan; Coastal Zone Boundary Determination No. 02-2014, dated May 7, 2014; Update Letter for Biological Resources Assessment, by Steve Nelson, dated 5/28/14; Update Report of Preliminary Engineering Geologic Investigation, by Subsurface Designs, Inc., dated 2/19/14; Supplemental Clarification Letter, by Subsurface Designs, Inc., dated 5/23/14; Update Letter, Soils Report and Sewage Disposal System, by Professional Geologic consultants, Inc., Dated 1/20/14; Update Letter for Percolation Testing and Engineering Feasibility Report, dated 8/26/13; Evaluation of Percolation Test Holes, by Subsurface Designs, Inc., dated 12/1/10; Update Engineering Geologic Report, by Mountain Geology, Inc., dated 10/11/98; and Updated Soils Engineering Investigation Report, by Coastline Geotechnical Consultants, Inc., dated 12/7/98.

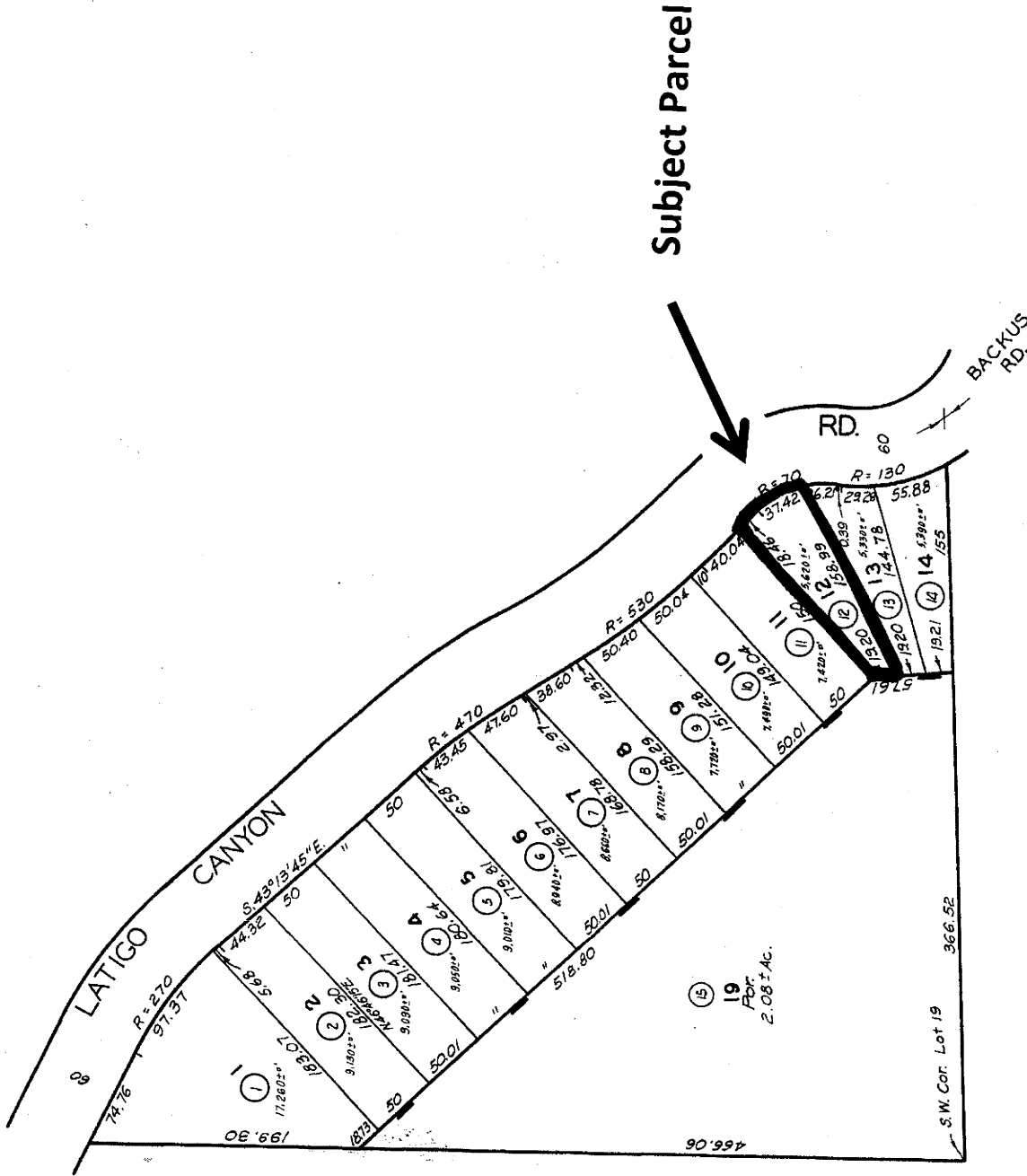


Project Site

Exhibit 1
4-14-0545
Vicinity Map

4464 | 10
SCALE, 1" = 80'

1996



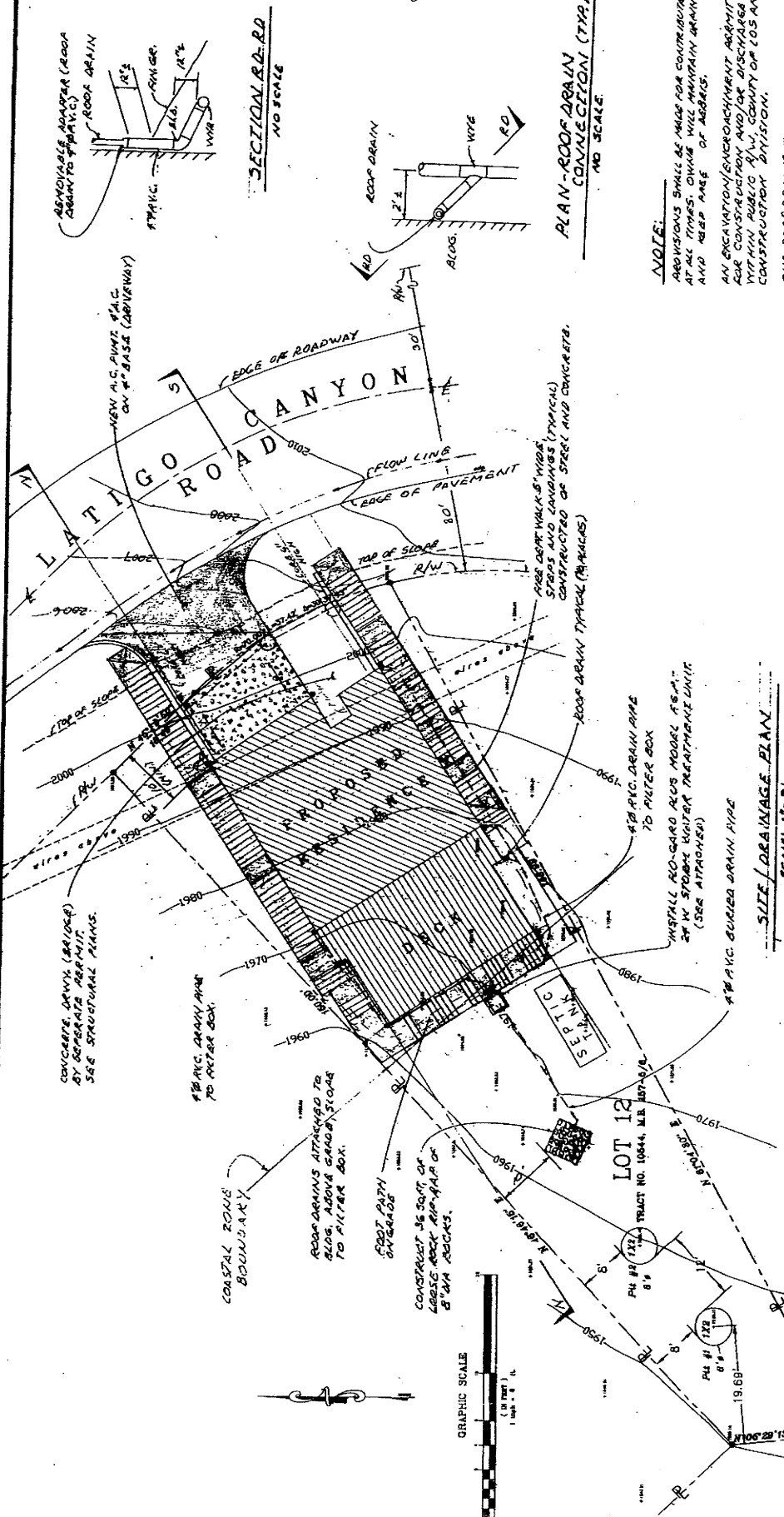
TRACT NO. 10544 TRACT NO. 10343
M. B. 157 - 5 - 6 M. B. 151 - 45 - 47

DE
340

R. PREV. ASSMT. SEE: 800 - 38 & 49

Exhibit 2
4-14-0545
Parcel Map

**A SINGLE FAMILY RESIDENCE
791 LATIGO CANYON ROAD
MALIBU, CALIFORNIA**



PLAN - ROOF DRAIN CONNECTION (TYP.)
NO SCALE

NOTE:
ADDITIONS SHALL BE MADE FOR CONTIGUOUS DRAINAGE AT ALL POINTS. DRAINAGE WILL MAINTAIN DRAINAGE DEVICES AND KEEP AWAY OF ADDRESS.
AN EXCAVATION/ENCROACHMENT PERMIT IS REQUIRED FOR CONSTRUCTION AND FOR DISCHARGE OF DRAINAGE WITHIN PUBLIC R/W COUNTY OF LOS ANGELES CONSTRUCTION DIVISION.
THE ROOF DRAINS TO STREET AND TO ENTER PONES.

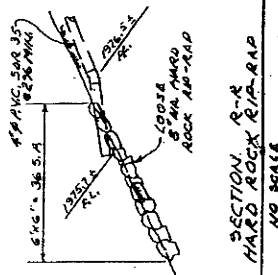
OWNER: APRIL TRUST (310) 467-6700
JOB ADDRESS: 791 LATIGO CANYON RD,
MALIBU, CA 90266
LEGAL DESCRIPTION: LOT 12 OF TRACT NO. 10644

SITE PLAN

G.P.C. NO.	A.P.M.
BECK	ENGINEERING & SURVEYING CO., INC.
FOR ARCHITECT AND SEAL OF PLAN	3100 WYOMING ST., SUITE 103 CANAJO PARK, CA 91301
FOR ENGINEER AND SEAL OF PLAN	AND SITE PLAN
FOR LAND SURVEYOR AND SEAL OF MAP	11110 LANTANA ROAD, MALIBU, CA 90266
SCALE	1" = 30'
DATE	10-10-10



SITE DRAINAGE PLAN
SCALE: 1" = 30'



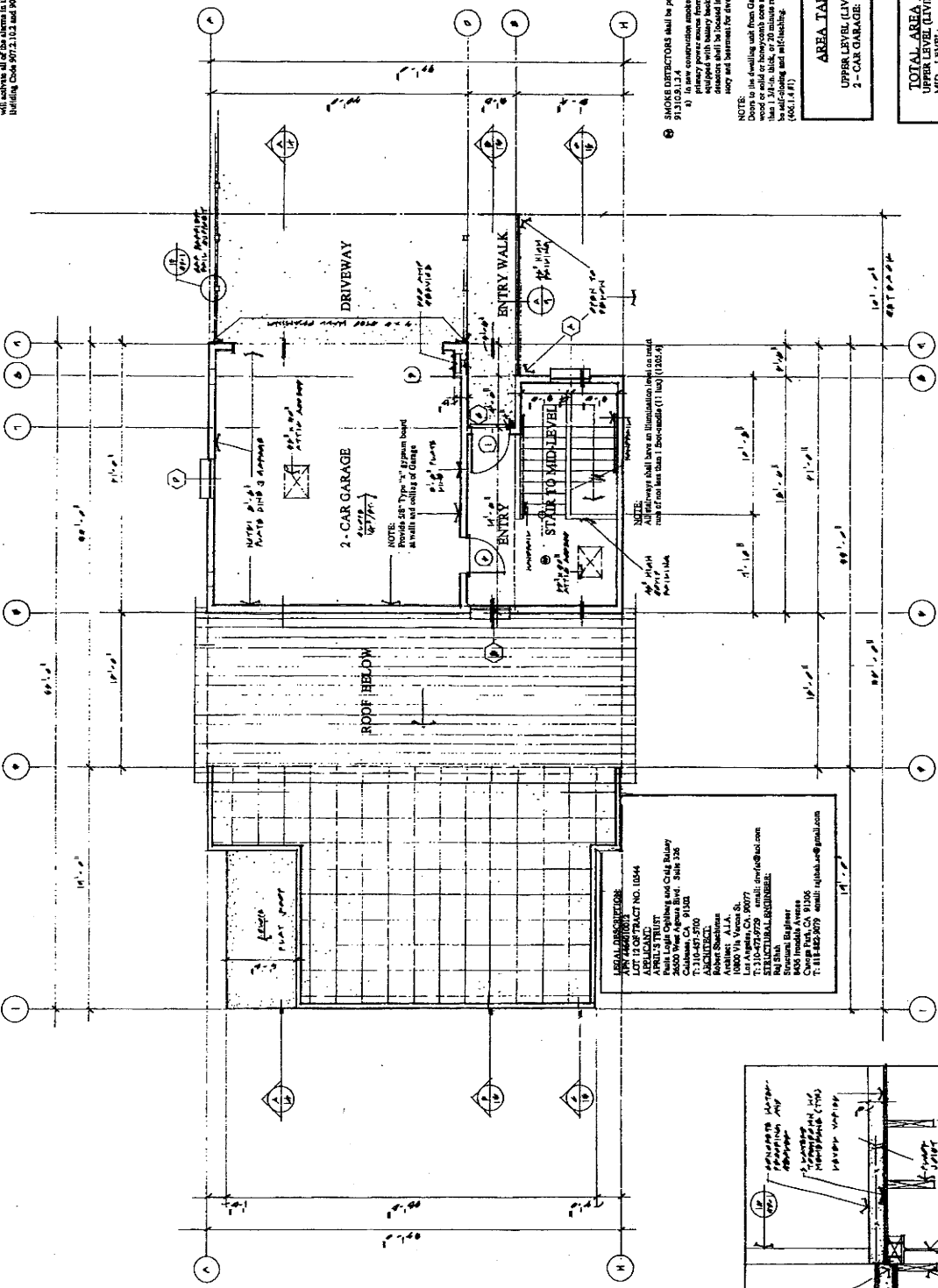
DEPT. OF REGIONAL PLANNING
APPROVED
PER: S. L. H.

Exhibit 3
4-14-0545
Project Plans

**A SINGLE FAMILY RESIDENCE
791 LATIGO CANYON
MALIBU, CALIFORNIA**

**ARCHITECT
ROBERT ELLIS SHACHTMAN
ARCHITECTS
A.L.P.
(P) 310-452-9729**

Height of structure exceeds maximum setbacks shown on recorded site plan. This structure is located on a lot which is subject to a recorded Easement for a utility easement. This structure shall be designed and constructed in accordance with the requirements of the Building Code of the City of Malibu, California. The structure shall be designed and constructed in accordance with the requirements of the Building Code of the City of Malibu, California. The structure shall be designed and constructed in accordance with the requirements of the Building Code of the City of Malibu, California.



LEGAL DESCRIPTION:
 LOT 12 OF TRACT NO. 12344
 AS SHOWN ON MAP
 PLAN LOUISIANA
 2650 West Aguirre Blvd. Suite 306
 Los Angeles, CA 90007
 T: 310-457-9720
 ARCHITECT:
 Robert Shachtman
 10800 Via Venice St.
 Los Angeles, CA 90007
 T: 310-457-9720
 STRUCTURAL ENGINEER:
 Raj Shah
 10800 Via Venice St.
 Los Angeles, CA 90007
 T: 310-457-9720

AREA TABULATION
 UPPER LEVEL (LIVING): 206 S.F.
 2 - CAR GARAGE: 420 S.F.

TOTAL AREA TABULATION
 UPPER LEVEL (LIVING): 206 S.F.
 LOWER LEVEL: 916 S.F.
 BOTTOM LEVEL: 320 S.F.
 TOTAL: 1442 S.F.
 2 - CAR GARAGE: 420 S.F.
 MID-LEVEL ROOF DECK: 479 S.F.

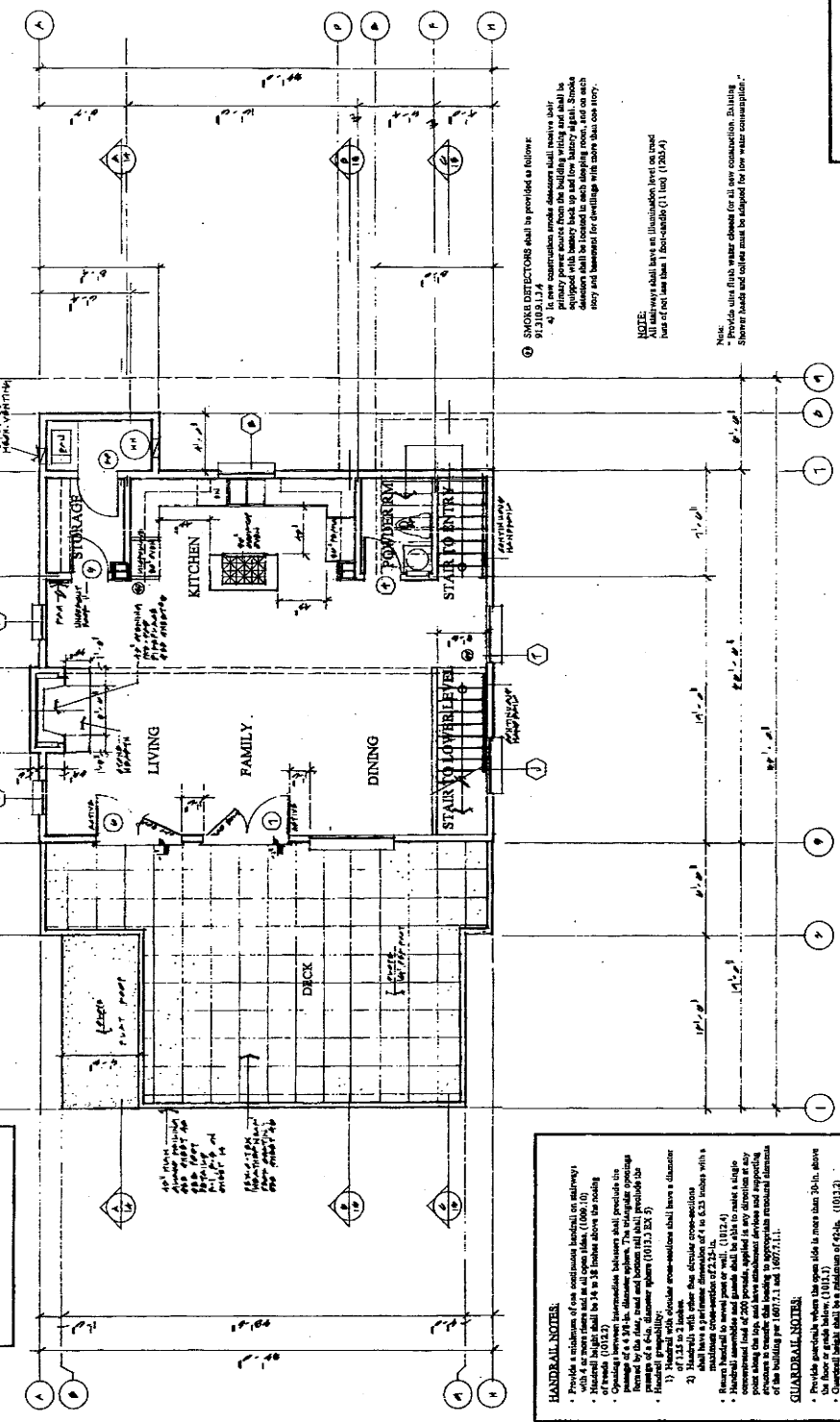
UPPER LEVEL FLOOR PLAN

A SINGLE FAMILY RESIDENCE
791 LATIGO CANYON
MALIBU, CALIFORNIA
 ARCHITECTURE
 ARCHITECTS
 CALIF. ARCHITECTS

DATE: 11-15-2011
SCALE: 1/4" = 1'-0"
6
DEPT. OF REGIONAL PLANNING APPROVED
Page 9 of 17

As the facilities described in Building Code 907.2.10.1.1 and 907.2.10.1.2 Smoke alarm shall receive their primary power from the building wiring where such wiring is derived from a branch circuit that is protected by a fuse or circuit breaker. Where the alarm is to be powered from a battery, the battery shall be housed in a fire-resistant enclosure and shall be maintained at a temperature within an ambient 50-degree Fahrenheit. The smoke alarm shall be interconnected to mean a manner that the activation of one alarm will activate all alarms in the building.

LEGAL DISCLOSURE:
 LOT 13 OF TRACT NO. 10544
 APPLICANT:
 APRIL TRUST
 3600 West Apollo Blvd., Suite 235
 Chubbuck, CA 91102
 714.483.3700
 ALUMINUM
 Robert Shachtman
 Architect - A.L.A. &
 L.A. & S.F.
 Tel: 310-472-9779 email: rshacht@al.com
 10000 Wilshire Blvd., Suite 1000
 Beverly Hills, CA 90210
 STRUCTURAL ENGINEER:
 Robert Shachtman, Engineer
 8416 Beverly Avenue
 Beverly Hills, CA 90210
 Tel: 310-472-9779 email: rshacht@al.com



HANDRAIL NOTES:

- Provide a minimum of one continuous handrail on railings with 4 open rails and at all open ends. (1006.10)
- Handrails shall be 1-1/2" to 2" below the railing of trends. (1013.2)
- Openings between intermediate balusters shall preclude the passage of a 4-in. diameter sphere. (1013.2.2)
- Handrails shall be 34" to 38" above the finished floor. (1013.2.2)
- Handrails shall be 34" to 38" above the finished floor. (1013.2.2)
- Handrails with circular cross-section shall have a diameter of 1-1/2 to 2 inches.
- Handrails with other than circular cross-sections shall have a maximum cross-section of 2-1/4-in.
- Handrails shall be spaced from 1-1/2-in. to 2-in.
- Handrails shall be spaced from 1-1/2-in. to 2-in.
- Handrails shall be spaced from 1-1/2-in. to 2-in.
- Handrails shall be spaced from 1-1/2-in. to 2-in.
- Handrails shall be spaced from 1-1/2-in. to 2-in.
- Handrails shall be spaced from 1-1/2-in. to 2-in.
- Handrails shall be spaced from 1-1/2-in. to 2-in.

GUARDRAIL NOTES:

- Provide guardrails where the open side is more than 30-in. above the finished floor. (1009.2)
- Guardrail height shall be a minimum of 42-in. (1013.2)
- Openings between intermediate balusters shall preclude the passage of a 4-in. diameter sphere. (1013.2)

AREA TABULATION

MID-LEVEL: 881 S.F.
MID-LEVEL ROOF DECK: 479 S.F.

SMOKE DETECTORS shall be provided as follows:
 907.2.10.1.3.4
 An automatic smoke detector shall receive its primary power source from the building wiring and shall be equipped with battery back up and low battery signal. Smoke detectors shall be located in each sleeping room, and on each floor and basement for coverage with area that is one story. They shall be mounted for coverage with area that is one story.
 All stairways shall have an illumination level on each floor of not less than 1 foot-candle (1 lux) (1203.4)
 Provide area flash water closets (or all new construction, building shower heads and valves must be designed for low water consumption.)

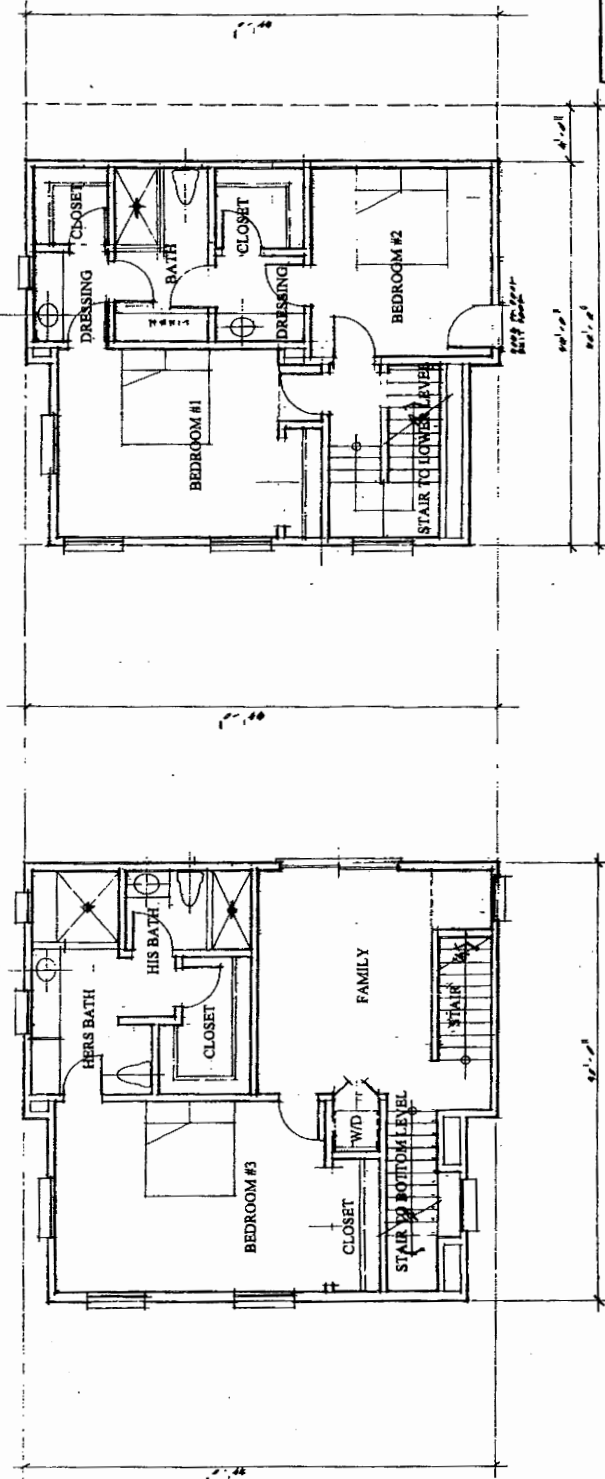
MID-LEVEL FLOOR PLAN

DATE	10/2/81
PROJECT	791 LATIGO CANYON
ARCHITECT	ROBERT ELLIS SHACHTMAN
SCALE	
NO.	
BY	
CHECKED	
DATE	
APP.	
DATE	
REV.	
DATE	
REV.	

A SINGLE FAMILY RESIDENCE
 791 LATIGO CANYON
 MALIBU, CALIFORNIA
 ARCHITECT
 LOS ANGELES, CALIF.
 (213) 410-9722 (F) (213) 410-9723 (H)

SHEET NO. 7
 DATE 10/2/81
 PROJECT 791 LATIGO CANYON
 ARCHITECT R. E. SHACHTMAN
 SCALE 1/8" = 1'-0"
 NO. 10/2/81

GLASS BALCONIES
 Balconies shall be enclosed with glass panels which shall be installed in accordance with the provisions of Building Code 907.2.10.1.1 and 907.2.10.1.2. Enclosures shall be installed with a minimum height of 42" above the finished floor. Enclosures shall be provided with a safety glass panel which shall be equipped with a safety break-up pattern. Where more than one window is provided, the safety glass shall be provided in each window. Enclosures shall be provided with a minimum height of 42" above the finished floor. Enclosures shall be provided with a minimum height of 42" above the finished floor. Enclosures shall be provided with a minimum height of 42" above the finished floor.



AREA TABULATION
 LOWER LEVEL: 916 S.F.

AREA TABULATION
 BOTTOM LEVEL: 799 S.F.

*Provide 70 psi high strength concrete with adjacent to above ground. See Section 05110-01.01 for further details.
 NOTES:
 1) The building shall have water closets (toilets), which are to be provided with a minimum of 16 g.p.m. per flush (FC-602).
 2) The building shall have water closets (toilets), which are to be provided with a minimum of 16 g.p.m. per flush (FC-602).
 3) The building shall have water closets (toilets), which are to be provided with a minimum of 16 g.p.m. per flush (FC-602).
 4) The building shall have water closets (toilets), which are to be provided with a minimum of 16 g.p.m. per flush (FC-602).

NOTE:
 Every room intended for human occupancy shall be provided with natural light by means of existing glass openings in exterior walls or by means of glass openings in exterior walls which shall be adequate to provide an average illumination of 10 foot-candles over the area of the room as a minimum of 30 inches above the floor level. (1901.1 and 1901.3)
 NOTE:
 1) Enclosures shall be provided with a minimum height of 42" above the finished floor.
 2) Enclosures shall be provided with a minimum height of 42" above the finished floor.
 3) Enclosures shall be provided with a minimum height of 42" above the finished floor.
 4) Enclosures shall be provided with a minimum height of 42" above the finished floor.
 5) Enclosures shall be provided with a minimum height of 42" above the finished floor.
 6) Enclosures shall be provided with a minimum height of 42" above the finished floor.
 7) Enclosures shall be provided with a minimum height of 42" above the finished floor.
 8) Enclosures shall be provided with a minimum height of 42" above the finished floor.
 9) Enclosures shall be provided with a minimum height of 42" above the finished floor.
 10) Enclosures shall be provided with a minimum height of 42" above the finished floor.

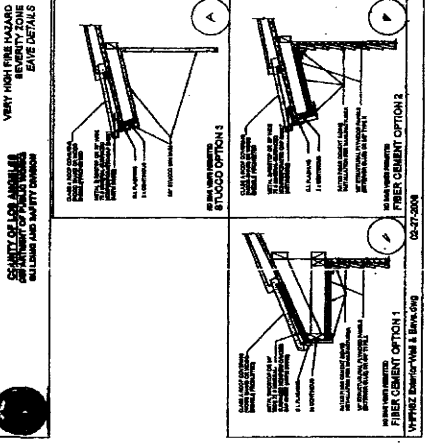
LOWER LEVEL FLOOR PLAN BOTTOM LEVEL FLOOR PLAN

DEPT. OF REGIONAL PLANNING
 APPROVED
 10/2/81

EAST ELEVATION

SOUTH ELEVATION

NORTH ELEVATION



COLOR SCHEME:
ROOF: CHARCOAL GRAY
HARDIE SIDING: BEIGE
TEMPASCAN: CREAM

NOTE:
ALL MECHANICAL EQUIPMENT
UNDER DRIVEWAY

NOTE:
Chimney shall extend at least 2-ft. higher than any portion of the building which it serves, but shall not be less than 2-ft. above the roof. (211.13.5)
Provide a wind breaker to meet all the requirements per Section 211.13.1.
Roofing construction at dormer shall be listed components of the Eave, and installed according to the Eave's approach to construction. (211.13.1)

LEGAL DESCRIPTION:
LOT 13 OF TRACT NO. 1034
APPLICANT:
APPLICANT:
2620 West Avenue Blvd. Suite 224
Culver City, CA 91505
ARCHITECT:
Robert Shachtman
10800 Wilshire Blvd.
Los Angeles, CA 90077
Tel: (310) 472-9729 email: rshachtman@earthlink.net
ADDRESS:
1468 Imperial Avenue
Beverly Hills, CA 90215
Tel: (310) 472-9729 email: rshachtman@earthlink.net

HORIZONTAL LIGHT WELL TO BRING NATURAL LIGHT TO REAR WALL OF MID-LEVEL FLOOR PLAN

HORIZONTAL LIGHT WELL TO BRING NATURAL LIGHT TO REAR WALL OF MID-LEVEL FLOOR PLAN

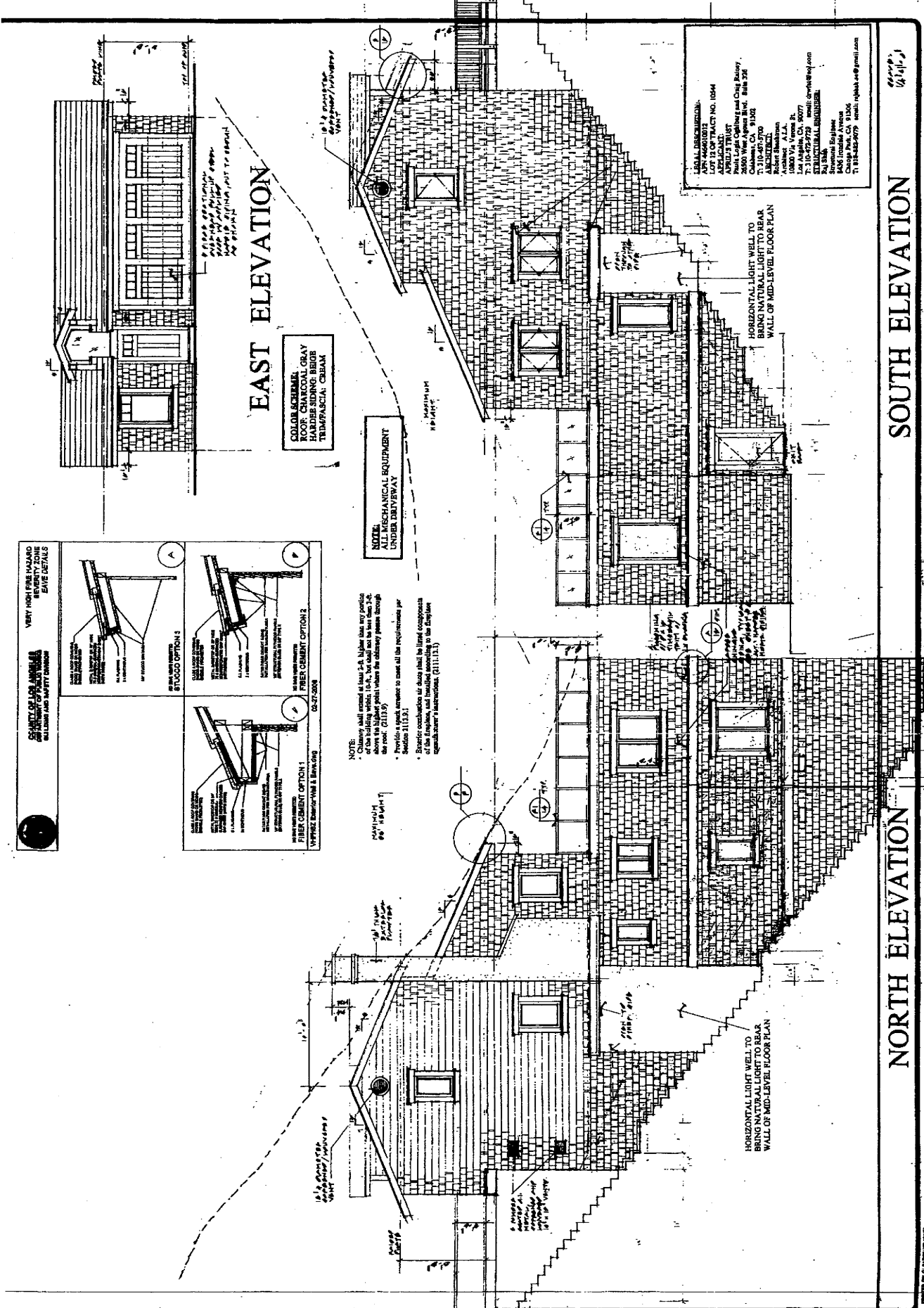


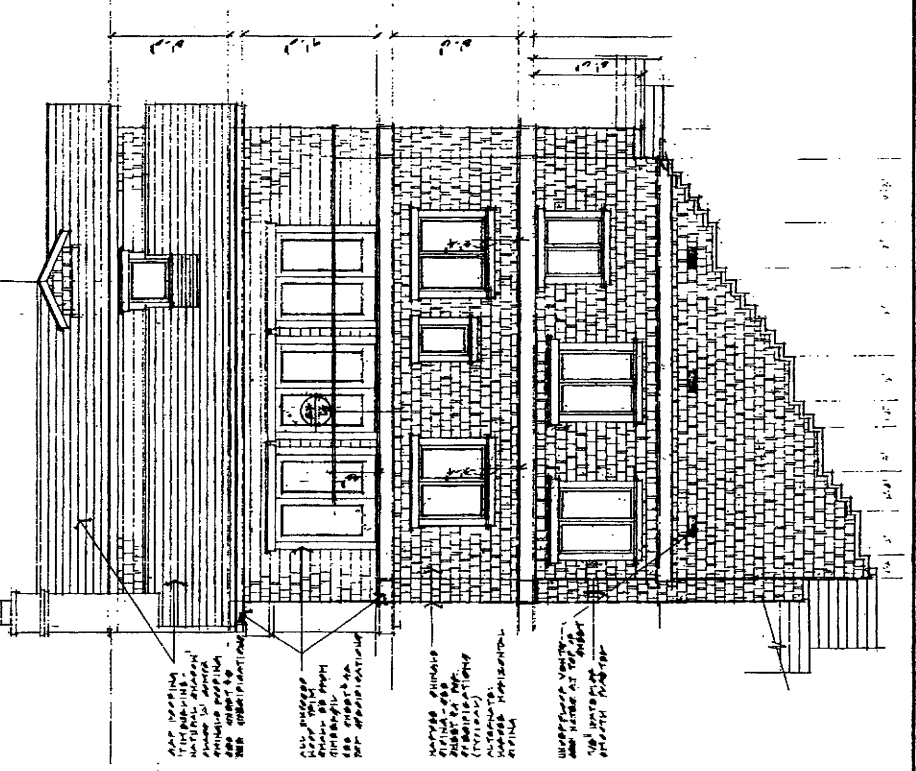
Table with columns for dates and descriptions, likely a schedule of values or project milestones.

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APPROVED 1/25
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LEGAL DISCLOSURE:
APN 44-00-003
LOT 22 OF TRACT NO. 1044
ARILLA TRUST
Paula Lynn Goldberg and Chris Bailey
2660 West Avenue Blvd. Suite 356
Malibu, CA 90263
T: 310-457-5700
F: 310-457-5701
ARCHITECT:
Robert Ellis Schachtman
Architect
10000 Van Vleet St.
Van Nuys, CA 91411
T: 818-708-8777
www.ellisschachtman.com
rsch@ellisschachtman.com

UNDERGROUND VENTILATION:
Under-floor vents shall meet the following requirements (UMA.3):
• Openings shall be placed so as to provide good circulation of air throughout space.
• Vents shall be screened with a fine mesh screen.
• Openings shall have convenient means for access or other approved means, with 1/2" x 1/2" minimum and 3/4" minimum opening.
VENTILATION REQUIREMENTS:
Um-10 - 1" x 8" O.D. minimum area with wire screen.
20 sq. ft. x 10' O.D. minimum area with wire screen.
100 sq. ft. x 11' O.D. minimum area with wire screen.
200 sq. ft. x 12' O.D. minimum area with wire screen.

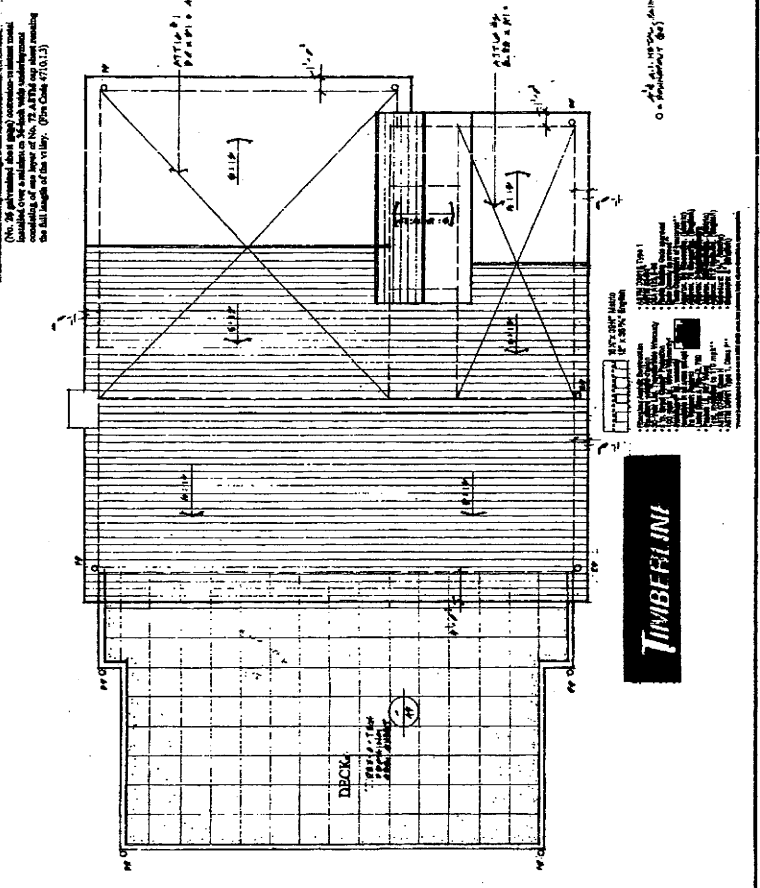
COLORED ROOFING MATERIALS:
DORRY
HARDER SIDING BOARD
TRUMPASCAL CREAM



WEST ELEVATION

ATTIC VENTILATION:
The net free ventilating area shall be:
1. 1/3 of the attic space OR
2. 1/3 of the total roof area OR
3. 20% of the total roof area.
• All openings shall be placed so as to provide good circulation of air throughout space.
• Vents shall be screened with a fine mesh screen.
• Openings shall have convenient means for access or other approved means, with 1/2" x 1/2" minimum and 3/4" minimum opening.
VENTILATION REQUIREMENTS:
Um-10 - 1" x 8" O.D. minimum area with wire screen.
20 sq. ft. x 10' O.D. minimum area with wire screen.
100 sq. ft. x 11' O.D. minimum area with wire screen.
200 sq. ft. x 12' O.D. minimum area with wire screen.

Deck:
Deck shall be constructed with 2x4 joists and 2x8 decking.
Deck shall be finished with composite decking.
Deck shall be installed with a 1/2" x 1/2" minimum gap between joists.
Deck shall be installed with a 1/2" x 1/2" minimum gap between decking.



ROOF PLAN

TIMBELINI



Project Site

Exhibit 4
4-14-0545
Aerial Photograph